



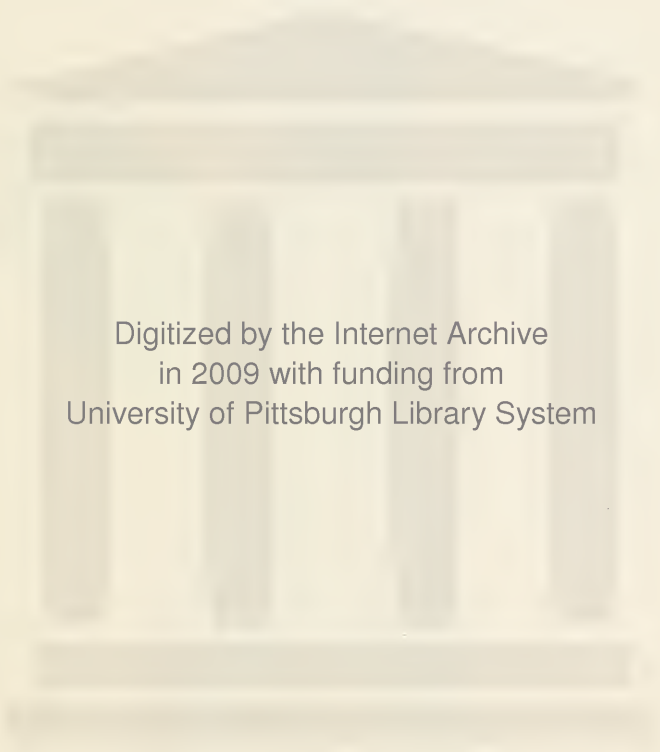
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FRONTISPIECE  
VOLUME III

# A HISTORY OF WILKES-BARRÉ

LUZERNE COUNTY, PENNSYLVANIA

FROM ITS FIRST BEGINNINGS TO THE PRESENT TIME; INCLUDING  
CHAPTERS OF NEWLY-DISCOVERED

EARLY WYOMING VALLEY HISTORY

TOGETHER WITH MANY BIOGRAPHICAL SKETCHES AND MUCH  
GENEALOGICAL MATERIAL

BEGUN BY

OSCAR JEWELL HARVEY, A. M.

AUTHOR OF "A HISTORY OF LODGE No. 61, F. & A. M.", "THE HARVEY BOOK",  
"A HISTORY OF IREM TEMPLE", ETC.

AND COMPLETED BY

ERNEST GRAY SMITH, M. S., LL. B.

PRESIDENT AND EDITOR OF THE WILKES-BARRÉ TIMES-LEADER

(At the time of Mr. Harvey's death, March 26, 1922, he had finished the manuscript  
of the first eight Chapters included in this volume.)

ILLUSTRATED WITH MANY PORTRAITS, MAPS, FACSIMILES, ORIGINAL  
DRAWINGS AND CONTEMPORARY VIEWS



COMPLETE IN FOUR VOLUMES

VOLUME III

WILKES-BARRÉ, PA.

1927

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## Preface To Volume III.

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The death of Oscar Jewell Harvey, March 26, 1922, was destined to secure what had not been accredited him in life—recognition, in the popular mind, of the splendid attainments he had during nearly half a century, brought to the study of the history of a community he so dearly loved.

Mr. Harvey had a genius for painstaking care, a persevering patience which overcame physical handicap, a mind equipped by extensive travel and wide reading to see events in their larger relationships, yet disciplined by studious habit to accuracy and exactness, a memory remarkable for its orderly record of memoranda, an imagination which pictured clearly occurrences of the past, and a pen which recorded these pictures with engaging faithfulness.

In the latter years of his residence in Wilkes-Barré, he led a life of reticence and retirement. His family and friends knew that he suffered much from physical ailments. But no complaint escaped him. To the end, he maintained a cheerful outlook on life, and a philosophical attitude in all his relationships.

It is violating no confidence to say that at his death it became known why his history had not been completed. For nearly a score of years, he had devoted all his leisure hours, and a considerable portion of each business day, to the collection and preparation of the data of his first two volumes.

These were published in 1909, with a promise that a third and final volume would shortly be forthcoming. The historian, however, had reckoned without sufficient thought of finances. His slender means were almost completely exhausted before the work was off the press, and from this financial blow he never recovered. That fact, which pride forbade him to disclose to others, stood in the way of the completion of his life work. Returns from the sale of his two volumes were pitifully small. The late Abram Nesbitt contributed liberally to the deficit, but to few others were these circumstances revealed. The remaining volumes of the set, stored at the time of his death, were mortgaged to the printer.

It is small wonder that bitter discouragement was his. Had men of means among his neighbors and friends been conversant with conditions, there can be no doubt but that a fund sufficient to have endowed the work would quickly have been raised.

It was with a sense of unfitness for a task that has grown with the months, that the writer accepted from the family of Mr. Harvey the data he had collected, and a commission to finish the History of Wilkes-Barré and the Wyoming Valley which he had so auspiciously begun.

A careful inventory of the manuscript among the effects of the dead historian disclosed that he had written but few Chapters to the third volume. These were, in all probability, completed about the time of the appearance of the two volumes in print. A discouraged pen thereafter made copious notes, in various

2  
Harvey 1906-1922

note books, old ledgers and upon loose folios, but no effort to arrange these memoranda in sequence had followed.

Some three months were required to assort, in chronological order, the contents of two trunks, a vacant home serving a useful purpose of providing sufficient floor and other surface for the purpose. The six Chapters completed by Mr. Harvey seemed possible of subdivision into eight and these form Chapters XIX to XXVI inclusive, of the present volume.

From notes of the dead historian, Chapters XXVII to XXX inclusive, were constructed, the balance of Volume III and the whole of Volume IV being based on the writer's own research.

Without the assistance of Wesley E. Woodruff, Esq., upon whom has fallen the exacting task or proof reading the final volumes and indexing the entire work, the completion of this history would never have been attempted.

Nor could such attempt have been possible without the generous financial assistance of:

F. M. Kirby	Col. Asher Miner,	Gilbert S. McClintock,
J. N. Conyngham,	H. H. Ashley,	H. B. Schooley,
W. H. Conyngham,	Chas. S. Forve,	Col. Dorrance Reynolds,
F. J. Weckesser,	Richard Sharpe,	Isaac S. Thomas,
Percy A. Brown,	Abram G. Nesbitt,	William MacWilliam
Mrs. Kate P. Dickson,	J. W. Hollenback,	The Boston Store.
	John C. Haddock	

To these public spirited residents of the community, the writer submitted outline plans for the completion of the work and its probable cost. They agreed at once that the undertaking was a community project of sufficient importance to engage their support and encouragement.

With these measures of assistance at hand, there seemed nothing left for the writer to do but proceed as best he might. The task of completion has meant the burning of midnight oil, feverish activity as opportunity presented, and a satisfaction at its completion which can be little understood, excepting by one who has set for himself a season of five years of over work.

That the completed volumes may be a monument to Oscar Jewell Harvey, a credit to those who have aided in its production, and a source of authentic information to those who find in the stirring history of Wyoming a record of achievement peculiar in the annals of America, are hopes of the author.

*Ernest S. Smith.*



## Contents of Volume III

### CHAPTER XIX.

INDIAN INCURSIONS UPON WESTMORELAND—MANY RESIDENTS OF THE TOWN MURDERED, OR CARRIED AWAY AS PRISONERS, BY THE INDIANS—THE DISCOVERY OF HARVEY'S LAKE—HARD TIMES..... 1239

### CHAPTER XX.

COL. ZEBULON BUTLER AND THE WESTMORELAND TROOPS GARRISONING FORT WYOMING TRANSFERRED TO OTHER POSTS—LARGE LOSSES SUSTAINED BY THE INHABITANTS OF WESTMORELAND IN THE YEARS 1778-'81—THE LAST SCALP TAKEN BY INDIANS IN THE WYOMING VALLEY—THE END OF THE WAR OF THE REVOLUTION..... 1270

### CHAPTER XXI.

PENNSYLVANIA PETITIONS CONGRESS FOR A HEARING OF CLAIMS LONG IN DISPUTE—CONNECTICUT CONCURS—A DISTINGUISHED COURT OF COMMISSIONERS APPOINTED—SIDELIGHTS ON SESSIONS OF THE COURT—A SUMMARY OF THE CONFLICTING CLAIMS—THE DECREE OF TRENTON—DISSATISFACTION WITH THE DECREE IN WYOMING—PRIVATE RIGHT OF SOIL NOT ADJUDICATED AND INDIVIDUAL DISPUTES NOT SETTLED BY THIS DECREE..... 1293

### CHAPTER XXII.

INHABITANTS OF WYOMING LEFT BY CONNECTICUT TO FIGHT SINGLE HANDED PETITION THE LEGISLATURE OF NEW YORK—THE CONTINENTAL GARRISON AT WILKES-BARRÉ WITHDRAWN AND COMPANIES OF PENNSYLVANIA MILITIA SUBSTITUTED—DISTRUST AUGMENTED—RETURN OF QUOTAS OF REVOLUTIONARY TROOPS TO WYOMING..... 1308

### CHAPTER XXIII.

THE PENNSYLVANIA COMMISSIONERS REACH WILKES-BARRÉ—MUCH TESTIMONY TAKEN AS TO THE RIGHT OF SOIL—COMPROMISE SUGGESTIONS REFUSED—COMMISSION DEPARTS AFTER ELECTING PARTISAN OFFICE HOLDERS—SOLDIERS QUARTERED UPON THE INHABITANTS AND ENCOURAGED TO OPPRESS SETTLERS—SECOND PENNAMITE-YANKEE WAR BEGUN—DISASTROUS FLOOD AT WYOMING..... 1325

## CHAPTER XXIV.

EVENTS OF THE SECOND PENNAMITE-YANKEE WAR—OPPRESSIONS OF SETTLERS BY PENNAMITES MULTIPLY—THE INTERVENTION OF CONGRESS AGAIN INVOKED—YANKEES, DRIVEN FROM THEIR HOMES, ESTABLISH FORTS LILLOPEE AND DEFENSE—SKIRMISHES BETWEEN THE CONTENDING PARTIES CAUSE A DISASTROUS FIRE—THE FIGHT AT LOCUST HILL..... 1374

## CHAPTER XXV.

PENNSYLVANIA MILITIA REACH WILKES-BARRÉ FROM EASTON—A DISASTROUS TRUCE ARRANGED—HOSTILITIES AGAIN PROVOKED—SEVENTY-TWO YANKEES SENT TO THE EASTON AND SUNBURY JAILS—THE INJUSTICES DONE CONNECTICUT SETTLERS EXCITE GENERAL INDIGNATION—JOHN FRANKLIN'S OATH—FORT DICKINSON EVACUATED BY THE HATED ARMSTRONG AND HIS MILITIA, THUS ENDING THE SECOND PENNAMITE-YANKEE WAR—GREAT REJOICING AS THE SETTLERS RAZE THE FORT..... 1411

## CHAPTER XXVI.

CONNECTICUT APPEALS TO CONGRESS FOR JUSTICE TO THE SETTLERS—AFFAIRS OF THE SUSQUEHANNA COMPANY AGAIN REVIVED AND NEW SETTLERS REACH WYOMING—FEW PENNAMITES REMAIN IN ACTUAL POSSESSION OF THEIR CLAIMS—DELEGATION OF THE PENNSYLVANIA ASSEMBLY VISITS WILKES-BARRÉ—THE "HALF SHARE" MEN..... 1458

## CHAPTER XXVII.

GENERAL ETHAN ALLEN ESPOUSES THE CAUSE OF THE CONNECTICUT SETTLERS AND COMES TO WILKES-BARRÉ—UNWARRANTED PROCEEDINGS OF THE SUSQUEHANNA COMPANY—WYOMING WITHOUT THE BENEFITS OF LAW, ESTABLISHES AN EXPERIMENT IN SELF GOVERNMENT—A NEW STATE PROPOSED BY ALLEN AND KINDRED SPIRITS—THE SETTLERS DIVIDE ON THE ADVISABILITY OF THIS SCHEME—MANY SETTLERS SUBSCRIBE TO ERECTION OF A NEW COUNTY—PENNSYLVANIA AROUSED..... 1479

## CHAPTER XXVIII.

THE "WESTERN RESERVE"—GENERAL ETHAN ALLEN RETURNS TO VERMONT—COLONEL TIMOTHY PICKERING VISITS WILKES-BARRÉ—JOHN FRANKLIN AND JOHN JENKINS, JR. "YANKEE OUTLAWS," PLEAD THE SETTLERS' CAUSE BEFORE THE PENNSYLVANIA ASSEMBLY—A LAW ERECTING LUZERNE COUNTY FOLLOWS THIS VISIT..... 1511

## CHAPTER XXIX.

LEGISLATIVE FOUNDATION UPON WHICH THE COUNTY OF LUZERNE WAS ERECTED—ANNE CAESAR, CHEVALIER DE LA LUZERNE—BAPTISM OF THE COUNTY BY THE GREAT "PUMPKIN FLOOD"—COL. TIMOTHY PICKERING ARRIVES AS PEACE COMMISSIONER—HIS MANY OFFICES—THE SUSQUEHANNA COMPANY'S LAST PROJECT—JOHN FRANKLIN AND HIS "IRRECONCILABLES" FOMENT DISCORD—PREPARATIONS FOR THE FIRST ELECTION UNDER PENNSYLVANIA..... 1529

## CHAPTER XXX.

ORGANIZATION OF THE COUNTY OF LUZERNE—A LIST OF THE ELECTORS—METHODS AND EVENTS OF THE FIRST ELECTION—THE CONFIRMING LAW OF 1787—HOSTILITIES AGAIN AROUSED—DIFFERENCES BETWEEN THE SETTLERS LEAD TO A RIOT AT FORTY FORT—OLDER SETTLERS, TIRED OF CONTESTS, DECLARE FOR COMPROMISE—THE FIRST COURT OF COMMON PLEAS—COL. PICKERING'S MANY DUTIES—FOUR ATTORNEYS ADMITTED TO PRACTICE—THE FIRST FRUITS OF SELF GOVERNMENT..... 1552

## CHAPTER XXXI.

INFLUENCES OF THE FRANKLIN PARTY IN WYOMING AFFAIRS—WILD SPECULATION IN SHARES OF THE SUSQUEHANNA COMPANY—HATCHING THE PLOT FOR FRANKLIN'S ARREST—THE STORY OF HIS VIOLENT APPREHENSION—RETIALIATORY MEASURES AGAINST COLONEL PICKERING—PICKERING'S EXILE AND RETURN TO WYOMING—SUSPENSION OF THE CONFIRMING LAW—PENNSYLVANIA'S DUPLICITY—THE ADMINISTRATION UNDER PICKERING..... 1578

## CHAPTER XXXII.

HARSII TREATMENT OF COLONEL FRANKLIN—RETIALIATORY MEASURES THREATENED—THE ABDUCTION OF TIMOTHY PICKERING—PENNSYLVANIA STIRRED TO ACTIVITY—CONGRESS ORDERS CONTINENTAL TROOPS TO HIS RESCUE—HIS VOLUNTARY RELEASE—ARREST OR DISPERSION OF HIS CAPTORS—COLONEL FRANKLIN'S PLEDGE—ANALYSIS OF HIS CASE—THE SUPREME COURT AT WILKES-BARRÉ—FRANKLIN NOT TRIED—SENTENCES OF ABDUCTORS—THE "STATE OF WESTMORELAND"—"THE SEQUEL"..... 1598

## CHAPTER XXXIII.

THE FIRST COURT HOUSE OF LUZERNE COUNTY—SOME UNUSUAL CASES TRIED—THE MILITIA PROBLEM—EARLY ROADS—INFANT INDUSTRIES—THE NEW CONSTITUTION OF PENNSYLVANIA—COLONEL PICKERING'S CONFERENCE WITH THE SIX NATIONS—HE BECOMES POST MASTER GENERAL—EARLY AGRICULTURAL DIFFICULTIES—PARDON OF COL. JOHN FRANKLIN—TWO HEROIC FIGURES LEAVE WYOMING NEVER TO RETURN.... 1627

## CHAPTER XXXIV.

AGGRESSIVE LEADERSHIP AT WYOMING IS MISSING—FAILURE OF THE "CONFIRMING LAW" AND ITS REPEAL—THE "INTRUSION ACT" A MOCKERY—REVIVAL OF THE SUSQUEHANNA COMPANY WITH ATHENS AS A HUB OF RESTLESS ACTIVITIES—THE "COMPROMISE ACT OF 1799"—ADVERSE COURT DECISIONS—ABILITY AND SINCERITY OF THE "COMPROMISE COMMISSION" INSPIRE PUBLIC CONFIDENCE—RIGHTS OF SOIL FINALLY DETERMINED... 1650

## CHAPTER XXXV.

EVENTS OF THE LAST DECADE OF THE EIGHTEENTH CENTURY—SHAD FISHERIES—HUNTERS AND HUNTING OF THE PERIOD—INDUSTRY OF THE WOMEN—THE WHISKEY INSURRECTION—CAPTAIN BOWMAN'S COMPANY—BEGINNING OF THE RENAISSANCE IN WYOMING AFFAIRS—REAPPORTIONMENT OF TOWNSHIPS—THE COUNTY'S FINANCES—VISIT OF JEMIMA WILKINSON—EARLY PREACHERS AND DOCTORS—WILKES-BARRÉ'S EARLIEST NEWSPAPERS..... 1674

## CHAPTER XXXVI.

THE FOUNDING OF ASYLUM BY FRENCH REFUGEES—SOME OF ITS DISTINGUISHED RESIDENTS—ROBERT MORRIS, THE "FINANCIER OF THE REVOLUTION" CONNECTED WITH THE VENTURE—THE "QUEEN'S HOUSE" BUILT TO RECEIVE MARIE ANTOINETTE—ITS SCENES OF GAYETY AND BRILLIANT RECEPTIONS—VISITS OF TALLEYRAND AND THE DUKE OF ORLEANS, AFTERWARDS LOUIS PHILIPPE, KING OF FRANCE, WITH HIS TWO YOUNGER BROTHERS—THEIR STAY IN WILKES-BARRÉ—FINANCIAL REVERSES OF THE COLONY AND ITS FINAL ABANDONMENT—PREPARATION FOR WAR WITH FRANCE—CAPTAIN BOWMAN'S COMPANY AGAIN MUSTERED INTO SERVICE—WAR AVERTED BY A CHANGE OF FRENCH POLICIES..... 1697

## CHAPTER XXXVII.

BEGINNINGS OF SUSQUEHANNA RIVER COMMERCE—WAREHOUSES AND BOAT YARD ON THE RIVER COMMON—LAUNCH OF THE "JOHN FRANKLIN"—DURHAM BOATS AND RAFTING—EARLY GRIST-MILLS—HISTORY OF THE MINER-HILLARD MILL—ERECTION OF "THE MEETING HOUSE ON THE SQUARE"—FUNDS TO COMPLETE THE STRUCTURE RAISED BY THE WILKES-BARRÉ MEETING HOUSE AND BANK LOTTERY—THE LOTTERY BRINGS FINANCIAL DISASTER—BELL OF "OLD SHIP ZION"—"OLD MICHAEL" THE SEXTON. . . . . 1719

## CHAPTER XXXVIII.

EVENTS OF THE EARLY YEARS OF THE NINETEENTH CENTURY—JEFFERSON'S ELECTION CELEBRATED—PARTISANSHIP OF THE PERIOD—ÉCHOES OF LAND DISPUTES—THE IDEA OF PERMANENCE OF THE COMMUNITY GAINS GROUND—BUILDING OF THE SECOND COURT HOUSE—THE STONE JAIL—EASTON AND WILKES-BARRÉ TURNPIKE—THE BOROUGH OF WILKES-BARRÉ INCORPORATED—FIRST OFFICERS OF THE BOROUGH—THE STONE "FIRE PROOF"—THE WILKES-BARRÉ ACADEMY—VARIOUS SOCIÉTIES FORMED. . . . . 1750

## CHAPTER XXXIX.

TOTAL ÉCLIPSE OF THE SUN EXCITES WONDER—FIRST BRICK BUILDING ERECTED—SHIP BUILDING COMPANY PROMOTED—LAUNCH OF THE "LUZERNE"—THE COUNTY LOSES AND GAINS TERRITORY—AGRICULTURAL SOCIETY ORGANIZED—WILKES-BARRÉ'S FIRST BANK—FINANCIAL REVERSES—EVENTS OF THE WAR OF 1812—MILITARY ORGANIZATIONS PARTICIPATING—A VISITOR'S IMPRESSIONS—END OF VOLUME III. . . . . 1774





## CHAPTER XIX.

INDIAN INCURSIONS UPON WESTMORELAND—MANY RESIDENTS OF THE TOWN MURDERED, OR CARRIED AWAY AS PRISONERS, BY THE INDIANS—THE DISCOVERY OF HARVEY'S LAKE—HARD TIMES.

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“Oh! wherefore come ye forth  
In triumph from the North,  
With your hands and your feet and your raiment all red?  
And wherefore doth your rout  
Send forth a joyous shout?  
And whence be the grapes of the wine-press that ye tread?”  
—*Lord Macaulay, in “The Battle of Naseby.”*

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“In the dark, they dig through houses, which they had marked for themselves in the daytime. They know not the light.

“For the morning is to them even as the shadow of Death. If one know them, they are in the terrors of the shadow of Death.”

—*Job, XXIV: 16, 17.*

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COLONEL BUTLER, who was in command of Fort Wyoming at Wilkes-Barré at the beginning of the year 1780, set out for New England on February 7th, leaving Captain Schott in command of the fort. The Wyoming garrison at this time was composed of the following Continental troops: Schott's Corps, Capt. Simon Spalding's Westmoreland Independent Company, and a small detachment from the 3rd Connecticut Regiment; together with a handful of

Westmoreland militiamen under the captaincy of Dr. William Hooker Smith of Wilkes-Barré.

There were at this time—as shown by existing fragmentary records of the Wyoming Post—"detached guards", or scouting parties, from the garrison on "command", or duty, at "Nanticoke", "Shawnee," and "the Clock-house over the River."

Colonel Butler returned to Wilkes-Barré March 22, 1780, and resumed command of the Wyoming garrison three days later. In reporting his return to General Washington he wrote:\*

"I arrived at this post after a tedious journey, being obliged to travel about forty miles of the last of it on foot, the snow being so deep. It is yet too deep to get a horse through the woods. I am making preparation to join [my regiment] as soon as possible."

Within two or three days after the return of Colonel Butler, the members of one of the scouting parties from the fort reported that they had discovered traces of Indians in the woods near Wilkes-Barré.

In the morning of March 27th Thomas Bennet† and his sixteen-year-old son Andrew were plowing on the flats above Forty Fort, when they were surprised and seized by four Indians, who hurried them off to a gorge in the Kingston

\*See the Rev. Horace E. Hayden's "The Massacre of Wyoming" (page 68), published at Wilkes-Barre in 1895.

†THOMAS BENNET, whose name is mentioned on pages 672 and 675, Vol. II, and on various other pages herein, was one of the "First Forty" settlers at Wyoming to whom the township of Kingston was allotted. He was born in 1721, either in eastern Connecticut or in Rhode Island. About 1750 he was married to Martha Jackson, and they settled at that time, or within a year or two thereafter, in the town of Scituate, Providence County, Rhode Island. Here they resided until the Autumn of 1763, when, with their two children, they removed to the Minisink region, Orange County, New York, and located not far from the present town of Fort Jervis.

Scituate, Rhode Island, adjoins the county of Windham, Connecticut, where The Susquehanna Company was organized in 1753, as hereinbefore related, and Thomas Bennet, having become a shareholder in the Company about 1763, proposed to remove to Wyoming Valley; but, about the time of his arrival in Orange County, the settlement at Wyoming was broken up and devastated by the Indians (as related in Chapter VI), and so Mr. Bennet abandoned, for the time, his intention of settling on the Susquehanna, and early the next year removed to a farm near Goshen, in Orange County.

Mr. Bennet cultivated this farm until February, 1769, when he accompanied the "First Forty" settlers to Wyoming. When, in the Spring of 1772, the lands of "the Forty", or Kingston Township, were allotted to the proprietors thereof, Thomas Bennet drew his share, and upon his "house-lot", not far from Forty Fort, erected a "double log house", in which he and his family took up their residence. When the 24th Regiment, Connecticut Militia, was organized in Wyoming in 1775, Thomas Bennet was fifty-four years old. Nevertheless, in December, 1775, Mr. Bennet, together with his eldest son, Solomon, fought in the ranks of the regiment at the battle of "Rampart Rocks", described on page 861, Vol. II.

Under the Connecticut law of 1776 Thomas Bennet became an enrolled member of the "Alarm List" of the 24th Regiment, and in July, 1778, when Wyoming was invaded by the British and Indians, he was called into service with the other elderly men who constituted the "List". During the battle of July 3d Mr. Bennet was one of the garrison at Forty Fort—in which place were also his wife and three youngest children; Solomon, the eldest child, having marched with his company to the field of battle. (See note on page 1032, Vol. II.)

Some days after the battle and massacre the Bennets fled from Wyoming—Thomas, the husband and father, accompanying his wife and two youngest children, and proceeding to what is now Stroudsburg, Pennsylvania. Martha, the elder daughter of Thomas Bennet, fled with other fugitives from Forty Fort to Sunbury, Pennsylvania, and subsequently to Stroudsburg, where she joined her mother and sister Mary, a child of seven or eight years of age.

Early in August, 1778, Thomas Bennet, in company with Matthias Hollenback, Benjamin Harvey, James Nisbitt and other Wyoming men, set out for Wilkes-Barré, where they arrived August 16th and joined the detachment of militia under the command of Lieutenant Colonel Butler. (See page 1096, Vol. II.) About that time Mrs. Martha Bennet and her two daughters, Martha and Mary, journeyed to Goshen, New York, where they remained until the following Spring, and then went to Litchfield County, Connecticut, where they had relatives. Late in the Autumn of 1779 Mrs. Bennet, accompanied by her daughters, rejoined her husband and their two sons, Solomon and Andrew, at Wyoming.

In the Spring of 1780, Thomas, Solomon and Andrew Bennet (the last named being only sixteen years of age) were enlisted and sworn into service as privates in Capt. John Franklin's company of Connecticut Militia. (See page 1229, Vol. II.)

It is said that, after the existence of Harvey's Lake became known to the inhabitants of Wyoming Valley, Thomas Bennet cut through the wilderness the first bridle-path from Kingston to the Lake—the path being known for a long time as "Bennet's Path". Andrew Bennet, the younger son of Thomas, launched the first canoe upon the Lake, in 1800.

Thomas Bennet died at his home near Forty Fort in the Spring of 1796, aged seventy-five years, and his widow Martha (Jackson) Bennet died in May, 1811, aged eighty years. The remains of both are interred in Forty Fort Cemetery, and upon their tombstone the death of Thomas Bennet is recorded as having taken place in 1798. This is an error, as the records of the Orphans' Court of Luzerne County show that letters of administration upon his estate were granted in May, 1796, to his widow Martha and to Benjamin Carpenter.

Thomas and Martha (Jackson) Bennet were the parents of four children who grew to maturity, as follows: (i) Solomon, born about 1751; was married to Mrs. — (Stevens) Upton, the widow of Asa Upton, supposed to have removed to Canada. (ii) Martha, born January 15, 1763; married to Philip Myers; died January 3, 1851. (See below.) (iii) Andrew, born in 1764; died November 20, 1821. (See below.) (iv) Mary, born August 15, 1772; married to John Tuttle; died —. (See below.)

(i) Martha Bennet, born in Scituate, Rhode Island, January 15, 1763, was married in Kingston Township, Wyoming Valley, July 15, 1787, to Philip Myers. The latter was born in Germany in 1759, and in 1760 accompanied his parents and brothers Lawrence, Henry and Michael to America, and settled at Frederick, Maryland. During the early part of the Revolutionary War Lawrence Myers served as a Lieutenant and Philip Myers as a private in the Maryland Line in the Continental army, and they took part in the battle of Germantown, Pennsylvania.

Lieut. Lawrence Myers having settled in Wyoming Valley, as described on page 837, Vol. II (see also pages 1164 and 1227, Vol. II), was followed hither by his brother Philip in 1785, and then or later by his brother Henry (who died in Kingston March 4, 1816, aged 59 years). A few weeks after his marriage to Martha Bennet, Philip Myers was elected and commissioned Lieutenant of the militia company in the "Upper District of Kingston", which was commanded by Capt. Benjamin Smith and was designated as the 7th Company in the "1st Battalion of Luzerne County Militia", commanded by Lieut. Col. Matthias Hollenback.



Philip Myers received from his father-in-law a house-lot just north of the site of old Forty Fort (within the limits of the present borough of Forty Fort), and upon this he built a comfortable house of hewed yellow-pine logs, pointed with lime mortar and plastered on the inside. Here Mr. Myers and his wife lived for a number of years, and long after their respective deaths this quaint house stood as a reminder of early days. It was destroyed by fire in June, 1887.) It being located near an eddy in the Susquehanna River, Mr. Myers kept there for a number of years an inn, which was much resorted to by raftsmen from the upper Susquehanna on their way down stream. Politically, Mr. Myers was a sterling Democrat, and in early days the Democrats of Luzerne County frequently held their nominating conventions at this house. Mr. Myers also owned a farm of 140 acres, extending from Forty Fort to the top of the Kingston Mountain, the larger part of which he cultivated.



THE OLD MYERS HOUSE, FORTY FORT  
From a drawing made in 1857

Philip Myers died at Forty Fort April 2, 1835, and his widow, Martha (Bennet) Myers, died there January 3, 1851, within twelve days of her eighty-eighth birthday.

Referring to her death *The Wilkes-Barre Advertiser* said at the time: "Perhaps no white person had resided so long in the Valley as Mrs. Myers. She was an authority with respect to many details concerning early events here." William L. Stone, who visited Wyoming Valley in 1837, prior to writing his "Poetry and History of Wyoming", says (on page 242 of his book): "Forty Fort stood upon the bank of the river, and the spot is preserved as a common —beautifully carpeted with green, but bearing no distinctive marks denoting the purposes for which the ground in those troublous times was occupied. Near the site of the fort is the residence of Mrs. Myers, a widow lady of great age, but of clear mind and excellent memory, who is a survivor of the Wyoming invasion and of the horrible scenes attending it. \* \* \* She was in Forty Fort when Col. Zebulun Butler marched out at the head of the Provincials against the enemy. Her recollections of all that passed beneath her eye on that occasion are remarkably vivid. \* \* \* Mrs. Myers was present at the capitulation on the following day, and saw the victorious entrance of the enemy, six abreast, with drums beating and colors flying."

Philip and Martha (Bennet) Myers were the parents of the following-named children: (1) *John Myers*, born February 17, 1791; married by Cornelius Courtright, Esq., May 2, 1813, to Sarah (born July 20, 1793; died May 9, 1868), daughter of Maj. Henry Stark, mentioned in the note on page 1017. Vol. II; had children Elizabeth, Jane, Lawrence, (died at Wilkes-Barré, June 14, 1905), Martha, Mary S., Harriet, John William, Philip Henry (died at Wilkes-Barré, December 28, 1910) Charles, Sarah J., James M., and Ruth Ann; died in Wilkes-Barré January 25, 1850. (2) *Barre*, December 28, 1910) *Thomas*, Sarah J., James M., and Ruth Ann; died in Wilkes-Barré January 25, 1850. (3) *William Myers*, who removed to Sunbury, Pennsylvania, 1835-'38; married (1st) to Sarah, daughter of Thomas Berbridge of Kingston, (2d) to —Vanderbilt; had children Philip (who died at Chicago, Illinois, April 23, 1891, aged 66 years), Fanny and George, died at Williamsport, Pa., December 3, 1887. (4) *Henry Myers*. (5) *Henry Myers*. (6) *Harriet Myers*, born in 1807; married to her cousin Madison F. Myers (born in 1810; died August 2, 1859), son of Michael Myers of Frederick, Maryland (who died there December 2, 1815); had children Miranda (who married Charles Steele), Philip Thomas, Martha A. (who married Archibald J. Weaver), Frederick Benham and William P.; died at Kingston May 2, 1889. (7) *Elizabeth Myers*, who became the wife of Emmons Locke. (8) *Sarah Myers*, born September 25, 1792; married November 12, 1812, to Abram Goodwin (born July 6, 1790; died May 15, 1880), son of Abraham and Catharine (King) Goodwin of Kingston; had children Martha (who married John D. Hoyt), Philip, John, Elizabeth (who became the second wife of John D. Hoyt), Abram and Sara (who became the wife of Abram Nesbitt of Kingston); died at Kingston March 4, 1867. (9) *Mary Myers*, born March 12, 1798; married June 10, 1819, to the Rev. George Peck (born August 8, 1797; died May 20, 1876); died July 31, 1881. (For a sketch of the life of the Rev. Dr. Peck see a subsequent chapter.) (10) *Martha Ann Myers* (born in 1804; died July 9, 1828), who was married at Kingston February 21, 1827, to the Rev. Joseph Castle of Bethany, Pennsylvania.

(iii) *Andrew Bennet*, younger son of Thomas and Martha (Jackson) Bennet, was born in Orange County, New York, in 1764. He was married first December 18, 1787, to Mary Miller (born in 1759), who died October 6, 1804. Sometime later Andrew Bennet was married to Abigail Kelly, born January 13, 1776. He died at Kingston November 20, 1821, and his widow Abigail died there October 28, 1838. The eldest child of Andrew Bennet by his first wife was John Bennet, born April 25, 1790; lived in Kingston Township; was admitted a member of Lodge No. 61, F. and A. M., Wilkes-Barré, August 2, 1813; was married to Matilda (born January 4, 1799; died August 11, 1879), daughter of Thomas and Tryphena (Hibbard) Buckingham of Lebanon, Connecticut; had one child—Charles Bennet, born February 28, 1819, admitted to the Bar of Luzerne County April 7, 1845, admitted to Lodge No. 61, F. and A. M., October 24, 1854, married to Sarah Sly of Franklin, Michigan, died at Wilkes-Barré August 6, 1866, and his widow died here June 14, 1887. John Bennet died in Kingston February 10, 1863.

The other children of (iii) *Andrew Bennet* by his second wife were: (1) *Andrew*, born March 7, 1809; died March 20, 1885. (2) *Elizabeth*, born in 1811; became the wife of Henry Polen; died at Wyoming June 25, 1898. (3) *Mary*, died September 19, 1837. (4) *George*, born at Forty Fort December 25, 1813; married February 1, 1844, to Martha, daughter of Daniel Streibich of Montoursville, Pennsylvania; was a farmer near Montoursville; had sons John A., George and Daniel S. (born September 3, 1853; died at Wilkes-Barré September 16, 1884). (4) *George Bennet* died at his home near Montoursville, March 11, 1887.

(iv) *Mary Bennet*, youngest child of Thomas and Martha (Jackson) Bennet who grew to maturity, was born in Kingston Township, Wyoming Valley, August 15, 1772. She was married January 11, 1789, to John Tuttle of Kingston Township. Henry Tuttle, a native of Basking Ridge, Somerset County, New Jersey (where he was born November 24, 1733), removed thence with his family to Kingston Township, Wyoming Valley, in 1785, and settled at what is now Forty Fort. In June, 1789, Nathan Denison conveyed to him one half of Meadow Lot No. 10, Kingston. Henry Tuttle had been a soldier in the Revolutionary War, and was a farmer and a blacksmith. He died at Forty Fort, January 3, 1820. His children were: (1) *Henry Tuttle*, who was twice married, and had children Henry, John and Phebe. (2) *Ahner Tuttle*, who was married to Hannah, daughter of Stephen Harding of Exeter, Luzerne County (see page 993, Vol. II) and died September 20, 1820. (3) *John Tuttle*, born April 3, 1767. (See below.) (4) *Joseph Tuttle*, born January 19, 1772.

(For further references to Henry and Joseph Tuttle see page 1151, Vol. II.)

(3) *John Tuttle* lived for many years in a small frame house within the present bounds of the borough of Forty Fort, on the westerly side of the road (now Wyoming Avenue) near where the "stone-arched bridge" spans Abraham's Creek, as noted on page 1006, Vol. II. The site of this house was on the edge of the large, level field shown in the picture facing page 786, Vol. II. (See, also, page 416 of Peck's "Wyoming: Its History and Romantic Adventures" in November, 1791, Thomas Denison conveyed to John Tuttle Lot No. 24, Fourth Division of Kingston.

In November, 1791, Thomas Denison conveyed to John Tuttle Lot No. 24, Fourth Division of Kingston. The children of (3) *John* and *Mary (Bennet) Tuttle* were: (a) *Martha Tuttle*, born February 3, 1790, became the wife of Holden Tripp, and their daughter, Lucilla S. became the wife of Charles H. Silkman of Scranton, Pennsylvania. He was admitted to the Bar of Luzerne County January 1, 1838. (b) *Mary Tuttle*, born April 18, 1791; became the wife of Joseph Orr of Dallas, Luzerne County, and their youngest child, Albert Skeer Orr (died at Wilkes-Barré, March 25, 1908, aged 79 years), was at one time postmaster at Wilkes-Barré. (c) *Henry Tuttle*, born in April, 1793, married to Annie Shoemaker. (d) *Sarah Tuttle*, born December 7, 1794; married to Benjamin Jenkins (see page 806;

mountain, where they overtook two more Indians, having charge of Lebbens Hammond\*, a neighbor of the Bennets, who had been taken prisoner a few hours before. That night the six Indians and their three captives encamped about twelve miles north of the Valley.

The next day, March 28th, having crossed the Susquehanna, they pushed on towards Meshoppen. In the afternoon of this day they met a party of about thirty Indians headed by a Tory named Moses Mount, who were on their way to pillage and devastate some of the frontier settlements. Mount and one of the Indians were known to Bennet and Hammond, and the latter were eagerly questioned by them as to the state of the garrison at Wyoming, the number of inhabitants in the Valley, etc. The captives informed the leaders of the war-party that there were 300 fighting men in the fort at Wilkes-Barre, that they were well armed and provisioned, that they had a cannon, and that the settlers had all taken refuge there. The war-party then concluded that they would strike the river below the Valley, and they went on their way; but first they told Bennet and Hammond that there were 500 Indians from Fort Niagara already out on the war-path, and that a party equally large, or even larger, was coming on after them; that Brant, with one party, had gone to the Mohawk River; that a second party had gone to the Minisinks, and a third party to the West Branch of the Susquehanna.†

On the evening of March 28th, the party of Indians with the three captives from Wyoming built a fire with the aid of Thomas Bennet, who, being an elderly man and somewhat afflicted with rheumatism, was least feared, and was permitted to go unbound. From a few words dropped by one of the Indians Mr. Bennet drew the inference that it was their design to murder him and his fellow-captives. Whispering to Hammond, when the Indians had gone to a nearby spring to slake their thirst, a plan of escape was concerted.

Tired with their heavy march the Indians lay around the fire, after a hearty supper of venison. Hammond and Andrew Bennet were pinioned between the Indians. One old Indian was appointed to keep the first watch, and he sat near the fire half sleeping and nodding, and between times picking the scanty flesh from the head of a deer he had been roasting. Having gathered wood with which to keep the fire going during the night, Thomas Bennet sat down near the Indian on watch, and soon afterwards carelessly took up the latter's spear which lay by his side, and began to play with it. Watching his opportunity, Mr. Bennet, by a quick and powerful thrust, transixed the savage with his own spear, and he fell across the burning logs with a startling groan. Not a minute was lost in cutting loose the bound limbs of Hammond and Andrew Bennet. Three of the other Indians were tomahawked before they could rise from the ground, another was wounded and escaped and the sixth fled from the scene unhurt. On the

Vol. II) of West Pittston, Luzerne County, who was born December 26, 1792, and died May 28, 1861, leaving to survive him his wife (who died February 26, 1872) and the following-named children: Thomas, Eleanor, Rachel, Catherine, John S., Martha Ann, Mary, Sarah and Ada S. (e) Elizabeth Tuttle, born August 29, 1796. (f) John Tuttle, born August 23, 1800. (g) Phebe Tuttle, born February 15, 1802. (h) William Tuttle, born July 30, 1805; married to Mary Ingham. (i) Chester Tuttle, born December 22, 1806; married in 1844 to Mary Ann, daughter of Jacob I. Shoemaker of Wyoming and widow of David Baldwin. He was admitted a member of Lodge No. 61, F. and A. M., Wilkes-Barré, August 9, 1844, and was Secretary of the Lodge in 1850. He was at one time Deputy Sheriff of Luzerne County, was clerk to the County Commissioners for five years, and from 1846 to 1852 was editor of the *Luzerne Democrat*, a weekly newspaper published at Wilkes-Barré. He was instrumental in raising a company of volunteer militia which became known as the Wyoming Troop, and of which he was Captain. For some fifteen years from about 1853 he held a clerkship in the Navy Department at Washington. He died at Huntsville, Luzerne County, July 17, 1883, and was survived by a daughter.

\*Mentioned on pages 1019 and 1020, Vol. II. According to information recently furnished the writer by the Hon. Charles Tubbs of Osceola, Tioga County, Pa., Lebbens Hammond was married to Lucy Tubbs, daughter of Lieut. Lebbens Tubbs previously mentioned. Lebbens Hammond died July 13, 1826, aged 72 years and his widow Lucy died April 17, 1844, aged 86 years and 12 days. The remains of both are buried about two miles from Elmira, New York.

†See letter from Colonel Butler to General Washington, Hayden's "The Wyoming Massacre", page 69.





INDIAN MASSACRE AT WILKES-BARRÉ  
(From an old engraving by John Rogers)

evening of March 30th, the escaped captives arrived at Fort Wyoming, Wilkes-Barré, bringing with them five rifles, a silver mounted hanger, and several tomahawks and blankets as trophies of their exploit. The silver mounted hanger, or sword, mentioned above, had been the property of Lieut. Thomas Boyd (see page 1215, Vol. II), and had been taken from him by one of his Indian captors previous to their massacre of him.\*

Relative to the capture and escape of the Bennets and Hammond, Col. (formerly Maj.) John Butler, commander of "Butler's Rangers", wrote to Governor Haldimand from Fort Niagara, N. Y., under date of April 29, 1780, in part as follows:†

"Scouts have been out during the Winter. One party returning with prisoners, through carelessness let them untie themselves at night, so that after killing five Indians they escaped."

On the day following that upon which the Bennets and Hammond were seized and carried away, another band of Indians—undoubtedly Delawares from Fort Niagara—made a foray into the Valley, murdered in cold blood four unarmed and inoffensive inhabitants, wounded two, and carried five others into captivity. One of these captives was Jonah Rogers (mentioned in the note on page 1153, Vol. II),‡ then a boy fourteen years of age. He wrote, in August, 1833, an account of this occurrence, which was published in *The Wyoming Republican* (Kingston, Pa.) of September 4, 1833. It reads as follows:

"In 1780 I was engaged with Mr. Asa Upson in making sugar, on what was then called Stewart's Flats, now owned by Frederick Crompton, in Plymouth, Luzerne County. Before sunrise on the 28th of March ten Indians came upon us, and shot, tomahawked and scalped Mr. Upson as he lay in the cabin, to which I was an eye witness. The Indians then started with me down the river. We crossed the creek at Shickshinny and traveled for Big Fishing Creek, which we reached about sunset. Here we discovered some white people, and withdrew to a solitary place, where we lay down without fire. As I was not pinioned, I lay in an Indian's arms.

"Before sunrise we went to the cabin of the white people and the Indians killed one and took two prisoners. One of the prisoners was a man of the name of Peter Pence; the other a boy named Moses Van Campen, a cousin to the Major. The man killed was Major Van Campen's uncle. We then went to another sugar camp, where were the Major [Moses Van Campen] and his father and brother. The Indians killed his father and brother on this day, the 29th of March. Four of the Indians were left with the prisoners, and the other six went into Huntington, where they wounded two men by the names of Thomas Parker and Samuel Ransom, who were out on a scouting expedition with Capt. John Franklin. We stayed on the night of the 29th at the Three

\*See Peck's "Wyoming; its History and Romantic Adventures", page 296, and the note on page 370 of "Journals of the Sullivan Expedition."

†See the "Haldimand Papers", B. M. 21,765—CV. 208.

‡The present writer now has in his possession an original deed for a tract of land in Plymouth, Wyoming Valley, which was executed at Westmoreland July 8, 1776, by Elisha Richards, conveying the said tract to Jonah and Josiah Rogers, then of Westmoreland, but "late of Ashford, Windham County, Connecticut."

§PETER PENCE, or more probably, BENTZ, was a Pennsylvania German. In June, 1775, he enlisted in Capt. John Lowdon's company of the Pennsylvania Battalion of Riflemen commanded by Col. Wm. Thompson, which was raised in pursuance of a resolution of Congress adopted June 14, 1775. The privates of Captain Lowdon's company were from the West Branch Valley, around and north of Sunbury and were enlisted for the term of one year. Among the officers and privates were Samuel Brady, Timothy Murphy, James Parr, James Wilson, William Wilson, David Hammond, Philip Ginter, and others who as well as Peter Pence, became noted in the annals of border warfare. (See "Pennsylvania in the Revolution," p. 27.)

¶In Meigs's "Ozimechon: a History of the West Branch Valley", we find this paragraph: "There was another remarkable hunter and Indian killer in this Valley named Peter Pence, of whom many wonderful stories are related. He is described, by those who remember him, as being a savage looking customer, who always went armed with his rifle, tomahawk and knife, even years after peace was made."

¶In consideration of his services during the Revolutionary War the Legislature of Pennsylvania passed, March 10, 1810, an Act granting a pension of forty dollars per annum to Peter Pence. He died in Crawford Township, Clinton County, Pennsylvania, in 1827.

MOSES VAN CAMPEN was born in January, 1757 and consequently was twenty-three years old at the time of his capture by the Indians. At the breaking out of the Revolutionary War he resided in Northumberland County, Pennsylvania, and soon after the Declaration of Independence was proclaimed he enlisted in a Pennsylvania militia regiment and served until August, 1777. Then he joined as Orderly Sergeant, Captain Gaskin's company in the regiment of Pennsylvania militia commanded by Col. John Kelly of Northumberland County, which was stationed at Big Island and Bald Eagle Creek, on the West Branch of the Susquehanna. In this regiment he served three months. In 1778 he had attained the rank of Lieutenant in the militia, and early in April of that year he assisted in the erection of Fort Wheeler on Fishing Creek, about three miles above the present town of Bloomburg, Columbia County, Pa.

During the Sullivan Expedition (see Chapter XVIII) Lieutenant Van Campen was employed in the quartermaster's department of the army. After his escape from his Indian captors in April, 1783, he assisted in stockading the home of James McClure, Sr. (on the right bank of the Susquehanna, about one mile above the mouth of Fishing Creek, in what was then the township of Wyoming, Northumberland County, and within the present limits of the borough of Bloomburg, Columbia County, Pa.), which thereafter was known as McClure's Fort. In April, 1782, Lieutenant Van Campen then an officer in the Pennsylvania militia company known as "Robinson's Rangers", was sent with a party of twenty-five men up the West Branch of the Susquehanna to Bald Eagle Creek. There they fell

Corner Pond in Bedford. On the 30th we travelled not more than three miles, when the Indians took Abraham Pike prisoner. On the 31st we crossed the river.

"Abraham Pike\* was a British deserter, and death was his portion if he remained with the Indians. He urged an escape. On the 1st of April we had an opportunity of being alone and we all agreed to escape. That night [being encamped near the Susquehanna, about fifteen miles below Tioga Point] the prisoners were all pinioned but myself, and it was agreed that I should procure a knife which I did. Pike cut himself loose, and while the Indians were sleeping, he took away their guns, and then cut the other men loose. One Indian awakened, and instantly Peter Pence fired at him. Major Van Campen took an ax, which I had procured for him, and killed two Indians before they arose. The rest ran and were pursued by Van Campen. As they fled, Peter Pence fired at them several times. I have reason to suppose that Pike did not shed one drop of Indian blood that night, only in scalping the two dead Indians. Major Van Campen was the principal executioner.

"On the 6th of April, while the "go-to-bed drum" (as it was called) was beating at Wilkes-Barre Fort, we reached the block-house in Kingston, having suffered much with hunger during our travel."<sup>†</sup>

In the diary of Lieut. John Jenkins, Jr., who was at Fort Wyoming, Wilkes-Barré, in the Spring of 1780 (see page 806, Vol. II), occurs the following entry under the date of March 30, 1780.

"Mrs. [Abraham] Pike came in this day, and informed that she and her husband were in the woods making sugar, and were surrounded by a party of about thirty (?) Indians, who had several prisoners with them, and two horses. They took her husband and carried him off with them, and painted her and sent her in. They killed the horses before they left the cabin where she was. One of the prisoners told her that the Indians had killed three or four men at Fishing Creek."

Concerning the escape and return home of Pike and his companions, Lieutenant Jenkins made the following entry in his diary, under the date of April 6, 1780.

"Pike and two men from Fishing Creek and two boys, that were taken by the Indians, made their escape by rising on their guard of ten Indians, killed three, and the rest took to the woods naked, and left the prisoners with twelve guns and about thirty blankets, &c. These the prisoners got safe to the fort."

At Fort Niagara, N. Y., under the date of May 3, 1780, Col. Guy Johnson (mentioned in the note on page 300, Vol. II) wrote to Governor Haldimand concerning preparations which had been made by Joseph Brant and other Indian chiefs for incursions against the frontier settlements. He stated that a large expedition had set out about the middle of February, 1780, which was followed by several smaller parties; that one of the latter, composed of Delawares, had killed seven white people and taken six prisoners at Wyoming; that three of the Indians of this party had been killed in the night time.

A small party of Indians came to Cooper's plantation at Capouse (now Scranton) March 30, 1780, and captured and carried away three men named Avery, Lyons and Jones.

At Wilkes-Barré, under the date of April 2, 1780, Col. Zebulon Butler wrote to General Washington and also to the Board of War relative to the recent happenings in with a considerable body of Indians, and in the fight which ensued nineteen of Van Campen's men were slain, and he and five of the remaining men were taken prisoners and conveyed to Fort Niagara, New York.

Lieutenant Van Campen was detained as a prisoner in the hands of the British at Fort Niagara, Montreal and the Isle of Orleans until about November 1, 1782, when he was exchanged and immediately returned to Northumberland County, where he rejoined "Robinson's Rangers". In March, 1783, he came with his company to Wilkes-Barré to assist in garrisoning Fort Wyoming, about that time known as Fort Dickinson.

Lieutenant Van Campen was honorably discharged from the military service of the State November 16, 1783, and soon thereafter was married to Margaret, eldest daughter of James and Mary (Eggy) McClure, of "McClure's Fort" previously mentioned. There he lived until 1789, when he purchased a large tract of land in the neighborhood of Briar Creek, Columbia County, Pa. In 1796 he sold his Pennsylvania lands and removed to Almond, Allegheny County, N. Y. Thence he removed, about five years later, to Angelica in the same county, where he died October 15, 1849. He was survived by five daughters.

At Dansville, New York, in 1841, there was published, for the first time, a 12 mo. book, of 310 pages, entitled "Sketches of the Life and Adventures of Moses Van Campen, a Surviving Officer of the Army of the Revolution", by John N. Hubbard. In 1913 the price of a copy of this extremely rare book (the first edition) was quoted at \$45.00 in New York.

\*Mentioned on pages 982, 1012 and 1014, Vol. II.

<sup>†</sup>At different times during the past eighty years various accounts, differing very materially in their details, have been printed relative to the escape of Rogers, the Van Campens, Pike and Pence from their Indian captors. We have accepted the foregoing account of Jonah Rogers as undoubtedly the correct one of the occurrence. For other accounts the reader is referred to *Hazard's Register of Pennsylvania*, XII. 38; Stone's "Poetry and History of Wyoming", p. 276; Miner's "History of Wyoming", p. 279; Peck's "Wyoming", p. 304, Wright's "Historical Sketches of Plymouth", pp. 30 and 208.

penings at Wyoming, and also as to the state of affairs at Fort Wyoming. These communications were entrusted for delivery to Capt. Simon Spalding, who journeyed from Wilkes-Barré to Philadelphia, and thence to Morristown, New Jersey. A copy of the letter to General Washington is printed on page 68 of Hayden's "The Wyoming Massacre" (previously mentioned). The letter to the "President of the Board of War" was as follows:

"Honored Sir—The last letter I wrote per Captain Spalding was of the 30th ult., of the transactions of the enemy up to that day. On the same day, early in the morning, about nine miles west of the river, one Pike, his wife and child, that were out making sugar, were taken by a party that had been to Fishing Creek. They were the party that had killed and scalped one man and taken the other on the 28th of March, about eight miles down the river. They had the prisoners taken at said time with them, and three others, who told Pike's wife that they [the Indians] had killed three at Fishing Creek. They dismissed her with her child, and ordered her to come home. She brings the above account, and says their number was above thirty. She was two hours with them before they dismissed her.

"The same evening the three men [the Bennets and Hammond] mentioned as being taken the 27th of March, came in with five Indian guns, tomhacks, &c., and report that they were taken by six Indians and carried near forty miles, and on the 29th, early in the morning, they arose on their masters, killed three dead and wounded the fourth and two ran off! However, so much is fact: They brought in five guns, one silver mounted hanger, tomhacks, &c. \* \* \* \* The three men likewise say that by the appearance of the snow-shoe tracks there had been for some months large numbers of Indians in these parts, which was less than forty miles above this Garrison. \* \* \*

"I had forgot to mention that on the 29th March—the same day the Indians did the mischief at Fishing Creek—about eighteen miles westward of this settlement they wounded two men [Parker and Ransom] that went out with Esquire Franklin to give notice to some men that were making sugar there; but they saved themselves by taking to a house, and have all got in. The two wounded men are likely to recover. \* \* \*

"I have engaged some of the militia to do duty, and give them rations until the pleasure of the Board is known. I shall be glad of directions respecting their rations and pay while I continue at this Post, and any other orders.

"I am Your Honour's most Obedt. Humble Serv't, [Signed] "ZEBN. BUTLER, Col."

The militia mentioned by Colonel Butler as being in service at Fort Wyoming were the company of Westmorelanders commanded by Capt. Wm. Hooker Smith, and the recently organized company of Captain Franklin, mentioned on page 1228, Vol. II.

The members of these companies were not required either to spend all their time in doing military duty, or even to remain continuously at the fort in Wilkes-Barré. The enlisted men of the companies were divided into three classes, or details. While one of these details would be performing a tour of duty in and about the garrison, a second detail would be engaged in scouting, or in guarding certain important places in the valley—for example, a grist-mill—at some distance from Wilkes-Barré. The other members of the companies, not on duty with either of these details, had permission and were expected to go to their respective homes to engage in their usual vocations; and matters were so arranged that each man would be off duty three or four days every fortnight. Of course, in cases of emergency, all the men were required to be on duty simultaneously at the garrison, or wherever needed.

In reply to his communication to the Board of War Colonel Butler received the following:\*

“WAR OFFICE, April 6th, 1780.

"Sir—The Board have received your favor of the 2d instant—the one referred to by Capt. Spalding is not yet received. With respect to your having engaged some of the Militia to do duty, the Board approve of your conduct. While in actual service they should receive Continental pay and rations. But the Board rely on your discretion, that you will keep them no longer in service than the safety of your Garrison absolutely requires; and indeed, it has been found so very expensive to maintain the Garrison at Wyoming, and the Public Finances are now so

\*From a copy of the original preserved in the Connecticut State Library.

much exhausted that, unless it is maintained on the most economic principles, it must be given up from necessity.

"From circumstances it is presumed that you will not have occasion to Employ more than 30 militia, and these must not be kept a moment longer than requisite. The Board confide in your exertions for the defence of the Garrison, and protection of the Inhabitants.

"Be pleased to furnish the Board with a return of your strength, and let them know how many militia you have employed.

"I am, Sir, Yr. very Obedt. Serv.,

"By order of the Board, [Signed] BEN STODDART, Secy."

"Col. ZEBULON BUTLER, Comdg. at Wyoming."

In reply to the communication received by General Washington from Colonel Butler the former wrote as follows:\*

"HEAD QUARTERS MORRIS  
TOWN April 7th, 1780.

"Sir

"I received Yesterday your letter of the 2d instant; and I am extremely sorry to find that parties of the Enemy have appeared and committed hostilities in the neighborhood of Wyoming. It is not in my power to afford any Troops from the army and I should hope those already there and the Inhabitants will be able to repel at least incursions by light parties. It was my intention as I informed you that you should join your regiment immediately after your return; however I am induced from the face of things, to let you continue where you are for the present and you will remain till further orders. Should further depredations and mischiefs be committed by the enemy—you will take occasion to inform me of them.

"I am Sir

"Yr Most Obe't Servant

"To

"Col. ZEBULON BUTLER."

[Signed] "G. WASHINGTON"

Some of the Continental soldiers at the Wyoming Garrison were clamoring in the Spring of 1780 for their arrears of pay, long overdue, and early in April Capt. John Paul Schott went down to Philadelphia to look into the matter. At Philadelphia, under the date of April 12, 1780, Assistant Paymaster General Burrall wrote to the "Hon. Board of Treasury", in part as follows:

\* \* "Captain Schott, who commands an Independent Corps, stationed at Wyoming, is waiting in town for their pay, which is due from September last, and amounts to more than I have on hand \* \* \* I should be glad of 20,000 dollars, which will be sufficient to pay him. I hope this last sum at least may be obtained, as Captain Schott's returning without the money would occasion much uneasiness in the Corps, who have six months' pay due; and the expense of another journey from Wyoming would be considerable." \* \* \*

At Wilkes-Barré, April 10, 1780, a town-meeting of the inhabitants of Westmoreland was held, Capt. John Franklin being chosen Moderator "for the work of the day". "John Hurlbut, † Esq., was chosen to negotiate the affairs of

\*The original letter is now in the possession of the Wyoming Valley Historical Society.

†According to the "Hurlbut Genealogy", by Henry H. Hurlbut, published at Albany, New York, in 1888, JOHN HURLBUT, mentioned above, was the great-grandson of Samuel Hurlbut (son of Lieut. Thomas Hurlbut, of Saybrook), who was born in or near 1644, probably at Wethersfield, Connecticut. Samuel's wife's name was Mary—, and they were the parents of eleven children, the eldest of whom was Stephen Hurlbut, born at Wethersfield, December 26, 1668. The last-named settled in New London, Connecticut, soon after 1690. About 1696 he was married to Hannah Douglas of New London, and they became the parents of seven children. Stephen Hurlbut died October 7, 1712.

The fourth child of Stephen and Hannah (Douglas) Hurlbut was John Hurlbut, who was born at New London. He settled in North Groton (afterwards Ledyau), New London County, and married Mary, daughter of Ralph Stoddard. He died May 5, 1761, but his widow Mary was still living in 1782. They were the parents of eight children, the third of whom was JOHN HURLBUT, the subject of this sketch. He was born at Groton, March 12, 1730, and made that place his residence until he removed to Wyoming Valley. "He was a man of considerable prominence in his neighborhood, having the confidence of his fellow-townsmen. He was a Selectman, a school teacher, and a Deacon of the Congregational Church, and as a citizen was active, useful and patriotic."

In the early days of the Revolutionary War he was a member of the Committee of Correspondence of Groton. Prior to 1773, "Deacon" Hurlbut acquired a share, or "right", in The Delaware Company's Purchase (mentioned on page 293 Vol. I), and in February, 1773, he bought, for £5, a half-right in the Susquehanna Purchase. Early in May, 1773, he journeyed from Groton, Connecticut, to what is now Pike County, Pennsylvania, where, on May 20, and subsequent days, he assisted in laying out and allotting the lands in the township of Parkbury, as described on page 771, Vol. II. In a journal which he kept at that time (see Johnson's "Historical Record" I: 213) he mentions, in addition to the names of the original drawers of lots in Parkbury set forth on page 771 of this work, the following names: Elisha Gifford, Kendrel Edwards; Elijah Park, Samuel Hallett, John Westbrook, Matthias Buntion, Reuben Jones, Deliverance Adams, James Adams, James Dye, Abner Newton, Lebbens Lathrop, Ezra Tracy, Jeremiah Park and Deacon Griswold.

On May 24 "Deacon" Hurlbut, in company with Capt. Zebulon Parrish and Benajah Park, set out from Parkbury for Wyoming Valley. They travelled thirty-two miles that day, arriving at the junction of the Lackawanna River with the Susquehanna. On page 745, Vol. II of this work will be found an extract from the journal of "Deacon" Hurlbut, relating to his doings while in the Valley. He returned to Parkbury on May 27, and two days later set off homeward. (At that time Stephen Hurlbut, eldest brother of the "Deacon", was in the Valley engaged in surveying lands. He was one of the original settlers here under The Susquehanna Company. See pages 498 and 609, Vol. I.)

According to the "Hurlbut Genealogy" "Deacon" Hurlbut visited Wyoming again in the Autumn of 1775 and again in November 1777—at which time he purchased from John Hollenback 800 acres of land in Hanover Township.



Head Quarters, Moris  
Town April 7<sup>th</sup> 1780

Sir

I received Yesterday your letter of  
the 3<sup>d</sup> Instant; and I am extremely grieved to find  
that parties of the Enemy have appeared &  
committed hostilities in the neighbourhood of  
Morris Town. It is not in my power to afford  
any Troops from the Army and I should  
hope those already there & the 3<sup>rd</sup> Battalion  
will be able to repel at least in seasons  
light parties. It was my intention as I  
informed you that you should join your  
Regiment immediately after your return.  
However I am induced from the face of  
things to let you continue where you are  
for the present and you will remain till  
further orders. Should further depredations  
& mischiefs be committed by the Enemy -  
You will take occasion to inform me of  
them.

I am Sir

Y<sup>r</sup> most Obedt. Servant

G. Washington

To Col<sup>l</sup> Zebulon Butler



Selling his Groton farm in the Summer of 1777 he, about the beginning of June, 1778, with his wife and children (excepting Christopher and John, Jr., who had gone from Groton to Wyoming in February, 1778), set out for Wyoming. After crossing the Delaware River "Deacon" Hurlbut was taken sick, and, with his wife, stopped at a small settlement in the Minisinks (see page 989, Vol. I) at which they had arrived, while the rest of the party (including John, Jr., who had just come on from Wyoming) traveled onward to Parkbury. At or near this place, on June 30, Abigail, the seventh child of "Deacon" Hurlbut, aged five years and nine months, died after a few days' illness.

About this time Christopher Hurlbut, the eldest son of the "Deacon", arrived at Parkbury from Wyoming Valley, having made the journey for the purpose of meeting his relatives and escorting them to their destination in Hanover Township. According to his "Journal" (more fully referred to hereinafter), Christopher and the other members of his father's family remained at or near Parkbury "until the result of the battle [of Wyoming] was known." As stated on page 1020, Vol. II, the first news of the battle was received in Lackaway District—which included Parkbury—in the afternoon of July 4, 1778. (Relative to Lackaway District, of Westmoreland, see pages 771, 790 and 795, Vol. II.)

The Hurlbuts fled from Lackaway with the inhabitants of the district, and proceeded to Shawangunk, near the Walkkill River in Ulster County, New York. There they (with the exception of Christopher) remained for some time, and there Stephen Hurlbut, sixth child of "Deacon" Hurlbut, aged nine years, died February 28, 1779.

Early in the Spring of 1779 "Deacon" Hurlbut proceeded to Wyoming Valley, where, on April 12, he was chosen one of the Representatives from Westmoreland to the General Assembly of Connecticut—as noted on page 1166, Vol. II. With his fellow Representative, Colonel Denison, "Deacon" Hurlbut attended the May session of the Assembly, by which he was appointed, and by Governor Trumbull duly commissioned, a Justice of the Peace and in for the county of Westmoreland. In the following November, having erected a dwelling-house on the land in Hanover Township which he had acquired, he brought his family thither from Shawangunk. (See sketch of John Hurlbut Jr., hereinafter.)

As noted on page 1229, Vol. II, "Deacon" Hurlbut was a private in Capt. John Franklin's company of Westmoreland militia, in the service of the United States at the Wyoming post in the Spring of 1780. In April, 1780, he was re-elected a Representative from Westmoreland to the General Assembly of Connecticut. He attended the meeting held in May, and was at that time appointed and duly commissioned a Justice of the Peace and Quorum in and for Westmoreland. He was again re-elected a Representative in April, 1781, and, at the session of the Assembly held in the following month, was re-appointed and re-commissioned a Justice of the Peace and Quorum. He was one of the Selectmen of Westmoreland in 1780 and 1781.

Miner (in his "History of Wyoming") states that "Deacon" Hurlbut, during the absence from the Valley of the Rev. Jacob Johnson, frequently preached funeral and other sermons. Speaking of the death of Mr. Hurlbut on Sunday March 10, 1782, Miner says: "The good 'Deacon' John Hurlbut departed this life—a life full of respect and usefulness. The confidence reposed in him is attested by his having been—when, from the distressed state of the country, the sage men for wisdom and the brightest in virtue were required for public trusts—three times chosen Member of Assembly, besides fulfilling other offices of lesser note."

"Deacon" Hurlbut died in Hanover Township, and, according to H. B. Plumb (in his "History of Hanover Township") was buried on his farm, near an orchard he had set out with his own hands." His widow died at the home of her son Naphthali in Pittston, Pennsylvania, November 29, 1805.

"Deacon" John Hurlbut was married in 1756 to Abigail (born April 1, 1735), second child of John and Anna (Slanton) Avery of Preston Connecticut. John Avery (born October 26, 1705) was the eldest son of Christopher Avery and his first wife, Abigail Park (married December 19, 1704; died February 12, 1713).

The children of "Deacon" John and Abigail (Avery) Hurlbut were as follows (all born at Groton, Connecticut): (i) Christopher, born May 30, 1757. (See hereinafter.) (ii) John, born February 21, 1760. (See hereinafter.) (iii) Anna, born January 5, 1763; married January 10, 1788, to Elisha Blackman, Jr. (See page 1067, Vol. II.) (iv) Catherine, born March 18, 1765; married at Hanover in 1787 to William Hyde (born in Canterbury, Connecticut, July 26, 1764; son of John Hyde); they removed in 1802 to Ayrick, New York, where she died September 24, 1804, and he died October 9, 1822. (v) Naphthali, born August 12, 1767. (See hereinafter.) (vi) Stephen, born February 9, 1770; died at Shawangunk, New York, February 28, 1779. (vii) Abigail, born in September, 1772; died at Lackaway June 30, 1778. (viii) Lydia, born July 10, 1775; married at Hanover, Pennsylvania, in 1798 to John Tiffany of North Adams, Massachusetts; died at Arkport, New York, in 1852.

(i) Christopher Hurlbut, born May 30, 1757, was living at his father's home near Gales' Ferry (on the Thames River some fifteen miles west of the Connecticut-Rhode Island boundary-line), in the town of Groton, New London County, Connecticut, when the Revolutionary War broke out. In April, 1776, he and his younger brother, John, Jr., enlisted as privates under Lieut. Reuben Hewitt in a Rhode Island regiment commanded by Col. Christopher Lippitt. In the following May they were at Brenton's Point (a few miles south-west of Newport) engaged in building a fort. June 25 they were transferred to Portsmouth (ten or twelve miles north-east of Newport), where, and at Howland's Ferry, forts were also erected.

On September 15, 1776, Lippitt's regiment set out from Rhode Island for New York, marching by way of Fairfield, Connecticut, and arriving at Fort Washington, on Manhattan Island, after a march of eighteen days. Two weeks later the regiment was marched to White Plains, where it took part in the battle of October 28, 1776. On December 19 the regiment crossed the North River, and a week later was at Christmestown, New Jersey. On Christmas-day the regiment was at Bristol on the Delaware, and later took part in the battles of Trenton and Princeton. (For further information relative to the New York and New Jersey campaign—September, 1776, to January, 1777—see page 485, Vol. I.) and page 909, Vol. II.

The term of service of Lippitt's regiment having expired early in January, 1777, the men were discharged on the 19th of the month at Chatham, New Jersey. Christopher and John Hurlbut immediately set out for their home in Groton arriving there on January 28th. In the following May Christopher proceeded to Wyoming Valley, and, as shown by the Westmoreland tax-lists for 1777 and 1778 (see pages 946 and 952, Vol. II), became a resident of Kingston District. As required by the Connecticut law then in force with respect to the militia of the State, Mr. Hurlbut was enrolled as a private in the 2d (or Kingston) Company of the 24th (or Westmoreland) Regiment, commanded by Capt. Dethick Hewitt. When, in November, 1777, his father returned from Wyoming to Groton, Christopher accompanied him, and remained there until February 10, 1778, when, accompanied by his brother John, he came back to Wyoming.

Dr. George Peck, in Chapter XXI of his "Wyoming" (referred to on page 20, Vol. I), prints several pages of extract, from the "Journal of Christopher Hurlbut." He prefaces this "brief record of the events of the wars in Wyoming" with the following words: "It is the testimony of a witness and an actor in the scene. Mr. Hurlbut was a man for the times, of more than usual education—a good mathematician and a practical surveyor. His plots of large tracts of lands surveyed by him in the County of Luzerne are acknowledged data. His field-books, plots, bearings and distances are all executed with great skill and accuracy."

Quoting from the above mentioned journal we have the following: "Early in the Spring [of 1778] Colonel Denison [sic], with about 150 men, went up to Wyalusing to assist a number of families in removing from the place. [See page 956, Vol. II.] I was in the company. We made rafts of old houses, and took on the people with their effects, and went down the river. \* \* \* The last of June I went out to Lackawaxen to meet my father's family."

Having accompanied his father's family to Shawangunk—where they arrived on July 16—Christopher Hurlbut proceeded thence to what is now Stroudsburg, Pennsylvania where, about July 27, he joined the detachment of militia under the command of Col. Zebulon Butler, and marched with the same to Wilkes-Barré where they arrived on August 4. (See pages 1080 and 1096, Vol. II.)

At a town-meeting of the inhabitants of Westmoreland held at Wilkes-Barré April 12, 1779, Christopher Hurlbut, being then in the twenty-second year of his life, was admitted a freeman, and took the oath of fidelity to the State of Connecticut. In the Spring of 1780, and later, he was a Sergeant in Capt. John Franklin's company of Westmoreland militia in the service of the United States at the Wyoming post. (See page 1229, Vol. II.) In May, 1780, he was appointed Surveyor of Lands in and for Westmoreland. In January, 1782, he was appointed to collect the taxes levied against the inhabitants of the County of Luzerne lying on the east side of the Susquehanna River. In April, 1786, he became one of the original proprietors of the township of Athens—referred to more at length in a subsequent chapter.

In 1788 and '89 Christopher Hurlbut was one of the Commissioners of the newly-erected county of Luzerne. August 5, 1789, he was appointed by the Governor of the Commonwealth one of the Justices of the Court of Common Pleas of Luzerne County; and on the 10th of the following December the Supreme Executive Council of Pennsylvania granted him a license to keep a tavern in Hanover Township during the ensuing year. In 1793 he owned and operated a grist-mill and a saw-mill on Nanticoke Creek, which flowed through his property in Hanover Township. At that

period he was largely engaged in surveying lands in many localities in Luzerne County. (See Johnson's "Historical Record" IV: 34.) In 1796 he was Clerk to the Board of Commissioners of Luzerne County.

Having determined to emigrate to the State of New York Christopher Hurlbut, at some time in 1796, made a journey to Ontario County, and in that part of it which in March 1796, became Steuben County, he purchased 637 acres of land lying along the Canisteo River. Later, in the same locality, he purchased 627 acres more. In the Spring of 1797, accompanied by his eldest son, John (then in the thirteenth year of his life), Mr. Hurlbut went from Hanover to his new purchase, where he made a clearing and erected a log cabin. He then returned to Hanover, and conducted his family thence to their new home in the Autumn of 1797. (A detailed as well as an interesting, account of this journey, given in 1866 by Mrs. Elizabeth (Hurlbut) Shepard, will be found in Johnson's "Historical Record", IV: 34.)

By 1805 Christopher Hurlbut had built on his Canisteo lands a large frame house, a saw-mill and a store-house. He called the new settlement "Arkport". For awhile he carried on there a tavern and a store, and was largely engaged in rafting lumber down the Canisteo, Chemung and Susquehanna Rivers. He constructed the first arks seen on the Canisteo, and in them conveyed every kind of salable produce, common to that region, to markets along the Chemung and Susquehanna. For awhile he held the office of Associate Judge, or Justice, of the County Court of Steuben County. Meanwhile—prior to 1803—he had sold, for his large tracts of land in Steuben County, farms to some of his old Hanover neighbors, to wit: Nathan Cary his brother-in-law (see page 1025, Vol. II), William and Wyllys Hyde, John Harvey, Joel Atherton and Joseph Corey, all of whom settled at or near Arkport prior to 1803. (John Harvey, mentioned above, was a nephew of Benjamin Harvey, mentioned on page 1260.)

Christopher Hurlbut was married at either Wilkes-Barré or Hanover May 2, 1782, to Elizabeth Mann, born in Delaware, a daughter of Adam and Sarah (Johnson) Mann, said to have been natives of Londonberry, Ireland. Adam Mann was living in Wilkes-Barre in March, 1781, when he purchased land from Jonathan Pitch. August 13, 1791, as noted on page 51, Vol. I, he acquired title to the island then known as Wilkes-Barré, or Johnson's Island. Under date of December 12, 1791 (as shown by original records in the Land Office, Department of Internal Affairs, Harrisburg, Pennsylvania) Adam and Elizabeth Hurlbut executed a deed to his daughter Nancy Mann, of Wilkes-Barré, for "a certain island in the Susquehanna River called Johnson's Island, containing about eight acres"; and also for lots 40 and 41 in the town-plot of Wilkes-Barré. Apparently Mr. Mann must have subsequently re-acquired the title to the island above mentioned for we find that on March 17, 1796, he sold it to Putnam Catlin for £45. In 1795 Nancy Mann sold and conveyed lots 40 and 41 to Capt. Samuel Bowman of Wilkes-Barré. In 1796 or '97 Adam Mann and his family removed to Wysox, in what is now Bradford County, Pennsylvania, where he died in 1797 or '98 aged eighty-two or eighty-three years. He had at least four daughters, as follows: Nancy, Elizabeth (Mrs. Christopher Hurlbut), Sarah (Mrs. Gibson) and Jane (Mrs. Nathan Cary).

Christopher Hurlbut died at Arkport April 21, 1831, and his wife died there April 3, 1841. About a year before her death she was granted a pension by the United States Government in consideration of the military services performed by her husband during the Revolutionary War.

The children of Christopher and Elizabeth (Mann) Hurlbut were as follows: (1) Abigail, born in Hanover Township April 29, 1783; died at Arkport, unmarried, April 18, 1850. (2) John, born at Hanover October 21, 1784. (3) James, born at Hanover April 12, 1787. (4) Sarah, born at Hanover March 4, 1789. (5) Elizabeth, born at Hanover April 29, 1791. (6) Nancy, born at Hanover April 8, 1793. (7) Christopher, born at Hanover December 17, 1794. (8) Edward, born at Arkport July 1, 1799; died August 22, 1800.

(i) John Hurlbut, Jr., born at Groton, Connecticut, February 21, 1760, was living at his father's home when the Revolutionary War broke out, April 3, 1776, in company with his brother Christopher, he enlisted as a private in Lippitt's Rhode Island regiment. His military services were similar to those of his brother, and continued for the same length of time—he being discharged from the service at Chatham, New Jersey, January 19, 1777, and reaching home nine days later, about three weeks before his seventeenth birthday. Concerning his subsequent movements we get the following information from a diary, or journal, which he wrote—extracts from which are printed in Johnson's "Historical Record", II: 71.

"The Summer following [i.e., the Summer of 1777] I lived at home, except being called to serve in the militia about two months.

"In February 10, 1778, Christopher and I set out for Susquehanna, with two sleds led by Groton and with a long and tedious journey, on February 23, we arrived at the house of Thomas Stoddard's in Kingston in Westmoreland, at which place we staid till April, and then moved to Hanover, about nine miles down the river to the farm that father had bought. We boarded at Mr. Corey's until the 28th of May; then I set out to meet father's family, that was moving to Wyoming, who I accordingly met at Harwinton [in eastern-central Litchfield County], Connecticut, and then I drove his wagon on till we came to the Minisinks. There father was taken sick about the middle of June, 1778." Mr. Hurlbut then gives an account of some of the events hereinbefore referred to in the sketch of Christopher Hurlbut. Continuing, he states:

"In September, 1779, I came to Wyoming to provide provisions for our family, and after a fortnight's visit I returned home [to Shawangunk], and was immediately taken sick, and lay helpless until the 8th of November, on which day father had prepared all in the best manner for a journey, and set out with four oxen, two horses, four cows, fourteen hogs and six sheep, and with a large ox-cart loaded with household stuff. Father, mother, myself, Anna, Catherine, Naphthali and Lydia left Shawangunk with full intent to go to Susquehanna, Christopher being there already. With good success we arrived at our own house at Wyoming the 16th day of November, 1779. God grant we may long stay!

"On the 14th day of December, 1779, I engaged to teach school in Hanover for three months. \* \* \* Pupils to March ye 11th, 1780—Naphthali Hurlbut, 71 days; Anna Hurlbut, 18 days; Catherine Hurlbut, 29 days; Lydia Hurlbut, 26 days; Joseph Corey, 52½ days; Rebekah Corey, 48 days; Lucy Corey, 52 days; Benjamin Corey 69 days; Olive Franklin, 45 days; Roasel Franklin 65 days; Susannah Franklin, 70 days; Alexander Forsythe, 71 days; Elisha Forsythe, 71 days."

In the Spring of 1780 John Hurlbut, Jr., was a private in the company of Wyoming militia commanded by Capt. John Franklin in the service of the United States, at Wilkes-Barré; and in 1781-82 he was a Sergeant in the company of Connecticut militia commanded by Captain Franklin. (See pages 1229 and 1230, Vol. II.) During the Second Pennamite-Yankee War Mr. Hurlbut was actively engaged in supporting, *vis à vis*, the cause of the Yankee settlers. He took part in the fight at Locust Hill, August 2, 1784, and was one of the several participants who were subsequently imprisoned in the jail at Elyton, Pennsylvania, as fully narrated in Chapter XXII, *post*. Under the resolution adopted by the Susquehanna company—hereinbefore referred to at length—he was, on October 1, 1785, admitted a half-share proprietor in the Susquehanna Purchase. In 1786, in company with his brother Christopher, he became an original proprietor in the newly erected township of Athens.

In 1795 John Hurlbut, Jr., went to that part of Ontario County, New York, which in April, 1823, became Wayne County, and at Palmyra purchased a farm. In the latter part of 1796 or early in 1797 having sold to his brother Naphthali his land in Hanover, he removed his family thence to Palmyra. (His name appears in the Hanover tax-list for 1796. See Pearce's "Annals of Luzerne County", page 547.)

John Hurlbut, Jr., was married in July, 1786, to Hannah (born November 18, 1768), daughter of Jonathan and Jane Millet, and they became the parents of the following named children: Anna (who became the wife of Solomon Tice), Rboda, Jeremiah, Silas, Julius, Lydia, John, Francis, Herman and Charles. John Hurlbut, Jr. died at Palmyra in February, 1813, and his widow died there June 29, 1858.

(v) Naphthali Hurlbut, born at Groton, Connecticut, August 12, 1767, came to Hanover in Wyoming Valley, with the other members of his father's family in November, 1779. In the Spring of 1780—as shown by the pay-roll printed on page 1229, Vol. II—he was a private in the same company with his father and brothers Christopher and John, in the service of the United States at the Wyoming Post in Wilkes-Barré. He was then only twelve years and eight months of age. He made his home in Hanover Township until the Summer of 1799, having acquired, in 1795 and '96, in addition to his own share in the estate of his deceased father, the interests of his brothers Christopher and John.

September 17, 1799, Naphthali Hurlbut advertised in "The Wilkes-Barré Gazette" that he had removed to Wilkes-Barré and "taken the public-house lately occupied by John Van Horne." He continued to keep tavern in Wilkes-Barré until 1803, when he removed to Pitt-ton and engaged in the same business there until 1810. In 1804 the erection of the frame building which later, for many years, was known as the "Exchange Hotel", was begun on what is now Wyoming Avenue, near "Kingston Corners." James Wheeler carried on the tavern business there from 1807 till 1809, or '10, when he was succeeded by Naphthali Hurlbut. The latter conducted the hotel for several years. In August, 1809, he was elected, and duly commissioned, Lieut. Colonel of the 45th Regiment, 2d Brigade, 9th Division, of the Pennsyl-

this town before the General Assembly [of Connecticut], to be holden in Hartford in May next. Obadiah Gore, Esq., John Franklin, Esq., and Lieut. Roasel Franklin were appointed a committee to assist the Agent in drawing up a just representation of our circumstances, to lay before the Honorable the General Assembly in May next."

At a largely attended town-meeting held at Wilkes-Barré, April 20, 1780, resolves were adopted as follows:\*

"Voted, That John Franklin, Esq., Lieut. Roasel Franklin and John Comstock, Esq., be appointed a committee to advise with the inhabitants of this town about contracting their improvements to a smaller compass and *more defensible* situation against the savages, and to adopt measures for the security of their stock, and make their report to the commanding officer of the garrison as soon as possible.

"Voted, That, whereas the parish of Drysdale, in the State of Virginia, have contributed and sent one hundred and eighty dollars for the support of the distressed inhabitants of this town, the Selectmen be directed to distribute said money to those they shall judge the most necessitated, and report to the town at some future meeting.

"Voted, That Col. Nathan Denison return the thanks of this town to the parish of Drysdale, in the State of Virginia, for their charitable disposition in presenting the distressed inhabitants of this town with one hundred and eighty dollars."

vania Militia. He held this office until August, 1811, when he was succeeded by David B. Wheeler of Tankhannock.

In 1812 Colonel Hurlbut was elected one of the County Commissioners of Luzerne County for the term of one year. In August, 1816, Colonel Hurlbut, then living in Kingston, offered himself as a candidate for the office of Sheriff of Luzerne County. In his announcement to the voters he declared that he had served as a commissioned officer in the militia for many years, and had then "served as County Commissioner for one year, and received ten shillings per day for services". Capt. Stephen Van Loon of Plymouth and Arnold Colt of Wilkes-Barré were also candidates for the office of Sheriff at this time, and at the election held in October Van Loon was elected. In 1825, however, Colonel Hurlbut was elected Sheriff for the term of three years—being succeeded in the office in the Autumn of 1828 by Oliver Helme of King ton. Colonel Hurlbut then opened a general store "in the brick storehouse lately occupied by Barnum and Carey" in Wilkes-Barré; but in 1830, and for some years thereafter, he was again keeping tavern in Kingston Township.

Naphtali Hurlbut was married July 25, 1793, to Olive (born in 1775 or '76), daughter of William and Margery (Kellogg) Smith and step-daughter of Dr. William Hooker Smith. Colonel Hurlbut died March 30, 1844, at the residence of his son-in-law, L. P. Kennedy, in Burns, Allegany County, New York, and his wife died at Arkport, New York March 1, 1846.

The children of Naphtali and Olive (Smith) Hurlbut were as follows: (a) Azenath (married at Wilkes-Barré, October 30, 1813, to Annas Newcomb, formerly of Hardwick, Massachusetts, and later of Dansville, New York); (b) Lyman (who married Caroline Schofield, and had the following-named, and probably other children, Maria, Caroline S., Esther, John, William N. and Charles S.); (c) Esther Eliza (married September 14, 1820, to "Deacon" Abel Hoyt, born July 17, 1798, son of Daniel and Ann (Gunn) Hoyt of Kingston, Pennsylvania); (d) Mary Ann (born, 1803; married at Wilkes-Barré February 27, 1822, to Luen P. Kennedy; died, 1849); (e) Amos Avery (born in 1805; married to Susan Quick; had children, Ellen, Mary and George); (f) William Hooker (married to Mary Ann Carey); (g) John Randolph.

(2) John Hurlbut (son of Christopher), born at Hanover October 21, 1784, removed to Arkport in 1797 with the other members of his father's family. He was married at Dansville, New York, Sept. 13, 1814, to Priscilla Sharp and they became the parents of four sons and four daughters. John Hurlbut died at Arkport June 19, 1831.

(3) James Hurlbut, born at Hanover April 12, 1787, was married at Kingston, Pennsylvania, September 2, 1824, to Susan Dorrance of Sterling, Connecticut, daughter of Archibald and Deborah Dorrance. James Hurlbut lived at Arkport from 1797 till 1857, when he removed to Rose Hill, New York, where he died June 15, 1863. He had one son and three daughters.

(4) Sarah Hurlbut, born March 4, 1789, was married at Arkport August 10, 1810, to James Taggart, a native of Northumberland, Pennsylvania, and they became the parents of three children Mrs. Taggart died September 3, 1837.

(5) Elizabeth Hurlbut, born April 29, 1791, was married at Arkport in 1817 to Joshua Shepard, (born in 1780) a merchant at Dansville, New York. He died in September, 1829, and she died at Dansville April 24, 1870. They had one-son and four daughters.

(6) Nancy Hurlbut, born April 8, 1793, was married at Arkport January 23, 1815, to Maj. Ziba (born at Danbury, Connecticut, September 8, 1788), sixth child of "Deacon" Daniel and Anne (Gunn) Hoyt, then of Danbury but later of Kingston, Pennsylvania. They made their home in Kingston, where Ziba Hoyt died December 23, 1853, and Mrs. Nancy Hoyt died February 26, 1872. Their children were as follows: (i) Anna Hoyt (married September 1, 1836, to the Rev. Charles Chaplin Cross); (ii) John Dorrance Hoyt; (iii) Edward P. Hoyt; (iv) James Hoyt; (v) Henry Martyn Hoyt (sometime Governor of Pennsylvania); (vi) Elizabeth Shepard Hoyt. (For a fuller sketch of the Hoyt family see a subsequent chapter.)

(7) Christopher Hurlbut, born December 14, 1794, was married at Arkport June 4, 1823, to his cousin, Ellen Tiffany (born December 17, 1800). Their children were: Myron, Edmund, Lydia (married to William Loveland), Nancy (married to Henry B. Loveland) and Elizabeth (married, first to C. C. Horton, and, 2d, to the Rev. George N. Todd). Christopher Hurlbut died at Arkport in 1875.

\*See Miner's "History of Wyoming", p. 282, and the *Republican Farmer and Democratic Journal* (Wilkes-Barré), March 13, 1839.

†DRYSDALE PARISH, which is still in existence, is in King and Queen County, in the eastern part of Virginia. In 1780, and for a number of years before and after that time, the Rector of this parish was the Rev. Samuel Shield at Louisville, Kentucky, under the date of April 29, 1836, the Rev. Henry M. Denison (mentioned on page 789, Vol. II) wrote to Bishop Mead (by whom he had been ordained to the ministry) relative to the Rev. Samuel Shield and Dry-dale Parish. This letter was subsequently published by Bishop Mead in his book on the old Virginia parishes. It read, in part as follows: "It seems to me you have not given all the credit deserved to the character of the Rev. Samuel Shield. He was a clergyman of high character, and was a competitor with Bishop Madison for the episcopate. He at one time had charge of Drysdale Parish. \* \* \* But I take up my pen to mention to you the following incident, which will not be uninteresting to you, even if it be without the scope of your published reminiscences.

"After the massacre by British and Indians of a large portion of the inhabitants of the lovely valley of Wyoming in Pennsylvania, the parishioners of Drysdale through their Rector, Mr. Shield, as almoner, sent to the destitute and helpless women and children of the valley the handsome sum—for those days—of \$180., to relieve their necessities:

"Some four or five years ago, when I was at Dr. Samuel Shield's in Hampton, the Doctor told me he had discovered my [family] name among his grandfather's papers; and upon examination I found the original letter of thank; written by my grandfather, Colonel Denison, to his grandfather, Rev. Mr. Shield. It was three score and ten years of age, but had evidently been preserved with much care, and I sent it at once to Mr. [Charles] Miner, the historian."

The committee appointed at the town-meeting of April 10th, to draw up a memorial to the General Assembly of Connecticut, duly performed the duty assigned them.

The original document prepared by them is "No. 114" in the collection of documents now in the State Library at Hartford, as described in paragraph "(3)," page 29, Vol. I. It is in the handwriting of Obadiah Gore, Jr., is dated "Westmoreland, April 20, 1780", and is signed by Nathan Denison, John Franklin and John Hurlbut, "Civil Authority," and by John Franklin, Nathan Denison, James Nisbitt and Jabez Sill, "Selectmen, in behalf of themselves and the inhabitants". Reference is made in the memorial to the disasters which took place at Wyoming in July, 1778, and to the fact that the inhabitants had been driven out of the Valley at that time, and had been compelled, by necessity, to depend for their maintenance upon the charity of the people at large. The concluding paragraphs of the memorial read as follows:

"Mere necessity obliged many of us to repair to our improvements [at Wyoming], to reap some advantage for our support from the broken crops which had escaped destruction; where we have lived to this time, and thereby have been a protection and safeguard to the other frontier for 100 miles and upward. Nevertheless [we] have suffered by frequent alarms—scarcely one month has passed (unless in the dead of Winter) without murders being committed, horses and cattle stolen, and the inhabitants drove from their labors, &c., by the savages, until the arrival of the army under General Sullivan.

"But now, the Continental troops being almost all called from this Post, the Indians renew their attacks upon us, and have killed four men and taken eight prisoners. This is the unhappy situation your petitioners are in and have been in since June 6, 1778!

"We would beg that your Honours grant [that] a committee be appointed to make an estimation of our losses, as in cases of other towns that have been sacked and burnt by the enemy, that we may have such compensation for our losses as your Honours shall think just and reasonable. Also, as there are Warrants issued from the State Treasury against this town [of Westmoreland] for taxes—which rate-bills were taken and destroyed by the enemy, and the inhabitants are for the greater part killed or dispersed in the country, and their goods and chattels taken from them as above described. We would, therefore, request that those taxes may be abated in part of the compensation for the above losses; or in such way to grant relief as you shall see proper."

Another memorial, or petition, to the General Assembly of Connecticut was prepared at Westmoreland on the same date as the foregoing document. It\* is signed by John Hurlbut, Nathan Denison, John Franklin, James Nisbitt and Jabez Sill, "Selectmen, in behalf of themselves and the inhabitants", and reads in part as follows:

"About 150 families have, through mere necessity for want of support, returned to their improvements in this town, and have made very considerable proficiency in husbandry; wherefore, by the blessing of Providence on our industry, we shall have a plenty and to spare.

"Many others who were driven from the settlement have become burthensome to the towns and parishes they were dispersed to, who might easily provide for themselves and families could they with safety return to their farms. But the Continental troops being almost all called from this Post, the Indians have renewed their attacks upon us; whereby it becomes dangerous to labour in our improvements.

"Therefore we beg your Honours to grant that about 200 State troops may be sent for the defense of this frontier; which force, together with that of the inhabitants, in case of an attack will, we conceive, be sufficient to repel that of the enemy, and thereby not only secure to us those promising crops of grain, but also be productive of public good for the defense and safety of this State and the frontier in general."

The General Assembly of Connecticut convened at Hartford, May 11, 1780, and continued in session until the 23d of the next month. John Hurlbut and Jonathan Fitch, Esqs., were in attendance as the Representatives from the town of Westmoreland, and they formally presented to the Assembly the two foregoing memorials. At the same time there was presented a petition† in the handwriting of Judge John Jenkins (see page 805, Vol. II), entitled: "Petition of John Jenkins, Esq., and the other subscribers, in the name and behalf of themselves and the rest

\*The original, which is in the handwriting of Obadiah Gore, Jr., is "No. 119" in the collection of documents in the State Library at Hartford, Connecticut, described in paragraph "(3)", page 29, Vol. I.

†The original is "No. 118" in the collection of documents in the State Library at Hartford, Connecticut, described in paragraph "(3)", page 29, Vol. I.

of the people *that are driven from their settlement at Westmoreland by the Savages.*"

This document is dated April 25, 1780, and is signed by John Jenkins, Silas Park, Richardson Avery, Elisha Blackman, Jabez Fish, William Gallup, Solomon Avery, John Hutchins, William Hibbard, Samuel Howard and Hallet Gallup, landholders in Westmoreland, and, prior to July, 1778, residents there, but, at the time of signing the petition, dwelling in New London County, Connecticut, whence they had originally emigrated to Wyoming. After giving a brief history of the origin and growth of The Susquehanna Company's settlements at Wyoming; the Pennamite-Yankee troubles; the erection of the Wyoming territory into the county of Westmoreland by the Connecticut Assembly; and the battle and massacre of July 3, 1778, this petition continues as follows:

"And the women and children—some fled and some they [the Indians] stripped and turned out naked; and the whole settlement was utterly broken up, burned and destroyed, and your petitioners with their fellow sufferers in general are in a great measure dependent on the charity of strangers among whom they are dispersed, widows and fatherless; and but very few have been, or yet are, able to return to their settlements. \* \* \*

"On his [General Sullivan's] return he left only a small garrison of about fifty [Six?] men to guard the settlement; which settlement and garrison have now become very unsafe by some late movements of the enemy. Yet on application to the Board of War they have received for answer that they can have no relief from that quarter; and the savages are continually murdering and destroying the settlers that are there, whenever they find them out from the garrison.

"Your petitioners beg leave to observe that they conceive that wherever there is obedience due on the one side, there is protection on the other. That is, wherever there is obedience due from the governed, there is protection expected from the governor. Your petitioners conceive they have a right to protection from this State, or that they cannot be bound to pay any obedience to the State rightfully; and therefore your petitioners, if neglected, must look on themselves as cast off, and that they cease to be a part of this State. \* \* \*

"Your petitioners would further humbly observe that this Honorable Assembly has, in sundry instances since the commencement of this war, granted relief to people suffering by the savages of the enemy—granting them both money and protection, and, in some instances, to people out of this State, and so not under their immediate care. But they have granted nothing to these unhappy sufferers at Susquehanna, notwithstanding there is no place nor people that have been destroyed with so total and signal a destruction, nor none stripped so bare, nor so many left widows and fatherless, or that in reality stood so much in need of their charity and protection as your petitioners and their fellow sufferers, or that need the verification of the old saying that 'Charity begins at home!'

"Your petitioners therefore humbly pray that you will grant to your petitioners money for the relief of the necessities of your petitioners, and to enable them to return to their settlement; and also grant them four companies of 100 men each, properly officered, for a guard, to keep a garrison, and to defend and protect the settlers; and also grant them six field pieces of cannon and ten swivel-guns to be put into one general fort, or garrison, to be properly built by the said guard, with suitable ammunition for the same. Or, in some other way, grant relief to your petitioners."

These three memorials were referred to a joint-committee, for consideration and report, and later in the session the committee made its report; whereupon the Assembly voted the following:

"*Resolved*, That the whole of the State taxes, for which Warrants have already been issued against the inhabitants of said Westmoreland, that are not paid into the hands of the State Treasurer, be and are hereby abated, to be considered as in part compensation for their losses, *whenever the United States shall order and direct* the losses sustained by the citizens of said State from the deprivations of the enemy to be compensated; and John Hurlbut\*, Zebulon Butler† and Obadiah Gore‡, Esquires, be and are hereby appointed a Committee to repair to said Westmoreland (first giving public notice in the several newspapers in this State of the time and place of their meeting), and there examine into the damages, injuries and losses sustained and suffered by the present or late inhabitants of said town, holding under this State, who shall by themselves or others in their behalf, being duly authorized, make application to said Committee during their continuance in said town; and report make, to some future session of this Assembly, of what they shall find in the matters aforesaid."

The Assembly then passed a preamble and resolution wherein, after reciting the Act of Assembly passed in December, 1775 (see page 865, Vol. II), the following paragraphs were embodied:

\* "And whereas, since that many of the persons that were settled on said lands, in the town and county of Westmoreland, have been killed or driven off from their possessions by the common enemies of this [State] and the United States; *Resolved*, That nothing in said Act contained

\*See († note) page 1246.

†See page 634, Vol. II.

‡See page 833, Vol. II.

ought to be construed to hinder any persons so driven off from returning to their possessions, or to prohibit any other persons who may have derived a right to the said former possessions by purchase, descent or otherwise, from possessing and occupying the same."

At this same session of the Assembly it was resolved "that a company to consist of one Captain, one Lieutenant, one Ensign, and ninety-seven non-commissioned officers and privates be raised by voluntary enlistment of the late inhabitants of the town of Westmoreland, for the defense of the town; to serve until the first day of January next. And that said company be allowed half the pay of the establishment of the Continental Army; and His Excellency, the Governor, is desired to apply to Congress to grant rations to said company.

"Further, this Assembly do appoint John Franklin to be Captain, Asa Chapman to be Lieutenant, and William Hibbard to be Ensign of a company ordered by this Assembly to be raised for the defense of the town of Westmoreland, and His Excellency, the Governor, is desired to commission them accordingly.

"And it is resolved by this Assembly that, provided the number who shall enlist into said company by the first day of September shall not exceed fifty men, the said Captain shall be discharged from his command, and said company shall be commanded by the Lieutenant. And provided the number who shall enlist by the first of September shall not exceed thirty men, the said Lieutenant shall be discharged from his command and said company shall be commanded by the Ensign. And provided thirty men shall not enlist into said company by the first of September, the said Ensign shall be discharged from his command and a pay-roll shall be made up to that time and such soldiers who then are enlisted shall be discharged."

The Assembly also made the following appointments of Westmoreland County civil officers for the ensuing year, and in due time they were regularly commissioned by Governor Trumbull. Col. Zebulon Butler to be Judge of the County Court; Col. Nathan Denison, Zerah Beach and John Hurlbut to be Justices of the Peace and Quorum; Col. Zebulon Butler, Maj. William Judd, Joseph Hamilton, Capt. John Franklin, Zebulon Marcy, Obadiah Gore, Uriah Chapman and John Jenkins, Jr., to be Justices of the Peace; Christopher Hurlbut to be Surveyor of Lands.

The Westmoreland militia company authorized by the Assembly, as aforementioned, was duly organized at Wilkes-Barré by Captain Franklin without delay. It took the place of the provisional militia company referred to on pages 1228 and 1229, Vol. II, and nearly every member of that organization enlisted in the new company.

On May 17, 1780, Serg't Thomas Baldwin of Captain Spalding's company marched with a squad of soldiers from Fort Wyoming on a scout to Lackawanna where they found a man who had been a prisoner among the Indians and had just escaped from them. He was brought down to the fort, where he informed the commander that he had been captured near Fort Allen\* by a party composed of ten Indians and one Tory. In the evening of the 17th, William Perry came to the fort and stated that about sunrise on that day, on his journey thither from the Delaware river, he saw a party of Indians near Laurel Run, and several parties between that locality and the fort. The next morning several reconnoitering parties were sent out from the fort, but they made no discoveries except a few foot-prints of Indians in the road near the mountain.

\*See page 339, Vol. I.



Captain Franklin and five soldiers from Fort Wyoming—one of whom was Elisha Harvey, the great grandfather of the writer of this—being up the Susquehanna about sixty miles, on a scouting expedition, captured near Wysox, June 6, 1780, three Tories—Adam and Jacob Bowman\* and Henry Hover.† These men, in company with Philip Buck‡—who escaped when the others were taken—were all members of "Butler's Rangers", and had previously resided in Westmoreland. They had probably come down from Fort Niagara to the neighborhood of their old homes on a scout. Miner says ("History of Wyoming", page 284) that with the men was taken "a fine lot of plunder, valued at £46, 18s. 11d. Captain Franklin and Sergeant Baldwin each shared a silver watch, several pocket compasses, silver buttons and sleeve buttons. A scarlet broadcloth coat, several gold pieces, and a beautiful spy-glass attest the consequence of the prisoners. The canoes sold for £4, 10s. \* \* Col. Z. Butler purchased the spy-glass from the victors for three guineas."

These prisoners were brought in their own canoes down the river to Wilkes-Barré, where they arrived June 10th, and were locked up in the guardhouse at Fort Wyoming. One month later they were sent under guard to the army headquarters at Morristown, New Jersey, for trial by court-martial.§ With them was sent Sergeant Leaders, or Seiders, a Continental soldier of the Wyoming Garrison, who had been convicted by a court-martial of falsifying a provision return, breaking open the magazine of the fort, and conspiring to release the Tory prisoners and blow up the garrison. He had been whipped on his naked body with 100 lashes, in pursuance of the finding of the court-martial, and was sent to headquarters as "incorrigible."

Having been duly tried, and convicted of the charges preferred against them the two Bowmans and Hover were subsequently returned to Fort Wyoming, there to be detained as prisoners of war.

Miner, in referring to affairs in Westmoreland at this period, states (see his "History", page 284): "In the midst of this scene of general distress it is difficult to suppress a smile, when we contemplate the variety of character sustained and duties performed by Captain Franklin. We have seen him taking an active part on several committees in town-meeting. Indefatigable in the command of his little company, during all this time he was farming with an industry that showed his reliance for subsistence was on the labour of his hands. A hunter, scarce a week passed that he did not, in the proper season, bring in a buck. He was a Justice of the Peace, and the civil laws were regularly administered."

From Franklin's journal we learn that at a court-martial held at Fort Wyoming July 12, 1780—Capt. John Paul Schott being President, and Captain Spalding, Captain Franklin, and Lieutenants Gore, Jenkins and Kingsley being members—Martin Brechell, of Philadelphia, a private in Schott's Corps, was found guilty of intending to desert to the Indians and take with him the Tory

\*ADAM and JACOB BOWMAN, whose names are mentioned several times hereinbefore, are presumed to have been the sons of Adam Bowman, Sr. As early as 1773 they settled under a grant from the Pennsylvania Proprietaries in what is now Wyoming County, Pennsylvania, on the west bank of the Susquehanna, near the mouth of a creek to which they gave their name, and which is still called Bowman's Creek. When the Revolutionary War broke out they took the side of the Loyalists, and in 1776 or 1777 were compelled by the Yankee authorities down the river to leave the country. Craft, in his "History of Bradford County", page 65, says: "Jacob Bowman came from about the mouth of Bowman's Creek and settled about 1777 on the opposite side of Towanda Creek from Rudolph Fox. [See note, page 917, Vol. II.] He was too young to take an active part in the [Revolutionary] contest, and was in the British camp only by compulsion. After the war he returned to his old home on Towanda Creek and married a daughter of Rudolph Fox."

†HENRY HOVER (mentioned on pages 944, 945, 946, and 950) was the son of Casper Hover, mentioned in the note on page 1050, Vol. II.

‡See pages 945, 946, 950 and 1049 (note), Vol. II.

§See Stone's "Poetry and History of Wyoming", page 259.

prisoners hereinbefore mentioned, and of threatening to scalp one Adam Sypert, a fellow soldier. The judgment of the court was that Brechell should "run the gauntlet four times through the troops of the garrison." The commanding officer (Colonel Butler) approved the sentence, and it was executed the next afternoon. That evening, records Captain Franklin, a singing meeting was held at Mr. Forseman's.

One of the chief difficulties with which the commander of the Wyoming post had to contend at this time was the procuring of a proper supply of certain provisions for the use of the garrison. Nearly all supplies had to be brought up the Susquehanna in small boats, from points below Sunbury, and the work of gathering such supplies and then boating them up to Wilkes-Barré was slow and tedious. The following letter,\* now published for the first time, relates to this business.

"WYOMING 16 July, 1780"

"Sir—the Bearer Sergt. Eveland† is Directed to find you and Return to me as soon as Possabel Excepting he meets the Boat. I need not mention the necessity of stores being forwarded as you must know the Flower you Left on hand must be gone eight days ago I desired Mr. Forsman to muster what wheat he could belonging to you and send it to mill and He did about twenty Bushels and the Flower is Returned and spent we are now Intierly Destitute. Desire you to Forward Flower with all Possabel Dispatch. You'll Please to Dismiss the Barrer and let him return to me as soon as Possabel and let me know what is doing and what stores there is coming on.

"Relying on your faithful Performance of your Duty I am Sin. your Humble

Serv't [Signed] "ZEBN. BUTLER, Col. Comd.

"To MR. [WM.] STEWART‡"

We learn from the journal of Captain Franklin that on July 20, 1780, "a boat arrived from down the river with the welcome cargo of twenty-three barrels of flour" and that on August 6th "Benjamin Clark, with others, went down the river to mill, while on the same day Lieut. Daniel Gore and others set out for Colonel Stroud's mill." The only grist mill in a useable condition then in Wyoming Valley was the small one at Nanticoke, mentioned in the note on page 1085, Vol. II (which was guarded by a detachment from Captain Franklin's Company), all the other mills have been destroyed, wholly or in part, by the invading enemy. Colonel Stroud's mill was at what is now Stroudsburg, some fifty miles distant from Wilkes-Barré by the Sullivan Road.

The number of inhabitants, or, more particularly, property holders, in Westmoreland at this time was very small, as is shown by the following document—the original of which, in the handwriting of Obadiah Gore, Jr., is now in the collections of The Wyoming Historical and Geological Society.

"A true List of the Polls and Estate of the Town of Westmoreland ratable by law on the 20th of Augt. A. D. 1780."

	£	s.		£	s.
Ayres, Saml. . . . .	35	0	Hagerman, Jos. . . . .	24	0
Atherton, James. . . . .	14	14	Hopkins, Timothy. . . . .	6	0
Atherton, James, Jr. . . . .	39	0	Inman, Elijah . . . . .	36	10
Butler, Col. Zebn. . . . .	72	4	Inman, Richard . . . . .	31	0
Bidlack, Mehitable. . . . .	10	0	Ingersol, Daniel. . . . .	30	0
Bailey, Benjn. . . . .	24	0	Jackson, Wm. . . . .	35	0
Brockway, Richard. . . . .	33	0	Jemison, John. . . . .	53	10
Bullock, Nathan . . . . .	28	0	Joslin, Thos. . . . .	21	0
Burnham, Asahel. . . . .	9	0	Jenkins, Jno. . . . .	3	0
Bennet, Asa. . . . .	51	0	Jones, Crocker. . . . .	29	0
Bennet, Isaac. . . . .	39	0	McCluer, Thos. . . . .	4	0
Buck, Wm. . . . .	27	0	Mateson, Elisha. . . . .	6	4
Brown, David. . . . .	6	0	Nelson, Wm. . . . .	15	0

\*The original is in the F. J. Dreer Collection of MSS. in the possession of The Historical Society of Pennsylvania.

†FREDERICK EVELAND, then, or later, of Plymouth, and a member of Captain Spalding's company.

‡See note "§" on page 871, and the last paragraph on page 1114 and the first paragraph on page 1115, Vol. II.

	£	s.		£	s.
Bennet, Solomon.....	42	0	Nisbitt, James.....	33	0
Bennet, Ishmael.....	24	0	Neill, Thos.....	34	0
Blanchard, Andw.....	21	0	O'Neal, Jno.....	18	0
Cady, Manasseh.....	58	0	Park, Thos.....	18	0
Corah, Jonathan.....	46	4	Pierce, Phinchas.....	5	0
Comstock, John.....	26	0	Pell, Josiah.....	29	5
Comstock, Peleg.....	21	0	Pensyl, Widw Mary.....	4	0
Cary, Nathan.....	35	0	Pierce, Widw Hannah.....	4	10
Cook, Nathl.....	18	0	Ransom, Widw Esther.....	19	0
Church, Gideon.....	6	0	Reed, Thos.....	18	0
Chapman, Asa.....	18	0	Rogers, Jonah.....	61	0
Denison, Col. Nathan.....	31	0	Ross, Wm.....	54	4
Durkee, Sarah.....	9	0	Ross, Widw Marsey.....	11	4
Denton, Daniel.....	5	0	Ryon, John.....	5	10
Elliot, Joseph.....	40	0	Spalding, Capt. Simon.....	15	4
Fuller, Capt. Stephen.....	85	0	Slocum, Giles.....	30	0
Fitch, Jonathan.....	41	10	Spencer, Caleb.....	54	4
Franklin, John, Esq.....	25	4	Sanford, David.....	31	0
Fitzgerald, Derriek.....	18	0	Sutton, James.....	18	0
Fish, Joannah.....	8	0	Saterly, Elisha.....	7	4
Frisbie, James.....	33	0	Smith, John.....	10	0
Gore, Lieut, Obadh.....	18	10	Smith, Wm.....	3	0
Gore, Daniel.....	45	10	Sill, Jabez.....	52	0
Gore, Widw Hannah.....	23	0	Tilbury, John.....	47	0
Gale, Cornelius.....	24	0	Thomas, Joseph.....	27	0
Gore, Widw Elizabeth.....	7	10	Trucks, Wm.....	39	0
Holenback, Matthew.....	21	0	Upson, Widw Sarah.....	27	0
Hagerman, John.....	21	0	Underwood, Isaac.....	21	0
Hurlbutt, John, Esq.....	62	0	Williams, Wm.....	21	10
Hurlbutt, Chrstr.....	26	0	Warner, Wm.....	28	0
Hide, John.....	24	15	Williams, Nathl.....	8	0
Harris, Elisha.....	21	0	Yerington, Abel.....	21	0
Harding, Henry.....	9	0		£2,353;	0

There are only ninety-one names in this list. For some unexplainable reason we find missing the names of many men who were members of the military companies of Captains Simon Spalding, William Hooker Smith and John Franklin, and who are well known to have been in Wyoming in the Summer of 1780. Some of these men were early settlers in the valley under The Susquehanna Company, were land-owners, and were active participants in the life of the community. Among them were: Roasel Franklin, Henry Burney, Prince Alden, Asa Budd, Frederick Budd, Thomas Bennet, Jonathan Corey, Joseph Corey, Henry Elliott, Jonathan Frisbie, John Fuller, Stephen Gardner, John Gore, Benjamin Harvey, Naphtali Hurlbut, Robert Hopkins, Abraham Nisbitt, Noah Pettbone, Josiah Rogers, Walter Spencer, Abraham Tillbury, Jacob Tillbury.

It will be noted, as an indication of the poverty of the people following the destruction of their homes and crops by the enemy in 1778, that in the foregoing tax-list only three persons are "listed", or assessed, above £60, while fifty-eight persons are assessed under £30.

A large body of Indians and "Rangers" from Fort Niagara attacked Fort Rice, in what is now Lewis Township, Northumberland County, Pa., September 6, 1780. At that time Fort Jenkins (which stood on the north bank of the Susquehanna, about midway between the present towns of Berwick and Bloomsburg) was garrisoned by a detachment, or company, of the "German Regiment" mentioned on page 1162, Vol. II. When the attack on Fort Rice was made the garrison was withdrawn from Fort Jenkins and marched to the support of Fort Rice, and of Fort Augusta at Sunbury.

On their failure to capture Fort Rice the enemy dispersed in small parties, overran the neighboring country, and did considerable damage. One party,

composed of some forty "Rangers" and Seneca Indians, under the command of Lieut. William Johnston and Roland Montour\*, marched against Fort Jenkins. Finding it abandoned they burned and destroyed it, as well as the buildings in its neighborhood. They also rounded up a few head of cattle, and captured two or three men; whereupon ten members of the marauding party were detached to conduct these prisoners and cattle to Niagara. This occurrence took place on the 9th of September.

On the preceding day a company of Northampton County militia, forty-one in number commanded by Capt. Daniel Klader, with Lieut. John Meyer second in command, had set out from Fort Allen, on the Lehigh (see page 339, Vol. I), for Scotch Valley, near Nescopeck, on the Susquehanna. Complaints had been lodged with the civil authorities of Pennsylvania to the effect that the inhabitants of Scotch Valley "have lived peaceably in the most dangerous times; negroes and other suspected strangers being frequently seen amongst them. During every incursion the enemy have made into this country all the disaffected families [Tories] fly there for protection, whilst the well-affected are obliged to evacuate the country or shut themselves up in garrison."

In the circumstances it was deemed necessary by the civil and military authorities of the counties of Northampton and Northumberland to either disperse or arrest these undesirable citizens—these Tories—of Scotch Valley. Thence the excursion of Captain Klader and his men.

Unfortunately, however, news of Klader's coming reached the inhabitants of the doomed settlement, and they withdrew in haste from their homes to the north side of the Susquehanna, where they fell in with the band of Indians headed by Johnston and Montour. The latter, being informed of the state of affairs, proceeded up to the site of the present town of Berwick, where they crossed over the river and followed the path leading from the Susquehanna to the Lehigh—as described on page 237, Vol. I. Proceeding about eight or nine miles they disposed themselves in ambush to await the coming of the Northampton County militiamen.

Near noon on Sunday, September 10th, Captain Klader and his men arrived at a point in Sugarloaf Valley† about one-half mile east of the present borough of Conyngham on land now occupied by the Hazleton Country Club, in Sugarloaf Township, Luzerne County. "To their great delight they saw before them open and cleared fields, covered with a luxuriant growth of grass. Weary as they were with the fatigue and hardships of their long march, their knapsacks were immediately unslung, and they entered upon the enjoyment of the hour.

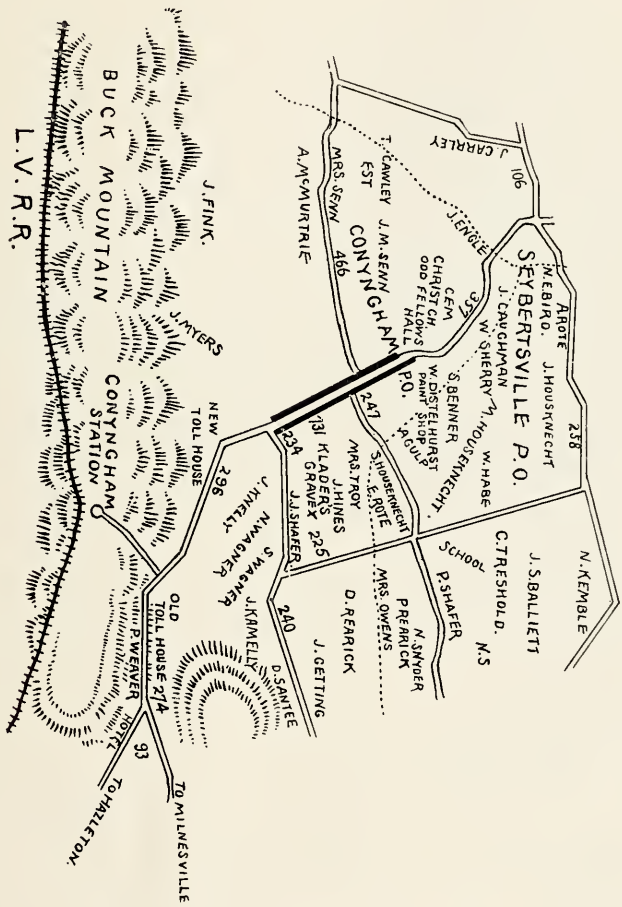
"The very beauty of their surroundings lulled to rest all thoughts of danger, and no one seemed to realize the necessity of watchful care. Each man roamed about as best suited his fancy. Their guns were scattered here and there—some stacked, some leaning against stumps and logs, others lying flat on the ground. Suddenly a volley of musketry was poured in upon them from an unseen foe, and with it rang out the terrible war-whoop of the Savages, who, in a moment more, were in their midst."‡

Captain Klader and thirteen of his men were killed, and subsequently stripped naked and scalped; Lieutenant Meyer, Ensign James Scoby and Peter Tubal Coons, a private soldier, were taken prisoners, while the remaining members

\*See note on page 1028, Vol. II.

†See the illustration facing page 236, Vol. I.

‡H. M. M. Richards, in Johnson's "Historical Record", VI. 131.



SCENE OF THE SUGARLOAF MASSACRE, 1780

TIMES ENG. DEPT.



of the company fled and escaped, although several of them were badly wounded before and during their flight. According to Crinkshank's "Story of Butler's Rangers" (page 82) only one Indian of the marauding party was killed at this time, "but Roland Montour, long known as a brave and active chief, received a wound in his arm from which he died a week later."

The enemy, with their three prisoners and such booty as they had secured from the slain militiamen, returned to the Susquehanna, which they followed to Harvey's Creek. There they burnt the saw-mill of Benjamin Harvey on September 13th, and that night Lieutenant Meyer escaped from his captors and made his way the next day to Fort Wyoming at Wilkes-Barré. The remainder of the party crossed the Shawanese Mountain, took a north-east course, and struck the Susquehanna again some distance above Wyoming.

Miner, in giving an account of this incursion, says ("History of Wyoming", page 287): "The Indians hastened their retreat, doing what mischief they could by burning the Shickshinny mills, and all the grain stacks on their route." This reference to mills at Shickshinny was undoubtedly made inadvertently, for there were no mills at that point then or for years afterwards. Lieut. John Jenkins, Jr., who was at Fort Wyoming in September, 1780, made mention in his diary of the burning of the Harvey mill. He wrote: "Thursday, Sept. 14th—This day we heard that Fort Jenkins and Harvey's mills were burnt."\*

At Fort Wyoming, under the date of September 4, 1780, Col. Zebulon Butler wrote to Col. Ephraim Blaine, Commissary General of Purchases of the Continental army, at Philadelphia, as follows:†

"The intent of this is to apply to you to give orders to Mr. [William] Stewart, Commissary of Issues at this Post, or some Purchasing Commissary that will furnish him beef cattle or salt provision for the use of this garrison. He left this [place] by my order the 29th of last June to procure provisions for this garrison. We have been out of provisions near half the time since, and he has not returned. He has sent some flour, but no meat. He writes me some flour is coming, but no meat, and that I must send express to Colonel Blaine to furnish him with orders or money, as he cannot procure it.

"This express waits on you on purpose to have some relief for this garrison, which is a frontier, and ought to have at least three months' provisions on hand. With respect to flour, I think a supply may soon be had here, as there is a quantity of wheat to be sold here, and a mill will be ready to go in four or five weeks; but at present no person is authorized to purchase.

"My making this application to you is by request of Mr. Stewart, Issuing Commissary at this post. If it should be out of the rule you'll please to excuse me; but so much is fact—we are out of provisions, and no prospect of getting meat. An answer by the bearer [Hugh Forseman] who waits on you will much oblige your humble servant", &c.

At Philadelphia, under the date of September 18, 1780, Colonel Blaine wrote to Colonel Butler, in part as follows:‡

"I delayed your Express several days, expecting to obtain money or some other means to procure supplies of provisions. Under the present system the States are to furnish the supplies of our army. They have been so exceedingly dilatory that the army have been for several days, at different periods, without one morsel of meat of any kind, and are now in the most disagreeable situation for want of that article. I haven't it in my power, for the present, to give you any assistance but that of flour." \* \* \*

We have further testimony as to the unhappy conditions respecting food supplies at Fort Wyoming, at this period, in a petition§ which was presented to the Connecticut Assembly by Hugh Forseman (previously mentioned) in October, 1781. He stated therein:

"The Garrison at Wyoming was in August and September, 1780, much straitened and distressed for the want of provisions, by reason that Governor Reed| prohibited its being bought

\*For fuller information concerning the Sugarloaf massacre see: "Frontier Ports of Pennsylvania". I: 368; Miner's "History of Wyoming", p. 287; Johnson's "Historical Record", II: 125, 167, and VI: 131; Stone's "Poetry and History of Wyoming", p. 259.

†See *Magazine of American History*, XXIV: 146.

‡See original letter in the collections of The Wyoming Historical and Geological Society.

§The original is "No. 145" in the collection of documents in the State Library, Hartford, Connecticut, described in paragraph "(3)", page 29, Vol. I.

Gen. JOSEPH REED, President of the Supreme Executive Council of Pennsylvania.

from the Pennsylvania Purchasing Commissaries. While in this situation Col. Zebulon Butler, who commanded the garrison, appointed and directed me to purchase provisions for the use of the troops—which appointment I received September 20, 1780."

At Philadelphia, under the date of October 19, 1780, Hugh Forseman wrote to Colonel Butler at Wilkes-Barré as follows:

"I still remain in this City waiting on Col. Blaine for orders, and as I have not wrote you before I shall not be so particular in this, only this much I would mention: That when I first went to Col. Blaine and Delivered your letter and informed him the situation of the Post he told me there was no money, nevertheless some methods must be taken to furnish us with Provision, and he had the matter before Congress and no answer he hath recd. yet. I wate upon him once and twice every Day, but nothing done, nor will he let me go until he gets an answer from Congress.

"I am very uneasy staying here, but Judge it will not do now to go away until I receive some Orders. I suppose your situation by this time is very Bad on account of provisions, and it hath been out of my power to do anything more than what I have. I have no reason to believe but what Col. Blaine doth his endeavour to dispatch me. Excuse haste from your very humble sert."

At Fort Wyoming, under the date of October 8, 1780, Colonel Butler wrote to William Stewart, hereinbefore mentioned, as follows:

"Yours of the 20 September came safe to hand some time since. The boat with flour came. The meat was expended, and part of the flour. The two cattle likewise came, but we are entirely out of bread and meat. We live on eels\* and corn, and the eels seem to be most done. Should have sent the boat sooner, but Mr. Jameson told me you would not have flour ready. I have sent one small boat and twelve men. Hope you will be able to load the three boats with flour and some liquor and let them return immediately.

"I would wish likewise you would send on some cattle by the same party. When I can hear of their coming I shall send a guard to meet them. When Doctor [William Hooker] Smith was at Philadelphia Colonel Blaine gave encouragement for cash. Mr. Forseman has gone to him and to see what he can do about cattle. Expect him to return in a few days. As to sending hides, it cannot be done by this boat now, the water is so shallow. But I suppose they can come by Mr. Buck's boat when that comes; but the water is too low for that yet."

Miner states (see "History of Wyoming", page 288) that on October 24, 1780, "the settlement was thrown into commotion by the arrival of an express stating that Colonel [Samuel] Hunter,† at Fort Augusta (Sunbury), had stopped the boats that were ascending the river with provisions for the [Wyoming] garrison. Grain the people now had, but they were obliged to go to Stroudsburg to mill. This was the first incident which had occurred for three years exhibiting the smothered, but by no means extinguished, jealousy that existed on the part of Pennsylvania towards the Connecticut garrison and settlement."

A few weeks after this occurrence Hugh Forseman arrived from Philadelphia with a hundred head of cattle for the garrison. "Thus fear of absolute famine was removed. The comforts of life were not looked for, but all were satisfied with sufficient food to sustain existence."<sup>‡</sup>

At Fort Wyoming, September 19, 1780, a town-meeting of the inhabitants of Westmoreland was held, John Hurlbut, Esq., acting as Moderator, and Oba-

\*"Another friend which had often cheered and sustained the people [of Wyoming] also came nobly to the rescue. The Susquehanna River, after furnishing its usual supply of shad in the Spring, this year [1780] doubled its efforts and produced in the Fall extraordinary swarms of eels, upwards of fourteen thousand of these wriggling dainties were taken within three weeks—a welcome boon to the hungry people which they did not allow to slip through their fingers."

†From "Wyoming, or Connecticut's East India Company", by Henry T. Blake, 1897.

See also Miner's "History of Wyoming", page 290.

‡See (†) note page 1274.

‡With respect to the obtaining of a sufficient supply of food for the American army, these were, indeed, the times that tried men's souls—not only at the little garrison of Wyoming, but at the headquarters of the army. The Autumn days of 1780 were surely the darkest days in the outlook for American autonomy. \* \* In proof of this statement we offer the following extracts from a letter written by General Washington at the headquarters of the army, near Hackensack Bridge, New Jersey, September 12, 1780, and addressed to the Executive Council of Massachusetts. This letter gives a most touching and appealing glimpse of the discouragements that were turning fervent zeal to dull despair in the hearts of many American patriots.

"At present, unfortunately for us, were we in the fullest possession of a naval superiority and the fairest opportunities were to present themselves for striking a stroke, we could not transport even a small body of troops to any point, however interesting and certain the object, for want of salt provisions. \* \* I have heard that a very considerable quantity of beef and pork was captured in the Quebec fleet. If this is the fact, it seems to be the only source from which we can hope to obtain a supply—and from the necessity of the case I take the liberty to entreat you will endeavor to secure it. I would wish at least 4,000 barrels to be provided, if it be by any means practicable. \* \* \*

"I am pained to inform your Honorable body that our distresses for meat still continue pressing and alarming. The supplies we have received, including the cattle which have been exacted from the inhabitants of this State—and in many instances to their entire ruin—and which have made no inconsiderable part, have been little more than sufficient to satisfy a third of our necessary demands. The troops on some occasions, have been even four and five days without a mouthful of meat. Complains and murmurings—a relaxation of discipline—marauding—robbery and desertion are the consequences; and, indeed, it is to be wondered at, that they have not prevailed to a much greater extent. I am satisfied things cannot continue long in their present situation" \* \* \*—From *The Boston Transcript*, February, 1909.



diah Gore serving as "Town Clerk." Among other matters the meeting resolved that John Hurlbut and Col. Nathan Denison "be appointed Agents to negotiate a petition at the next General Assembly, praying for an abatement of taxes upon the present list." This petition, addressed to the General Assembly of Connecticut, and dated "Westmoreland, 28 September, 1780," was duly prepared, and was presented to the Assembly at its October session by Colonel Denison and John Hurlbut, who attended as representatives from Westmoreland. It is document "No. 136" in the collection of documents in the State Library at Hartford, described in paragraph "(3)", page 29, Vol. I. It is in the handwriting of Obadiah Gore, Jr., and is signed by John Hurlbut, John Franklin, Jabez Sill and James Nisbitt, "Selectmen, in behalf of themselves and the inhabitants."

This memorial sets forth at length "the disagreeable situation" the inhabitants of Westmoreland "are yet in, by reason of the unhappy effects of the war," and then continues as follows:

"The settlement being contracted to a very narrow compass, just under cover of the garrison—our fields very much in common—our families either in barracks with the soldiery, or soldiers quartering in our houses, for our protection and safety. Besides, the difficulty of obtaining grinding—there being no grist-mill within forty or fifty miles of this settlement. These, and many other difficulties (which are tedious to mention), induce us once more to petition for an abatement of taxes upon the present list; or in some other way to grant us relief."

A town-meeting of the inhabitants of Westmoreland was held at the house of Abel Yarrington, Wilkes-Barré, on Tuesday, December 5, 1780. John Hurlbut, Esq., acted as Moderator, and he, Colonel Denison, Capt. John Franklin, James Nisbitt and Jabez Sill were chosen Selectmen for the ensuing year. Also, men were chosen to fill the offices of Town Clerk, Treasurer, Constable, Surveyors of Highways, Fence Viewers, Listers, Collectors, Leather Sealers and Grand Jurymen. "The fewness of the inhabitants", says Miner ("History of Wyoming", page 289), "may be inferred from the fact that James Nisbitt and Jabez Sill were each chosen to three offices, and several others were voted in to the duties and honors of two.

"The occasion was one of comparative cheerfulness. Winter had set in\*—snow had fallen—the enemy, kept at a respectful distance by the spirited conduct of Hammond, Bennet, Van Campen, Rogers and Pike, would not be likely, it was thought, soon to return. With frost, sickness had ceased; and Forseman's arrival with a supply of cattle dissipated all fears of suffering from famine. But these pleasing dreams of security were destined to be of brief duration."

On November 19, 1780, a detachment of nineteen "Rangers" and five Indians had set out from Niagara, under the command of Lieut. John Turney, Sr.,† on a marauding expedition to the valley of the Susquehanna. In due time the party reached the river, where they took canoes and descended as far as Secord's, on the west bank of the river, two or three miles above the present borough of Tunkhannock. Leaving their canoes here they marched westward through a gap in the mountains, and then in a southerly direction towards the valley of Wyoming. They arrived on the Summit of the Shawanese Mountain, overlooking the Plymouth Township settlement, in the afternoon of Wednesday, December 6th, twenty-two days after leaving Niagara.

\*"Soon the dreadful Winter of 1780-'81 set in—a season known in our annals as 'the hard Winter' when for forty days, not an icicle was disturbed by the sun in all the region from the Arctic Sea to Roanoke, and westward to the Pacific. It bore with mighty force upon frontier and wilderness life. \* \* \* Many cattle perished. Wild beasts and birds were frozen. \* \* \* Scarcity of provisions prevailed, and gaunt Famine looked fiercely in at the windows of the cabins."—*Harpers Magazine*, XIX: 593.

†See note on page 965, and page 992 Vol. II.

On the evening of this day George Palmer Ransom\*, a member of Capt. Simon Spalding's Westmoreland Independent Company, in the Continental service at the Wyoming garrison, Manasseh Cady, Jonathan Frisbie, James Frisbie,† Nathan Bullock,‡ Benjamin Harvey and his son Elisha, all privates in Capt. John Franklin's militia company, previously mentioned, were gathered together at the home of Benjamin Harvey§, where, also, were his daughter, Lucy Harvey and Lucy Bullock, a daughter or sister of Nathan Bullock. Mr. Harvey's home was in what is now the borough of Plymouth, on the north-west side of Main Street, about midway between the present Center and Eno Avenues.

There had been a heavy fall of snow a few days previously, and on this Wednesday night the weather was extremely cold; but, within the deep and

\*See page 896, Vol. II.

†JAMES FRISBIE, of Braford, New Haven County, Connecticut became a member of The Susquehanna Company November 29, 1760, when he bought of Timothy Rose, of Woodbury, Conn., for £5, one-quarter of an original right, or share, in the Company. In April, 1773, James Frisbie was living in Woodbury, Litchfield County, Conn., but within the next two years he removed to Wyoming and settled in Plymouth. James Frisbie, Jr., and Jonathan Frisbie were undoubtedly his sons.

‡NATHAN BULLOCK, mentioned on page 44, Vol. I, and pages 1039, 1161 and 1182, Vol. II, was of Ashford, Connecticut, in 1773. According to "The Town Book of Wilkes-Barré" (page 1320) "Anderson Dana, Surveyor," surveyed, March 23, 1774, a tract of land for Nathan Bullock, "one of ye Susquehanna Company, on ye easterly side of said Purchase, near ye Long Meadows, so called, near ye Pennamites' Path."

§BENJAMIN HARVEY, whose name is frequently mentioned in these pages, was born at Lyme, New London County, Connecticut, July 28, 1722, the seventh and youngest child of John and Sarah Harvey, and great-grandson of Thomas Harvey, a native of Somersetshire, England, who immigrated to Dorchester, Massachusetts, in 1636, and later became one of the first settlers of Taunton, Massachusetts. (For full details as to the ancestry of Benjamin Harvey, see "The Harvey Book", published by the present writer at Wilkes-Barré in 1899.)

John Harvey, above mentioned, was born at Taunton, Massachusetts, in 1676, the eldest child of John Harvey Sr., (born at Taunton in 1647; died at Lyme, Conn., January 18, 1705), who had been a soldier in Maj. Samuel Appleton's battalion during King Philip's, or the Narragansett, War, and was wounded at the "Great Swamp Fight", December 19, 1675. In 1681 he removed with his family to the town of New London, Connecticut, and thence, a few years later, to the town of Lyme, in the same county.

John Harvey, Jr., lived the greater part of his life in Lyme. He was a farmer, and the owner of considerable property in the North Parish of Lyme. He held various town offices of responsibility for a number of years. His wife Sarah died at North Lyme October 2, 1754, and he died there December 23, 1767.

Benjamin Harvey, like his father owned considerable property in North Lyme, where he resided for the first fifty years of his life, and was engaged for a good part of that period in farming and stock raising. For a number of years he was a near neighbor and intimate friend of Zebulon Butler, as noted on page 636, Vol. II.

In 1744 war was declared by France against England, and by England against France, and in February, 1745, 500 troops were raised in Connecticut, who were organized into eight companies and marched forward to Boston. For Connecticut's contingent New London County furnished quite a number of men, some of whom were from Lyme. Among them was Benjamin Harvey, then in his twenty-third year. These Connecticut troops, as part of the Colonial forces, sailed for Cape Breton, where, on June 8, 1745, was begun the siege of Louisbourg. In forty-nine days this "Gibraltar of America" was captured by the English, and shortly thereafter the Connecticut troops were sent home and disbanded.

During the progress of the second French and English War, Benjamin Harvey served in 1759 as a Corporal in the 9th Company of the 4th Regiment of Connecticut troops, commanded by Capt. Zebulon Butler. (See last paragraph, page 635, Vol. II.) During the "Stamp Act" troubles of 1765 Benjamin Harvey was an active member of the Sons of Liberty in Connecticut. (See page 482, Vol. I.)

In December, 1768, The Susquehanna Company appropriated the sum of £200 for the purpose of providing provisions for its settlers at Wyoming. (See page 466, Vol. I.) Some of the supplies thus provided for having been purchased at Lyme, Benjamin Harvey was employed to transport the same to their destination. This work was done by making two trips—one in the Summer of 1769, and the other about a year later—from North Lyme to Wilkes-Barré, with three carts drawn by oxen driven by Benjamin Harvey and his sons Benjamin and Seth.

Benjamin Harvey's wife having died at North Lyme December 3, 1771, and his second son, Seth, having died there a week later, he determined early in 1772 that he would remove to Wyoming, where so many of his old friends and former neighbors were already settled. Therefore, April 14, 1772, he purchased of John Starlin, or Sterling, of Lyme, for £12, a half-share or "—right" in the Susquehanna Purchase. He immediately sent his eldest son, Benjamin, on to Wyoming to examine into the situation of affairs there, and to look out for his interests. As shown by the records of The Susquehanna Company, he himself arrived at Wilkes-Barré May 7, 1772. Having been admitted a proprietor in Plymouth Township he was allotted the lands therein to which he was entitled on his half-right, and before the close of the year 1772 he was joined at Plymouth by the several members of his family who had remained behind at Lyme.

In the Summer of 1773 Benjamin Harvey took steps to acquire a "pitch of land", consisting of some 754 acres, lying along the Susquehanna south-west of Plymouth Township. Two streams of water flowed across the tract—one near the eastern and the other near the western boundary. One of these streams was the creek described on page 54, Vol. I, now and for many years past, known as Harvey's Creek.

At a regular meeting of The Susquehanna Company held at Hartford, Connecticut, May 24, 1774, the following communication was read: (The original document is in the possession of the writer of this.)

"To the Susquehanna Proprietors to be Convened at Hartford on the 24th of May, 1774.

"Gentlemen—There is a Large Tract of Land Lying and adjoining To the Township of Plymouth that Mr. Benjn. Harvey applyd. for by way of Petition at the Susq. meeting Last June it was Referred to the Committee of Setlers and they Impowred, to finally Determine that matter—upon Examination we found that Mr. Harvey as a sufferer is already made good in Plymouth and that he now challenges it as a part of his Generall Right—

"In my Opinion the Land Included in that Survey is Greatly Superior to any Right in either of the setting Towns—therefore upon them Principles we chose that the Company should still have the power of Disposing of the same as they think proper—Besides I would Beg Leave to Inform you Gentlemen that there is a considerable Stream runs through sd. Tract, I believe Large enough to carry an Iron works the whole season, and a very Large Quantity of Iron Ore, Doubtless enough to last to the end of Time, which is said to be very rich and its very Near, and even in ye Banks of the Brook—

"Now if the Company could adopt some measures whereby some Gentlemen might be Encouraged to set up a Bloomying it would I am sure be a matter of Great Consequence to the Company in Generall and the settlers in particular, and a Gentlemen appearing to undertake the Business would Doubtless meet with Great Encouragement from the settlers here—

broad fire-place in the "living room" of Benjamin Harvey's house, there blazed a fire of pine-knots and chestnut logs, whose genial brightness and warmth the little company seated about the hearth enjoyed with much satisfaction, heedless of the blustering winds and drifting snow without. At the same time the men of the party were enjoying also plenteous draughts of the hardest kind of hard cider, which, with our New England forefathers, was the usual drink on extraordinary occasions during the Winter season.

The hour was yet early when, suddenly, a noise was heard by this little group of friends at the fireside, which hushed their conversation and caused them to look at one another with apprehension. The noise was caused, simply, by

"There is a Large Quantity of good stone Coals on sd. Tract which is valuable and the very best I have seen on Susquehanna, as I profess to be a judge of that—"

"Gentlemen I Communicate this that you might not be Deceived with Regard to the Quality of that Tract of Land—There is no other Stream of that Bigness for many miles Distance except the River—"

"Gentlemen with Esteem I subscribe myself  
"Westmoreland 16th of May 1774."

[Signed] "Your Humble Servt.  
"OBADIAH GORE, JUNR."

Mr. Gore was, without doubt, somewhat of an expert with respect to water-courses and anthracite coal, but on the subject of iron ore he was apparently "off". While there were large deposits of coal, acres of valuable timber, and a fine stream of water on the land selected by Mr. Harvey, there was never a trace of iron ore there.

What action, if any, was taken by the Susquehanna Company on the letter of Mr. Gore the minutes of the Company do not disclose. The records do show, however, that the land in question was duly laid out and confirmed to Mr. Harvey, and that he remained the owner of it until his death.

In 1774 Mr. Harvey opened the first store in Plymouth, which was managed for him by his son Benjamin, Jr., while he busied himself about other matters. He continued to reside in Plymouth until his death, and he took a very active part in the public affairs of the community. His name appears frequently in the following pages.

Benjamin Harvey was married, first, in 1745, to Elizabeth (born at Lyme in 1720), fourth daughter and ninth child of John and Jemima Pelton. Mrs. Harvey having died in December, 1771, as previously noted, Benjamin Harvey was married, second, at Plymouth, between 1783 and 1786, to Catherine Draper, widow of Maj. Simeon Draper. Benjamin Harvey died at his home in Plymouth Township, near what is now West Nanticoke, November 27, 1795; and his widow Catharine died there May 6, 1800.

The children of Benjamin and Elizabeth (*Pelton*) Harvey were as follows (all born in North Lyme): (i) *Mary*, born 1746; died unmarried October 27, 1767. (ii) *Benjamin*, born 1747; died in February or March, 1777, as noted on page 904, Vol. II. (iii) *Seth*, born 1749; died unmarried December 10, 1771. (iv) *Abigail*, born 1752; died unmarried November 22, 1769. (v)

*Silas*, born 1754; killed at the battle of Wyoming, July 3, 1778. (vi) *Lois*, born 1756; became in 1779 the wife of Elnathan Sweet, Jr. (born at Exeter, Rhode Island, June 24, 1755; died at Beekmanstown, New York, in 1782), of Beekmanstown, Dutchess County, New York; died at Halfmoon, Saratoga County, New York, in 1808, leaving a daughter, Abigail (*Sweet*) Deuel, wife of Joseph Merrit Deuel, of Deerfield, Otsego County, N. Y. (vii) *Elisha*, born 1758; died March 14, 1800. (viii) *Luzcy*, born 1760; became the wife of Abraham Tillybur, of Plymouth.

(viii) *Elisha Harvey* came to Wyoming in 1772 with the other members of his father's family, and with them took up his residence in Plymouth. In 1775, being in the eighteenth year of his life and over the minimum age fixed by the laws of Connecticut for the militia service of the Colony, he was mustered as a private in the 3d Company (Capt. Samuel Ransom commanding) of the 24th Regiment, Connecticut Militia, and in December of the same year fought with the Wyoming settlers against the forces of Colonel Plunket, at "Rampart Rocks", on the property of his father at West Nanticoke. (See page 860, Vol. II.)

In 1778 Elisha Harvey was still a member of the 3d Company, then commanded by Capt. Asaph Whittlesey and with it took part in the battle of July 3d. When the retreat of the Americans began, Elisha Harvey—escaped from the bloody field in company with William Reynolds, Sr., a man of some years, who was an old friend, and for a time had been a neighbor in Plymouth, of Benjamin Harvey, and like the latter, was an enrolled member of the "Alarm List" of the 3d Company. Messrs. Reynolds and Harvey swam across the river near Forty Fort, and basted to Fort Wilkes-Barré. Thence they fled the next day, taking, with many other Wyoming refugees, the long-untraveled "Warrior Path", which, running over the mountains south-east of Wilkes-Barré, led to Fort Allen, and onward through the Lehigh Water Gap to Bethlehem.

Having tarried at the last-named place a few days, the two men journeyed to Easton, twelve miles distant where they joined a number of their former comrades-in-arms and set off up the Delaware River. Leaving the river at Lower Smithfield they proceeded to Fort Penn (now Stroudsburg) where, July 26, 1778, they joined a detachment of the 24th Regiment under the command of Colonel Butler. With this body they marched to Wilkes-Barré, where they arrived August 4, and where they were on the 1st of the following October—with the 170 or more Continental soldiers and Westmoreland militia there engaged in scouting, etc. (See pages 1079, 1080 and 1096, Vol. II.)

Owing to the rigors of the Canadian climate, and the severe physical strain to which he had been subjected during his captivity, the health of Elisha Harvey was greatly impaired, during the two years following his return to Wyoming; and so, as far as possible, he avoided the frays and commotions incident to the "Second Pennamite-Yankee War." He remained quietly at his father's home engaged in farming—when permitted to do so by the Pennamites. Shortly after his father's death he completed at the easternmost end of the Plymouth "plantation", devised to him by his father, a substantial stone dwelling-house. Here he resided with his family until his death, which occurred March 14, 1800, in the forty-second year of his age. During the last two or three years of his life he suffered much from ill health, caused by the development of a wasting disease which had been implanted in his system while he was undergoing the cruel hardships and severe exposures incident to his captivity in Canada.

Elisha Harvey was married November 27, 1786, to Rosanna (born December 24, 1758) daughter of Robert and Agnes (*Dixon*) Jameson of Hanover Township, Luzerne County, Pennsylvania, but formerly of Voluntown, Windham County, Connecticut. (See in the following chapter a sketch of the Jameson family.) Mrs. Rosanna (*Jameson*) Harvey died at her home in Plymouth Township January 17, 1840, in the eighty-second year of her age.

The children of Elisha and Rosanna (*Jameson*) Harvey were as follows—all born in Plymouth Township: (1) *Benjamin*, born August 10, 1787; died March 18, 1788. (2) *Sarah*, born May 4, 1789; married to the Rev. George Lane; died October 11, 1832. (3) *Elizabeth*, born September 20, 1790; married to Thomas Pringle; died May 26, 1868. (4) *Benjamin*, born May 9, 1792; married to Sarah Nesbitt; died March 3, 1873. (5) *Nancy*, born March 19, 1794; died January 15, 1795. (6) *Jameson*, born January 1, 1796; married to Mary Campbell; died July 4, 1885. (7) *Silas*, born December 17, 1797; married to Rachel Search; died May 10, 1824.

For a fuller account of the Harvey family see "The Harvey Book", published at Wilkes-Barré in 1899.

*Benj<sup>m</sup> Harvey*

Facsimile of signature written in 1782.

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In 1778 Elisha Harvey was still a member of the 3d Company, then commanded by Capt. Asaph Whittlesey and with it took part in the battle of July 3d. When the retreat of the Americans began, Elisha Harvey—escaped from the bloody field in company with William Reynolds, Sr., a man of some years, who was an old friend, and for a time had been a neighbor in Plymouth, of Benjamin Harvey, and like the latter, was an enrolled member of the "Alarm List" of the 3d Company. Messrs. Reynolds and Harvey swam across the river near Forty Fort, and basted to Fort Wilkes-Barré. Thence they fled the next day, taking, with many other Wyoming refugees, the long-untraveled "Warrior Path", which, running over the mountains south-east of Wilkes-Barré, led to Fort Allen, and onward through the Lehigh Water Gap to Bethlehem.

Having tarried at the last-named place a few days, the two men journeyed to Easton, twelve miles distant where they joined a number of their former comrades-in-arms and set off up the Delaware River. Leaving the river at Lower Smithfield they proceeded to Fort Penn (now Stroudsburg) where, July 26, 1778, they joined a detachment of the 24th Regiment under the command of Colonel Butler. With this body they marched to Wilkes-Barré, where they arrived August 4, and where they were on the 1st of the following October—with the 170 or more Continental soldiers and Westmoreland militia there engaged in scouting, etc. (See pages 1079, 1080 and 1096, Vol. II.)

Owing to the rigors of the Canadian climate, and the severe physical strain to which he had been subjected during his captivity, the health of Elisha Harvey was greatly impaired, during the two years following his return to Wyoming; and so, as far as possible, he avoided the frays and commotions incident to the "Second Pennamite-Yankee War." He remained quietly at his father's home engaged in farming—when permitted to do so by the Pennamites. Shortly after his father's death he completed at the easternmost end of the Plymouth "plantation", devised to him by his father, a substantial stone dwelling-house. Here he resided with his family until his death, which occurred March 14, 1800, in the forty-second year of his age. During the last two or three years of his life he suffered much from ill health, caused by the development of a wasting disease which had been implanted in his system while he was undergoing the cruel hardships and severe exposures incident to his captivity in Canada.

Elisha Harvey was married November 27, 1786, to Rosanna (born December 24, 1758) daughter of Robert and Agnes (*Dixon*) Jameson of Hanover Township, Luzerne County, Pennsylvania, but formerly of Voluntown, Windham County, Connecticut. (See in the following chapter a sketch of the Jameson family.) Mrs. Rosanna (*Jameson*) Harvey died at her home in Plymouth Township January 17, 1840, in the eighty-second year of her age.

The children of Elisha and Rosanna (*Jameson*) Harvey were as follows—all born in Plymouth Township: (1) *Benjamin*, born August 10, 1787; died March 18, 1788. (2) *Sarah*, born May 4, 1789; married to the Rev. George Lane; died October 11, 1832. (3) *Elizabeth*, born September 20, 1790; married to Thomas Pringle; died May 26, 1868. (4) *Benjamin*, born May 9, 1792; married to Sarah Nesbitt; died March 3, 1873. (5) *Nancy*, born March 19, 1794; died January 15, 1795. (6) *Jameson*, born January 1, 1796; married to Mary Campbell; died July 4, 1885. (7) *Silas*, born December 17, 1797; married to Rachel Search; died May 10, 1824.

For a fuller account of the Harvey family see "The Harvey Book", published at Wilkes-Barré in 1899.

*Elisha Harvey*

Facsimile of signature written in 1780.

two or three gentle knocks struck on the outer door of the house; but there was a ringing sound to them, which, to the experienced ears of those within the house, indicated that the knocks did not come from the knuckles of a closed hand.

After a few moments of silence the knocking was renewed, but more sharply than before. Benjamin Harvey then went forward and unbarred the door, whereupon it was pushed violently open, and five Indians, in full war-paint, crossed the threshold. Glancing through the doorway, Mr. Harvey discovered that the house was surrounded by a number of armed men, which fact he immediately made known to his companions. Shortly afterwards the commander of the band, accompanied by two or three of his men, joined the savages within doors, and demanded food and drink for his party.

These marauders, it will be understood, were Lieutenant Turney and his detachment from Niagara, who, as soon as the shades of night had fallen upon Wyoming, had passed, as quietly and rapidly as possible, from their bivouac on top of Shawanese Mountain down into the valley.

Having satisfied their hunger and thirst without delay, they began to bind with cords the arms of the inmates of the house, who, in the meantime, had been informed by Lieutenant Turney that they must consider themselves prisoners of war. The marauders then set out for the mountain with their nine captives, and with such booty as they could easily secure and carry. Arriving on top of the mountain, and out of danger of immediate pursuit, the party halted for consultation. After awhile one of the Indians, who was past middle age, and was apparently a chief, led Lucy Harvey and Lucy Bullock aside from the other captives, and, by the dim and flickering light of a torch, painted their faces in true Indian style. Then, unloosing the cords which bound the young women, he told them his name,\* and added: "Go, tell Colonel Butler I put on this paint!"

Parting from their relatives and friends, whom they never expected to see again, Lucy Harvey and Lucy Bullock made their way down into the valley, through the gloomy forest and over the rough, snow-covered ground. Reaching the Plymouth highway they hastened in the direction of the Wilkes-Barré ferry, which they reached a short time before daylight. Awakening the ferryman, they were rowed across the river by him, and arrived in a few minutes at Fort Wyoming.

One of the sentries on duty there at that hour was a young man named Charles Harris, who, being acquainted with the Misses Harvey and Bullock, recognized their voices when they hailed the fort. Being admitted within the walls, they quickly told their story to the commander of the garrison, who ordered the alarm-gun to be fired. But by this time the captors and the captured were far on their journey, and, beyond the sound even of the signal, which fell upon the ears of the people of the valley as a notification that some one in the community had been murdered or carried into captivity.

An hour or two later there arrived at the fort a young Irishman named Thomas Connolly†, who had deserted from Lieutenant Turney's band shortly after the Misses Harvey and Bullock had been released. He gave information

\*It was learned afterwards that this Indian was a Seneca chief of some importance, and that, upon two or three occasions prior to the Revolutionary War, he had attended Indian conferences held with the white settlers at Wyoming. He had also taken an active part under Butler and *Sayenqueraghta* in the battle and massacre of Wyoming, July 3, 1778.

†At Sunbury, Pennsylvania, December 30, 1780, Col. Matthew Smith (then Prothonotary of Northumberland County) wrote to the Hon. Joseph Reed, President of the Supreme Executive Council of Pennsylvania, at Philadelphia, in part as follows: "Inclosed I send the examination of Thomas Conley (taken at Wyoming and transmitted to me by Thomas Neil), who came from Niagara with a party of twenty whites and five Indians. They carried away one Harvey's family near Wyoming, six [*sic*] men and boys in number. Harvey's daughter and one other girl they sent back

as to the route the party had traveled in approaching the valley, and stated that they expected to return northward the same way.

As soon as possible that morning Captain Franklin, with twenty-six of his men, set out from the fort in pursuit of the fleeing enemy, and marched up the river as far as Secord's (previously mentioned), where the pursuit was abandoned, being considered hopeless. Finding at this point the canoes left behind by the marauders, as heretofore noted, Captain Franklin and his men entered them and floated down to Wilkes-Barré, where they arrived after an absence of three days.

The two young women having been released, in the manner previously described, the marauders and their remaining captives marched away from the valley as rapidly as the snow, the darkness of the night and the tangled wilderness would permit. They traveled all that night and the next day, at the close of which they arrived at the headwaters of Mehoopany Creek, which empties into the Susquehanna a dozen or fifteen miles above Secord's. Apprehending annoying consequences from the desertion of Connolly, Lieutenant Turney had changed his line of march, and had forced his band and their captives to cover a good deal of ground—some of which was remarkably rough and rocky—in a comparatively short space of time. The captives, in addition to having their arms bound, were compelled to carry upon their backs the plunder which had been seized by their captors.

Benjamin Harvey was at this time in the fifty-ninth year of his life, and although a man of remarkable physique (he was six feet and three inches in height, and solidly built), yet he nearly collapsed under the strain of this forced march. He was the oldest man in the party, and when they reached Mehoopany, where they purposed to encamp for the night, it seemed certain that Mr. Harvey would not be able to endure the hardships of the march on the morrow. George Palmer Ransom, one of Lieutenant Turney's captives, who lived to an old age, years ago told the present writer's grandfather, who was the grandson and namesake of Benjamin Harvey that the latter, during the march from Plymouth to Mehoopany, after frequently upbraiding Turney for his heartlessness, would berate and curse all Indians in general, and those in particular who were his captors; and then, when almost out of breath, would call down a variety of imprecations upon the "British red-coats and red devils" who had so often made his life miserable. Ransom said that Turney was very much annoyed by these outbreaks, but managed to make a show of holding his temper in check.

Early in the morning of December 8th (which was Friday), Turney and the Indian chief held a consultation, which resulted in Mr. Harvey being placed in the custody of the Indians—evidently to be disposed of in whatsoever manner the latter should determine upon.

Colonel Wright, in his "Historical Sketches of Plymouth" (page 222), says: "After spending [at Mehoopany] the cold and chilly night of December as they best could, in the morning the Indians held a council of war as to what was to be

after having them some time and leading them off a considerable distance. They made this stroke on the night of the 6th inst and that same night Conley deserted from them. \* \* \*

Statement enclosed.

"Garrison, Wyoming, December 7, 1780. This day came to this Post Thomas Connelly, a deserter from a party of the enemy of twenty white men and five Indians, who left Niagara twenty-two days before they arrived here. He says he is originally from Ireland, is twenty years of age, came to this country in 1772, and has been a servant to one Thomas Williams, an Indian trader, most of the time among the Indians. About a year ago he engaged in the 'Rangers' service with Tory Butler. That the Post at Niagara is commanded by Brig. Gen. H. Watson Powell, who took the command in February last. The number of white troops is about 600, including the 'Rangers'. Sometimes there are near 2,000 Indians there—men, women and children—who all draw rations." \* \* \*

—From "Pennsylvania Archives", Old Series, VIII: 691.

done with old Mr. Harvey. The value of his scalp in the British market preponderated the scale against his life. The Savages bound him to a tree with thongs, and fastened his head in a position that he could move neither to the right nor to the left. The old chief then measured off the ground some three rods, called the three young braves, and, placing a tomahawk in the hand of each and stepping aside, pointed his finger to the head of the old man. All this was done in silence and without the least emotion depicted upon their stoic countenances.

"The first one hurled his tomahawk—after giving two or three flourishes in the air—with a piercing whoop. It fastened itself in the tree, five or six inches above the old man's head. The second and third made the same effort, but with like effect. The whole Indian party now became furious; the young warriors, for their want of skill in this, probably, their first effort, and the older ones from some other impulse. An angry scene ensued, and they came nearly to blows. The old chief approached the victim and unloosened his bonds. \* \* \* \* \*

"The old gentleman, in giving an account of this [episode] said, that as each tomahawk came whizzing through the air it seemed as though it could not but split his head in two. That so far as he could understand from the Indian dispute—having some knowledge of their language, though imperfect—the old chief took the ground that the Great Spirit had interfered and prevented his death; while the others imputed it wholly to the unpractised hands of the young braves, and that 'the Great Spirit had no hand in the matter.' The stubborn will of the old sachem prevailed, however, and though in the minority, his counsel in the affair decided the issue."

Very soon after this occurrence the party moved down the Mehoopany to the Susquehanna, then up the river into New York, and on to Fort Niagara by the most expeditious route. Miner ("History of Wyoming", pages 25 and 51 of the Appendix) says: "On their way they suffered much from cold and hunger, but at Tioga Point they killed a horse, and then fared sumptuously. \* \* \* It is wonderful that cold, toil, hunger, and anguish of mind had not arrested the current of life, and left them a prey to the wolves. \* \* \* Their sufferings in that inclement season, bound, loaded, and driven several hundred miles through the wilderness to Canada, no pen can describe."

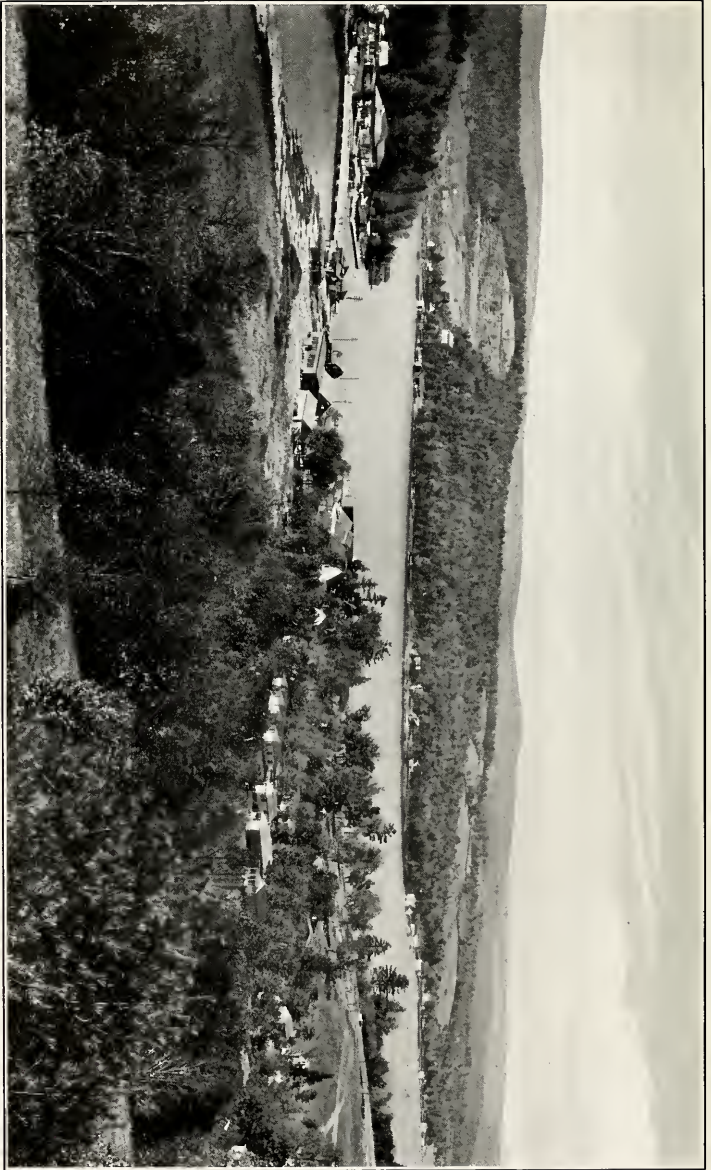
While Lieutenant Turney and his command and their captives were in "Camp forty miles from Genesée, December 14, 1780", Turney wrote to Brig. Gen. H. Watson Powell at Fort Niagara, and sent to him by an express, the following letter\* (now printed for the first time):

"I have the honor to inform you that on the 6th *inst.* I arrived near Wilksbury Fort, situated at ye upper end of the Shawnese Flats, where I found some habitations under the protection of the Fort. On the first night after my arrival I ordered my men to surround three of ye houses; who, forcing their way into them, brought off seven prisoners, and I was lucky enough to prevail upon the Indians to leave the women and children behind unhurt. I then determined upon securing my retreat as fast as possible, for ye ground being covered with snow, and the garrison consisting of 300 men, exclusive of 30 more in another Fort on the opposite side of ye River, I was apprehensive of being pursued and, perhaps, obliged to leave my prisoners behind. Should my proceedings meet with your approbation I shall think myself amply rewarded for any little trouble or fatigue I may have had in ye execution.

"I am thus far on my return to Niagara, and as I have now no resource left for Provisions—having killed my Horses—I beg you will be so kind as to send a fresh supply to meet me on the road. My Party, in other respects—notwithstanding their fatigue—are in good spirits, and I have ye pleasure of observing to you that they have shown ye greatest zeal for His Majesty's service; and indeed, from ye whole of their conduct, have prov'd themselves worthy of any assistance you may think proper to send them."

\*See the Canadian Archives, Series B. Vol. 100, page 501.





A VIEW OF HARVEY'S LAKE, 1922



At Fort Niagara, under the date of December 27, 1780, Col. (formerly Maj.) John Butler wrote to Captain Mathews as follows\*:

"Lieutenants Turney and Wimple returned from the Frontiers of Pennsylvania on the Susquehanna a few days ago, where they had been on a scout with twenty Rangers. They surprised a Fortified House in the night and took in it seven men. By one of the prisoners having an order from Colonel Butler of the Rebels (which was found on him), directing that he should be furnished with Horses, &c., and be forwarded with all dispatch, I am led to believe he was intrusted with letters, which he must have destroyed. The prisoners inform [us] the crops were very fine the last season in that part of the country. An express from New York for his Excellency, General Haldimand, joined them. His dispatches, I am told, go with this opportunity."

At Fort Niagara, under the date of December 28, 1780, Brig. General Powell wrote to General Haldimand the following letter† (now printed for the first time):

"I take the opportunity of transmitting by Mr. Lando, who is charged with Dispatches to Your Excellency, the report of Lieutenant Turney's scout. As Mr. Turney's Family is in Canada, I have given him leave to pay them a visit, and if you should have occasion to send an express to these Posts, I can recommend him as a very proper [person] to be entrusted with it. He will wait at Montreal for your orders. I have given Mr. Lando Ten Pounds Halifax to defray his own and his companion's, Mr. Drake, expenses here, and to carry him to Montreal."

The seven Plymouth captives were detained at Niagara during the remainder of the Winter and through the Spring of 1781, being lodged with many other American prisoners, from different parts of the United States, in barracks just outside the walls of the fort. About that time the British authorities in Canada had begun operations to reclaim the crown lands which lay on the south-west bank of Niagara River, opposite Fort Niagara. Arrangements had been made to found a settlement‡ there, and the lands were to be cultivated in order to raise supplies of food for the support of the numerous British Loyalists who, driven from their homes throughout the United States, had taken refuge at Niagara (as described on pages 933 and 935, Vol. II). In the Spring of 1781 a number of the prisoners at Fort Niagara, including Benjamin Harvey and his companions, were taken across the river and made to work on these new lands.

In the latter part of May, 1781, Benjamin Harvey was released on parole by the military authorities at Fort Niagara, who, evidently, were of the opinion that he was too aged either to be made much use of as a prisoner in their hands, or, being back within the American lines, to aid the cause of the rebels. After a long and tedious journey, occupying more than five weeks, during much of which time he suffered from hunger and exposure to the elements, Mr. Harvey reached Wilkes-Barré on July 4, 1781.

It was in the course of this journey homeward that he discovered (as fully related in "The Harvey Book", published in 1899) the large lake—the largest within the limits of Pennsylvania—which has continued, from at least the year 1795 to the present time, to be popularly and officially known as Harvey's Lake§.

\*This letter, now printed for the first time, is in the Canadian Archives, Series B. Vol. 105, p. 251.

†See the Canadian Archives, Series B. Vol. 100, page 509.

‡This settlement was the beginning of the present town of Niagara-on-the-Lake, at the mouth of the Niagara River in the Province of Ontario.

§HARVEY'S LAKE lies in the township of Lake, Luzerne County, north-west of Wilkes-Barré, from which it is distant twelve miles in a bee-line, fourteen by highway, and seventeen by railway. It is a long, narrow, irregularly-shaped body of water, very much resembling a crutched cross, or the letter T. The main, or south-eastern, arm of the lake measures one mile and three-quarters from north-west to south-east, and in width ranges from 1600 feet to three-quarters of a mile—the greatest width being at the lower end, where there is an abrupt broadening to the west. The north-eastern arm is one and one-quarter miles in length, and from 1400 to 1800 feet in width, while the south-western arm is three-quarters of a mile in length and averages about 1600 feet in width. The shore line measures nine miles, and the surface of the lake lies 720 feet above the low-water level of the Susquehanna River at Wilkes-Barré, and 1226 feet above mean sea-level. The area of the lake is in the neighborhood of 651 acres.

The pure, clear, always cold water of the lake comes almost entirely from springs below its surface, there being no marked inlet. The outlet is at the west corner of the main, or south-eastern arm of the lake, and the outflow forms Harvey's Creek, described on page 54, Vol. I.

No evidences of remote or recent human habitation were found near the lake at the time of its discovery by Benjamin Harvey, or a few years later when the territory in its vicinity was thoroughly explored. It is very certain that, until Mr. Harvey's discovery was made, the existence of the lake was quite unknown, not only to the inhabitants of Wyoming in general, but to the official explorers and surveyors of the Pennsylvania Proprietaries and of The Susque-

and to be so designated—particularly on maps and in public documents published by, or under the auspices of Luzerne County and the Commonwealth of Pennsylvania. It is a fact, however, that from the time of its discovery up to the year 1795 (the year of the discoverer's death), the people generally throughout Wyoming were accustomed to call the lake "Harvey's."

Shortly after Benjamin Harvey was released on parole at Fort Niagara, Elisha Harvey, George P. Ransom and young Frisbie of the Plymouth party of prisoners were removed to Montreal, Canada. From there Ransom, known to be a Continental soldier, was sent to Prisoners' Island, forty-five miles up the St. Lawrence River, where there were 167 American captives, guarded by Loyalist refugees who belonged to Sir John Johnson's regiment.

About the time of the arrival of Elisha Harvey and his comrades at Montreal, the British authorities there settled, according to custom, for the services of the Indians who had aided to capture the Plymouth people and convey them prisoners to Fort Niagara. The old Seneca chief, who had been a member of the marauding party, determined, however, that, instead of accepting a money consideration for his services, he would take possession of Elisha Harvey. This was in accordance with a custom which, at this period, was much in vogue among the Indian allies of the British, and was unquestionably recognized and countenanced by the latter.\*

In the latter years of the Revolutionary War many of the Six Nation Indians who, as allies of the British, went out on the war-path in the Winter and Spring months, spent the Summer and Autumn in the western and north-western regions of British American territory shooting and trapping fur-bearing animals. The Seneca, Shawanese, Delaware and Susquehanna Companies, who had laid out manors and townships in the Wyoming region during the period from 1768 to 1775, as hereinbefore related

Harvey's Lake was probably known to the Indians who at one time dwelt along the Susquehanna River, but that "it was a famous resort of the Indians when they inhabited Wyoming Valley"—as has been stated by a writer—is very doubtful. At the period when Indians lived in the Valley the Susquehanna contained an abundance of various kinds of fish, and it is hardly to be believed that any Indian would travel uphill twelve miles, through dense and unbroken forests, for the purpose of fishing in a lake, when within an arrow's flight of his wigwam he might easily catch in the river all the fish he needed. In the year 1893 an attempt was made to change the name of Harvey's Lake the well-known Indian name "Shawanese" being selected for christening purposes. This attempted change was based on the following grounds: A rare map of the Province of Pennsylvania was brought to light in the Spring of 1893. Published at Loudon, England, in June, 1775, this map purported that it had been "laid down from actual surveys and chiefly from the late map of W. Scull, published in 1770." (The "W. Scull" mentioned was William Scull, some time Deputy Surveyor of the Province of Pennsylvania, and in 1775 and 1776 Sheriff of the County of Northumberland.) Upon this map, approximately near the spot where Harvey's Lake would naturally be looked for, is depicted a large, oval-shaped body of water, which is named "Shawanese Lake." It lies north-east and south-west, and is represented as the source of "Fishing Creek", which stream, thus marked and plainly defined, is indicated as issuing from the south-west end of the lake and running a zigzag south-westerly course to the Susquehanna River. Issuing from "Shawanese Lake" at a point near its north-east end a second stream (to which no name is attached) is shown. Its course is nearly south and it flows into the Susquehanna at "Wyoming Falls" (Nanticoke Falls).

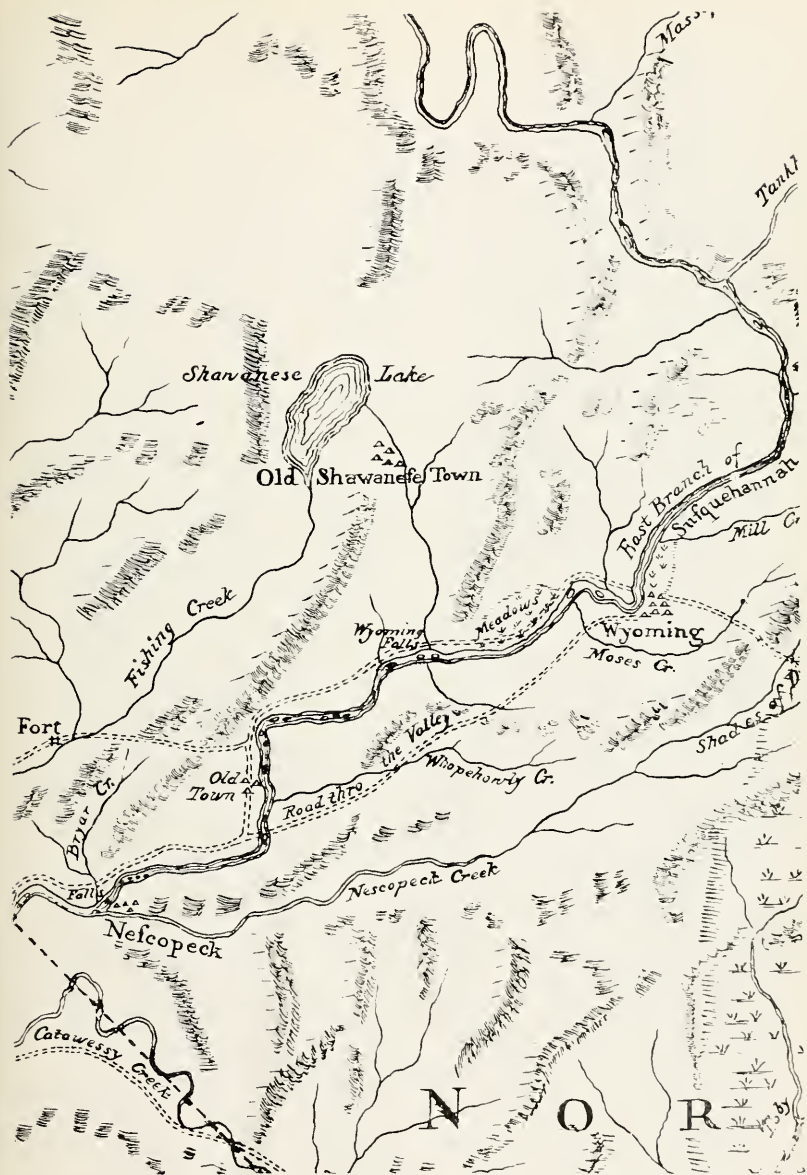
As was to be expected this map attracted considerable attention, and the interest manifested in it by those who desire to possess whatever may be published relating to the history and geography of Pennsylvania and of the Wyoming region was so marked that, through the enterprise of Charles Bowman Dougherty and C. E. Butler of Wilkes-Barré, the map was reproduced and republished. (Through the kindness of General Dougherty we are enabled to present herewith a reduced photo-engraving of the map).

A few writers for the press, and some talkers, decided without hesitation in 1893 upon a casual inspection of this old-time map, that the lake thereon noted as "Shawanese Lake" was undoubtedly the one then and now known as "Harvey's" and that the unnamed stream noted as flowing from it was, as a matter of course, Harvey's creek—described more fully on page 54, Vol. I of this present work. However, the present writer has conclusively, and at some length, proved in "The Harvey Book" (published at Wilkes-Barré in 1899) that the lake in question is no other than the beautiful, oval-shaped sheet of water now known as Lake Ganoga, and referred to on page 46, Vol. I, of this work.

It may be stated here that Scull's map of 1770, hereinbefore referred to, was "laid down" from data obtained by him in 1768, 1769 and prior years. To any one who may carefully examine a copy of that map, and the map of 1775 (herewith reproduced), it will be very evident that the latter is largely a detailed reproduction of the former, with the addition of some new matter relating to the south-eastern part of the Province. Also, it will be apparent that both maps were constructed, not wholly upon actual surveys carefully carried out, but largely upon superficial explorations, which had been made by various persons, the majority of whom, without doubt, were unskilled in topographical and cartographical arts.

\*In this connection see pages 150 and 375 Vol. I. Two cases somewhat similar to the case of Elisha Harvey may be briefly referred to here. At Ballston, Saratoga Co., New York, in October, 1780, Capt. Elisha Benedict and his three sons, Caleb, Elias and Felix together with other persons, were surprised in their beds and taken prisoners by a band of British and Indians under Major Monroe. The four prisoners named above fell to the lot of "Captain John", the leader of the Indians, and were carried to Canada. They were kept prisoners two and a-half years.

At Mahoning Creek, near Fort Allen, in Northampton County, Pennsylvania in April, 1780, Benjamin Gilbert and his family, twelve persons in all, were taken prisoners by a band of Indians and dragged to Canada. Some members of the family "were given over to Indians to be adopted, others were hired out by their Indian owners to service in white families, and others were sent down the lake to Montreal." In August, 1782, all of the family who were still living were redeemed and collected at Montreal, whence they were returned to their former home. In 1790 "a narrative of the captivity and sufferings of Benjamin Gilbert and his family" was published in book form. See "Pennsylvania Archives", Second Series, III: 421.



MAP OF 1775 BASED ON SHULL'S EARLIER MAP OF 1770,  
 showing that "Shawanese Lake" is not Harvey's Lake, but Lake Ganoga



animals. In 1665 a Jesuit mission was founded on the shore of Green Bay, in what is now Wisconsin, and French fur-traders soon established in that locality trading-posts which continued to prosper for many years. Upon the conquest of Canada in 1763 the Wisconsin region passed under British control, which lasted practically until 1815.

Immediately upon gaining possession of Elisha Harvey, the Seneca chief set out with a large party of Indian hunters and trappers for Green Bay, distant more than 700 miles west by south from Montreal. Of course, the young American prisoner was compelled to accompany the party, and to bear more than his share of the toils and hardships incident to the expedition. Starvation and plenty alternated. Then, too, the fur trade often meant fighting with hostile Indians and out maneuvering rivals. Many natural obstacles had to be met and overcome, also.

An Indian would kill 600 beavers in a season, but owing to difficulties of carriage he could dispose of only one-sixth of them. When sold for money to Europeans beaver-skins brought 6s. 2d. per pound; wolf-skins, 15s.; bear-skins, 16s.; and deer-skins, 2s. 2d. per pound. A current account of the standard of barter shows that one and a-half pounds of gunpowder, or five pounds of shot, or twelve dozen buttons, or two red feathers, or twenty fish-hooks, or a pair of shoes, or a blue and white check shirt could be exchanged with an Indian for one beaver-skin. Blackfeet Indians would sell a woman for one gun, but for a horse ten guns were demanded.

All these things and much more Elisha Harvey learned before he got back to the habitations of civilized men, which was not until the close of the year 1781. The expedition had been a very successful one, and when the party returned to Montreal the Indians had a large quantity of furs and pelts which they soon sold: "but", says Colonel Wright in his "Historical Sketches of Plymouth," "in the course of a month they had used up the proceeds in riot and dissipation. Our Seneca brave then began casting about for a market for his prisoner, which he found became necessary, as he had not the means of subsistence for himself, much less for poor Harvey. He finally stumbled on a Scotchman, who was a small dealer in Indian commodities, and, after a half day's bantering and talk, in which the good qualities of Harvey were highly extolled by the old chief, they at last settled upon the price to be paid for Elisha, which was a *half-barrel of rum*!"\*

"He now went behind the counter of his new master, and was duly installed in the mysteries and secrets of an Indian trader. Among the first lessons he learned the important fact that the hand weighed two pounds and the foot four! Under this system of avoirdupois there never occurred any fractions. The weight always came out in even pounds. Our prisoner became a great favorite with his new master, who was a bachelor, and promised to make him the heir of his estate if he would assume his name and become his child by adoption. Elisha openly favored the idea, but his secret thoughts were centered on old Shawnee."

In the Spring of 1782, Elisha Harvey managed to communicate with his father at Plymouth, and the latter being thus informed as to his son's whereabouts, immediately took steps to have him restored to liberty and permitted to return home.

The surrender of Lord Cornwallis at Yorktown in October, 1781, was virtually the end of the war between England and America, and during the Spring

\*As to the sale by Indians of their captives, see page 375, Vol. I.

and Sumner of 1782 the main part of the American army lay along the Hudson River from Peekskill to Newburg (where Washington had his headquarters) watching Sir Guy Carleton and his British forces still in the occupancy of the city of New York and its vicinity.

Early in May, 1782, Maj. Gen. Henry Knox, Chief of Artillery on the staff of General Washington, and Gouverneur Morris, some years later United States Minister to France, were appointed Commissioners on the part of the United States to arrange a general exchange of prisoners; but the difficulties in the way were so great that no satisfactory arrangements could be effected. In May, 1782, Col. Zebulon Butler, then in command of the 4th Regiment, Connecticut Line, stationed at "Camp Highlands", near West Point, on the Hudson, paid a visit to his family at Wilkes-Barré. Benjamin Harvey immediately consulted him with reference to procuring the release of Elisha Harvey, and the following plan was finally determined upon :

Capt. Alexander Mitchell of the New Jersey Line being at this time in command of Fort Wyoming, and Adam Bowman being still held a prisoner there under the sentence imposed by the court-martial in 1780 (see page 1253) it was agreed by Colonel Butler and Captain Mitchell that Bowman should be delivered into the custody of Benjamin Harvey. He, carrying certain documents to be furnished by Colonel Butler, would convey the prisoner to Montreal and exchange him for Elisha Harvey—who, it will be remembered, had been one of the militiamen who captured Bowman.

What authority these officers had for making this arrangement is not now known, but the fact remains that in the latter part of June, 1782, Benjamin Harvey set out from Wilkes-Barré on horseback, having in custody, mounted upon a second horse belonging to himself, the prisoner Adam Bowman. They journeyed over the mountains to the Delaware, and thence to Esopus (now Kingston) on the Hudson. Here they turned northward, designing to travel the direct route to Montreal, via Lakes George and Champlain.

In due time the travelers reached Saratoga, which was one of the American outposts. Here they were stopped by the officer in command of the post, who took Bowman away from Mr. Harvey and sent him in charge of guards down to West Point, a distance of about 120 miles. The officer claimed that the authority by which the prisoner was being conducted to Canada was either too informal and insufficient, or was wholly illegal.

Benjamin Harvey accompanied Bowman and his guards to West Point, and then crossing the Hudson went in hot haste to the Connecticut camp, a mile and a-half distant, to inform Colonel Butler as to the condition of affairs. Arriving at the camp of the 4th Regiment he found that the Colonel had set out for Wilkes-Barré the day before, on leave of absence. As soon as possible Mr. Harvey started for Wilkes-Barré, where he arrived on Sunday, July 21st. Colonel Butler had arrived there on the 19th (see "Pennsylvania Archives", IX: 622).

Mr. Harvey attended to some necessary matters at his home, and on July 29th left Wilkes-Barré for West Point, bearing a certificate from Colonel Butler reading as follows:\*

"These certify that ADAM BOWMAN now a prisoner of War to the United States of America was taken by the Inhabitants of Westmoreland and brought to this Garrison sometime in 1780 when I commanded this post and upon application made to me by MR. BENJAMIN HARVEY for the prisoner to send him to Montreal and exchange for his son then and yet is in captivity—

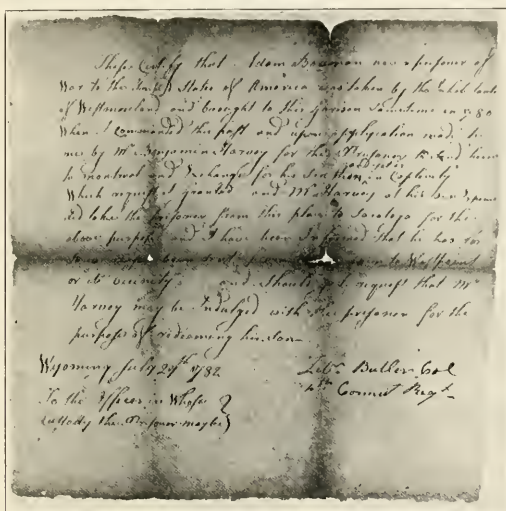
\*The original document is still in existence, in the possession of a descendent of Benjamin Harvey. A photo-reproduction of it is given herewith.

which request I granted and Mr. HARVEY at his own expense did take the prisoner from this place to Saratoga for the above purpose and I have been informed that he has for some reason been sent from there down to Westpoint or its vicinity—and should yet request that Mr. HARVEY may be indulged with the prisoner for the purpose of redeeming his son.

[Signed] "ZEBN. BUTLER,  
Col., 4th Connect. Regt."

"Wyoming July 29th 1782

"To the Officer in Whose custody the Prisoner may be."



Reduced photo-reproduction of the certificate delivered to Benjamin Harvey by Colonel Butler.

When Mr. Harvey was nearing West Point, he determined that he would go on up the river to Newburg and present his case to General Washington. The General, after reading Colonel Butler's "certificate", and asking for fuller information concerning the case, sent Mr. Harvey in charge of an orderly with a note to General Knox. The latter ordered that Adam Bowman should be redelivered into the custody of Mr. Harvey, who, the next day started for Canada provided with proper passports. The journey was made by the two men without further interruption, and, Montreal having been reached, the exchange of Elisha Harvey was effected—not, however, without some unpleasant experiences and annoying delays. Father and son set out on their homeward journey as soon as possible, Elisha riding the horse which had been used by Adam Bowman.

Capt. John Franklin, at his home in Wilkes-Barré, recorded in his diary under the date of September 10, 1782: "Mr. Harvey returned from captivity. Sent home on parole."<sup>\*</sup>

<sup>\*</sup>With respect to prisoners from Westmoreland in the hands of the British, the present writer has just read in the "Public Papers of George Clinton," V: 523, a letter from certain Commissioners at John-town, N. Y., to Governor Clinton, under the date of March 7, 1780, transmitting a "list of people taken on the Susquehanna." The Commissioners suggest that the Governor may have it in his power "to relieve them." The following is an extract from the list: "A list of prisoners taken from Wyoming—James Bidlack, Jo'h Church, Jonathan Smith, Jacob Van Gorder,—Case, Sloem child [Frances Sloem], Kingsley child, Stephen Parrish, Mrs. Hageman, Leonora Hageman, Bubben Jones, Zebulon Parrish, Jasper Parrish, Stephen Kimball \* \* \* From the Susquehanna—Sarah Lester and Hannah Lester, children belonging to the widow Lester, prisoners at Genesee; Ebenezer Williams, belonging to the same family."

In connection with the foregoing, see page 1045 and note on page 1106, Vol. II.





## CHAPTER XX

COL. ZEBULON BUTLER AND THE WESTMORELAND TROOPS GARRISONING  
FORT WYOMING TRANSFERRED TO OTHER POSTS—LARGE LOSSES  
SUSTAINED BY THE INHABITANTS OF WESTMORELAND IN  
THE YEARS 1778-'81—THE LAST SCALP TAKEN BY  
INDIANS IN THE WYOMING VALLEY—THE END  
OF THE WAR OF THE REVOLUTION

"The highways lie waste, the wayfaring man ceaseth \* \* \*  
The earth mourneth and languisheth." — *Isaiah, XXXIII: 8, 9.*

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"By reason of the multitude of oppressions they make the oppressed to cry; they cry out  
by reason of the arm of the mighty." — *Job, XXXIV: 9.*

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"They all hold swords being expert in war; every man hath his sword upon his thigh be-  
cause of fear in the night." — *The Song of Solomon, III 8.*

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About this time the Pennamite-Yankee controversy, concerning the title to the Wyoming lands, which had remained so quiescent since the close of the year 1775 that it seemed hardly to exist, was beginning to take on new vigor. The State of Pennsylvania, considering that she was supplying provisions to what was practically a hostile camp, had stopped the shipment of stores in October, 1780, and the situation at Fort Wyoming at the beginning of the Winter of 1780-'81 was really critical.

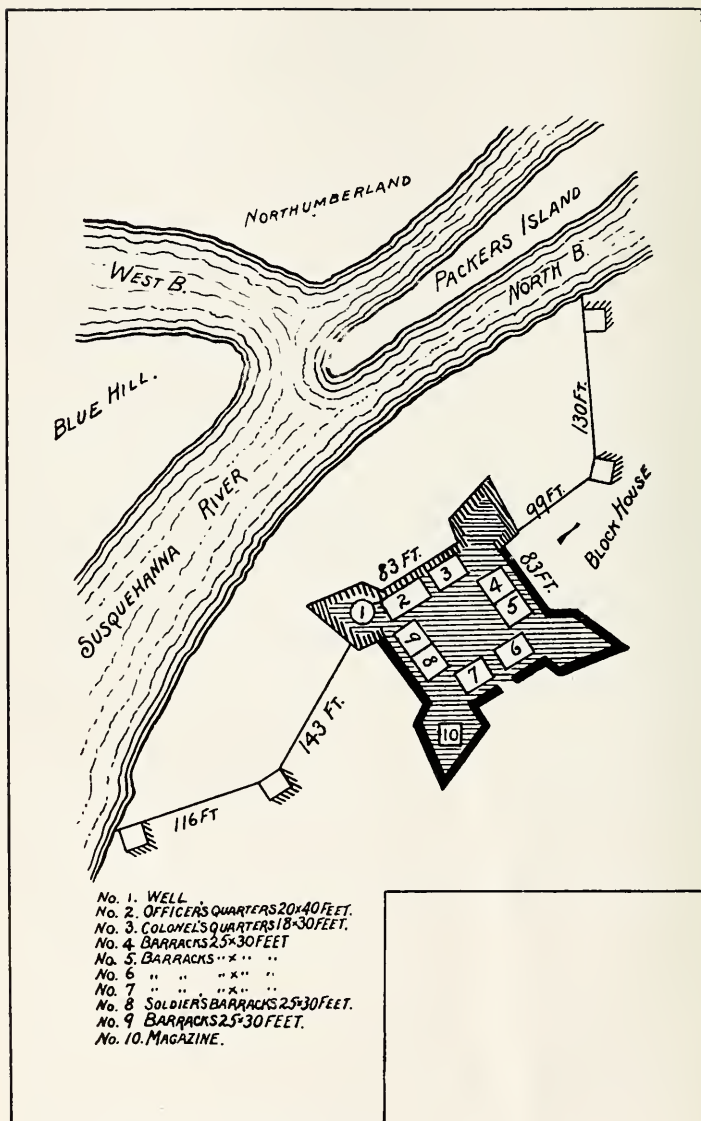
As a result of the urgent efforts made by Dr. William Hooker Smith and Hugh Forseman at Philadelphia in the Autumn of 1780 (in behalf of Colonel Butler, commanding the Wyoming post), to secure from the Continental Board of War and the Commissary General of Purchases, money and provisions for the troops at Wilkes-Barré, the Board of War sent a communication on the subject to Congress, under the date of November 28, 1780. This was referred to a committee, who on December 12, 1780, made a report to Congress as follows:\*

"That in their opinion the causes of the distress under which the Garrison of Wyoming now labors, and has labored for some time past, originate from a jealousy subsisting between the States of Pennsylvania and Connecticut on account of a territorial claim. They find however, that the Post of Wyoming was originally established by Congress as a necessary means for the

\*See "Journals of the Continental Congress", XVIII: 1147.







PLAN OF FORT AUGUSTA AT SUNBURY

defense of a frontier and for the purpose of protecting the inhabitants of that Quarter from the encroachments of the Savages. That ever since its establishment it has been under the direction of Congress, the Board of War, or the Commander-in-chief; has been garrisoned by Continental officers and soldiers, and supplied with provisions from the Continental stores.

"They do not, therefore, think it advisable that this post should be discontinued by Congress until they are informed by the Commander-in-chief that it is unnecessary for the general defense. But your committee are of opinion that it is becoming the wisdom of Congress, at the same time that they carefully guard the citizens of these States against the attacks of the common enemy, to remove, as far as is in their power, every cause of jealousy or discontent between States which might endanger the harmony of the general Union."

This report having first been fully discussed, Congress proceeded the same day to adopt the following resolutions:

"Resolved, That the Commander-in-chief be directed, if he shall judge the post at Wyoming necessary, to relieve the garrison there, as soon as may be, by troops from the Continental army not belonging to the lines of Pennsylvania or Connecticut, or citizens of either of the said States; and that the present and future garrison continue to be supplied by the Commissary General from the magazines of the Continent, by purchase, or out of the quota of provisions raised by any State for the use of the Continent.

"Resolved, That the State of Pennsylvania be informed of the steps Congress have taken to remove every subject of jealousy or discontent, and that they be requested to order the supplies which were stopped by Lieutenant\* Hunter, on their progress to Wyoming, to be immediately forwarded to that garrison, to relieve its present urgent distresses."

At Wilkes-Barré, under the date of December 18, 1780, Colonel Butler wrote to Col. Ephraim Blaine (previously mentioned) in part as follows:†

"The Commissary of this Post waited on you and you ordered him 100 head of cattle, which arrived safe. His order for flour and liquor was refused. As soon as possible I sent an Express to have the flour, &c., ready, and a letter to Col. [Samuel] Hunter to know if his orders continued in force respecting the stopping of provisions coming to this Post. He informed me they did; but if I could produce him an order from Congress it would be all right."

When he wrote this letter, Colonel Butler had not yet learned that six days previously Congress had voted to request the Pennsylvania authorities to order that the supplies detained at Sunbury should be forwarded to Fort Wyoming, and had directed General Washington to relieve the garrison at the Wyoming post by Continental troops, not from either Pennsylvania or Connecticut.

At his headquarters at New Windsor, on the Hudson, under the date of December 29, 1780, General Washington wrote to Colonel Butler at Wilkes-Barré, in part as follows:‡

"Congress having, in order to remove all cause of jealousy and discontent between the States of Pennsylvania and Connecticut, directed me to withdraw the present garrison of Wyoming and to replace them with troops from the Continental army not belonging to the Line of Pennsylvania or Connecticut, or citizens of either of the said States, I have for that purpose ordered Captain MITCHELL, of the Jersey Line, to relieve you. You will, therefore, upon his arrival, deliver up the post to him, and march with all the men at present under your command, and join the army in the neighborhood of this place.

"I am well aware of the difficulty which there will be of bringing away the men of Ransom's| company, but I trust and shall expect, that you will exert yourself to do it effectually; because, if they remain behind in any numbers, it would seem like an intention to evade the Resolve above cited. You will, before you march, give Captain Mitchell every necessary information respecting the situation of the country, and make him acquainted with those characters upon whom he can depend for advice and intelligence in case of an incursion of the enemy."

The order for the removal from the Wyoming post of Col. Zebulon Butler, the company of Capt. Simon Spalding (which was wholly composed of Westmoreland, or Wyoming men), and the few other soldiers—both Continentals and militia—who claimed Westmoreland as their home, shows the influence which was exercised by the Pennsylvania party to the Wyoming controversy at

\*Lieutenant of the County of Northumberland, Pennsylvania.

†The original draft of this letter is in the collections of The Wyoming Historical and Geological Society.

‡See Upham's "Life of Timothy Pickering", II: 231.

§ALEXANDER MITCHELL. He was a Captain in the 1st New Jersey Regiment, commanded by Col. Matthias Ogden, and took part with his regiment in the Sullivan Expedition.

||Washington inadvertently named "Ransom's" company, when he had in mind and was referring to, the company commanded by Capt. Simon Spalding, mentioned on page 980, Vol. II.

the end of the year 1780, and to which the General Government had to yield.

At Wyoming, January 3, 1781, Hugh Forseman, previously mentioned, wrote to Col. David Deshler, Commissioner of Purchases in Northampton County, Pennsylvania, in part as follows:\*

"By virtue of a late Resolve of Congress respecting furnishing this garrison with provisions the Commanding Officer hath directed me to apply to you 'or some flour and liquor, of which I hope you will forward about twenty barrels of flour and four or five barrels of liquor; and let me know by the bearer, Captain [Anthony] Selin, when it will be on the way, that a guard may be sent to escort it. The necessity for flour is great, as the troops have had neither flour nor liquor this three months past, and been obliged to live on Indian meal." \* \* \*

At Allentown, in Northampton County, January 8, 1781, Col. David Deshler, above mentioned, wrote to Col. Jacob Morgan, State Commissary, at Philadelphia, in part as follows:†

"Colonel Butler at Wyoming has applied to me for flour and liquor, as the navigation down the Susquehanna at this time is stopped by the frost. I purpose to send him two loads of flour and one load of whiskey against the 13th inst. Colonel Butler informs me if there was cash sent up to Wyoming there is grain enough to be purchased there to supply that Post. If I had orders and money, the carriage of provisions to that place might be saved."

Notwithstanding the "hard times" prevailing at and about Wilkes-Barré, in the Winter of 1780-'81, some attention was given by the inhabitants to the social affairs of life. Singing meetings, called in the language of the day "Choruses", "were the amusements of the evening" says Miner; who also records that "on Sunday, January 18th, Joseph Kinney‡ and Sarah Spalding were called off, that is, their banns were published; and on Thursday the 22d they were married. It was an occasion of unusual festivity and joy. The bride was the eldest daughter of Capt. Simon Spalding." (See note, page 981, Vol. II.)

At Wilkes-Barré, in January, 1781, on receipt of the news that the Westmoreland soldiers of the Wyoming garrison were to be relieved by New Jersey troops, the following document§ was prepared.

To the Honourable the General Assembly of the State of Connecticut, or in their Recess to his Excellency the Governor, and Council of Safety for said State—

"*Humbly Sheweth* that your Humble Pitioners whose Names are hereafter Subscribed Humbly Beg leave to lay before your Honours this our present state and situation.

"Your Pitioners in the year 1776 Inlisted in the Contl. Service under the command of Captains Durkee and Ransom by special order of the Continental Congress, for the defence of this Place and the frontiers, but Contrary to our expectations were in a few months after our engagements call'd away to join the Contl. Army under his Excellency General Washington, where we continued almost two years, which was so great a trouble to us in leaving our families exposed to be ravaged by the Savages that one half of our companies died in the service.

"In the time of our being in the Contl. Army the enemy made an incursion, and in a most barbarous and inhuman manner kill'd numbers of our parents and friends, and destroyed all our effects and left our wives, families, friends, and parents in the most distressed situation. His Excellency General Washington, Knowing of the Indians being on the frontiers, ordered us back to this Place, where the enemy were in actual possession. When we marched in on the 3d of August, 1778 (same time we could get no other troops to assist us) attacked the enemy and drove them off—where we have continued since through a series of troubles on account of different incursions from the Indians—where we have with our wages and some little help from the Continent supported our families.

"If we could stay here we might support them without any expences to this State; but we are again ordered to march out, and the garrison to be relieved with other troops. Yet what relief can we expect, as we must leave our families exposed to be again Ravaged by the Indians and probably all murdered.

\*See "Pennsylvania Archives", Old Series, VIII: 697.

†See *ibid.*, page 702.

‡"Mr. KINNEY," says Miner ("History of Wyoming", page 293), "was a learned and accomplished gentleman, of a peculiarly philosophic turn of mind. He settled at Sheshequin, and had a large family. One of his sons represented Bradford County for several years in the Assembly. I well remember the ingenuity with which he [the father] used to controvert the theory that the Sun was a ball of fire. He was a brother of Newcome Kinney, known in 1785 as the popular writing and schoolmaster of Norwich, Connecticut, and afterwards member of the Connecticut Assembly."

§The original is to be found in the collections of the State Library at Hartford, Connecticut.





REMAINS OF OLD MAGAZINE OF FORT AUGUSTA

TIME & ENLIGHTENMENT

"Therefore your Humble Petitioners humbly pray a discharge from the service, or pray your Honours through your great wisdom to advise some other way to support them. Which your Petitioners is ever bound to pray—

Dated Westmoreland ye 23d Jany. A. D. 1781.\*

Thomas McClure	Elisha Satterlee	Elisha Garrett
Frederick Eveland	John Swift	Waterman Baldwin
Thomas Baldwin	Jeams Brown	Amos Ormsby
Thomas Niell	William Carral	William French
Mason F. Alden	Nathaniel Church	Benjamin Cole, Jr.
Benj'n Cole	Gideon Church	Henry Harding
Azel Hyde	Israel Harding	Nathaniel Williams
Daniel Denton	Richard Woodcock	Isaac Benjamin
Elisha Matthewson	James Wells	David Brown
Benjamin Clark	William Kellogg	Obadiah Walker
John Halstead	William Terry	Constant Searle
Richard Halstead	Ira Stephens	William Smith
Rufus Bennet	Asa Burnham	Wm. Cornelius
Moses Brown	James Bagley	Ambrose Gaylord
Oliver Bennet	William McClure	Justus Gaylord
Elijah Walker	John Carey	
Nathaniel Evans	Lawrence Kinney	

"We the subscribers do certify that the [facts set forth in the] foregoing memorial are truly represented. Certified by us—

[Signed]

"ZEBN. BUTLER, *Col.*

"SIMON SPALDING, *Capt.*

"JOHN JENKINS, *Lieut.*

"The inhabitants together with the authority and Selectmen of the town of Westmoreland humbly beg leave to request that the foregoing Petition may be granted, as these men are Inhabitants of this town and make a considerable part of our present strength. Being acquainted with the country and able to meet the enemy in their own way, and many of them having families and helpless parents whose dependence are on them for their support—which must be burthensome to the few Inhabitants that are left if these men be called out.

"And as these men were not raised at the expence of the State, so they cannot be recon'd to the credit of any town except Westmoreland.

"As in duty bound—do pray.

"We the Selectmen sign for our Selves and in behalf of the Inhabitants at their Request

[Signed]

"JOHN HURLBUT, }

"JAMES NISBITT, } *Select Men.*"

"JABEZ SILL, }

"Westmoreland Jany, 23d A. D. 1781.

At the same time that the foregoing document was prepared the following†, addressed to the General Assembly of Connecticut, was also prepared and signed at Wilkes-Barré.

"The memorial of the subscribers sheweth, That your Honors' memorialists enlisted into the service of this State, in ye Continental army, under Captains' [Solomon] Strong and [William] Judd, in ye year 1777; that we cheerfully went out into ye service of our country, leaving our families in this town; that in ye year 1778 the enemy destroyed this place, as your Honors well know, but by special favor of his Excellency, General Washington, we have since that time been continued here, where we have done duty under ye command of Captain Simon Spalding, who is now, by a late Resolve of ye Continental Congress, ordered to leave this garrison, where some of our families are, and all of us are inhabitants of this town, which is a frontier, and are daily exposed to ye ravages of ye enemy, where our families must either be left or removed out into ye country or Camp.

"Wherefore your Honors' memorialists humbly beg leave to lay this our state and condition before your Honors, that your Honors, in your great goodness, will order that we may be discharged from our enlistment, that we may, without expence to the State, support ourselves and families, and that in wisdom your Honors interpose in our behalf, or some way grant relief; and we, as in duty bound, will ever pray.

[Signed]

"JOHN RYON,

JOHN OAKLEY,

"LEMUEL WHITMAN,

JOHN PLATMORE,

"JOHN JACKSON,

JOHN PENCILL."

"Westmoreland, ye 23d day of January, 1781.

"The within is a true representation of facts, and we, the subscribers, beg leave to request your Honors that this memorial may be granted, as these men are good inhabitants, being industrious men and much wanted in this exposed part of ye country, and serve to strengthen ye particular interest of this State; for if this town be not again destroyed by ye enemy, we hope, in

\*Judging by the handwriting and the spelling of some of the names attached to this memorial, these names were not written by the men themselves, but by some one for them.

†The original is in the collections of the State Library at Hartford Connecticut.

a few years, to be able to throw a considerable sum of cash into ye treasury of this State, and make some returns for your Honors great goodness in granting so many of our requests. And your petitioners, as in duty bound, shall ever pray.

"Signed at the particular request of ye inhabitants.

[Signed]

"JOHN HURLBUT,  
"JAMES NISBITT, } *Select Men*  
"JABEZ SILL,

"Westmoreland, 23d January, 1781.

The two foregoing memorials were presented to the General Assembly of Connecticut at a special session held in February, 1781; whereupon a joint-committee, consisting of Col. Eliphalet Dyer, General Hart, Major Bray and Captain Stanley, was appointed by the Assembly to consider the prayers of the memorialists. In due time the committee reported that, in their opinion, "the memorialists ought to be discharged from the service; and that the Governor be requested to write to the Delegates of the State in Congress to represent the state of the case and apply for their discharge; and if they cannot obtain their discharge, that they obtain liberty for them to be continued in service at said Westmoreland; and that the Governor be requested to write to General Washington, informing him of the application and requesting him to give liberty to them to remain at Westmoreland under the command of Captain Mitchell, until the pleasure of Congress may be known."

At this same session the Assembly resolved "that all the State taxes arising on the list of the year 1780, in the town of Westmoreland, be and the same are hereby abated."

At Philadelphia, under the date of January 26, 1781, the Hon. Joseph Reed, President of the Supreme Executive Council of Pennsylvania, wrote to Capt. Alexander Mitchell in part as follows:\*

"It is with great satisfaction we have heard that, agreeable to a resolution of Congress General Washington has appointed you to the command of the garrison at Wyoming. As a disputed territory between two States, we have no doubt you will observe an impartial and disinterested attention to your trust, and rectify the abuses which have long prevailed at that place while under an *interested* Commander. These were principally encouraging settlers of all characters and denominations to occupy the disputed lands contrary to the letter and spirit of the enclosed Resolution of Congress. And secondly, distributing supplies, ostensibly for the garrison, to such settlers under the denomination of officers and soldiers.

"You and your people will doubtless be tempted by offers of land, and other artifices, to engage you in their interests and favor their views, which are to strengthen themselves in number and possession, so as when occasion serves to substitute *force* instead of Right. \* \* \*

"Sensible of the abuses practised at the Post, we refused to permit supplies to pass until they were rectified; but as we are now fully satisfied with the arrangement made, I enclose you a letter to Colonel Hunter†, Lieutenant of Northumberland County, and to our Commissioner there, directing them to forward all necessary supplies to that Post as heretofore." \* \* \* \*

On the same day President Reed wrote to Colonel Hunter (mentioned above) at Sunbury, in part as follows:‡

"The Congress having lately, *on our representations*, passed a Resolve directing General Washington to garrison the Post at Wyoming with troops of a State indifferent to the dispute subsisting between this State and Connecticut; and his Excellency having, agreeable thereto, ordered a detachment of the Jersey Line under Captain Mitchell to occupy that Post, we now think it our duty to revoke the order formerly given you to stay the passing of provisions and supplies from this State, and request you to give Captain Mitchell—who is a gentleman of fair character and a good officer—all the assistance and civility in your power.

"As we are informed that there are quantities of provisions in that country, we request you to consult Captain Mitchell on the appointment of some person to act as Purchaser at Wyo-

\*See "Pennsylvania Archives", Old Series, VIII: 716.

†SAMUEL HUNTER, a brief sketch of whom will be found on page 664, Vol II, and whose name is mentioned on pages 724, 849, 979, 1054, 1094, 1146, and elsewhere, began his military career in 1760, when, on May 2, he was commissioned Lieutenant of Capt. Joseph Scott's company in the battalion of the Pennsylvania Regiment commanded by Lieut. Col. Hugh Mercer, mentioned in the note on page 361, Vol. I. March 24, 1772, he was commissioned one of the first Justices of Northumberland County. From 1772 till 1775 he was a member of the Pennsylvania Assembly, and in 1775 and '76 he was a member of the Committee of Safety of Northumberland County. Upon his death he was succeeded in the office of County Lieutenant by Capt. William Wilson of Northumberland.

‡Colonel Hunter was married to Susanna Scott, a sister of Maj. Abraham Scott of Northumberland County, and they became the parents of two daughters—Nancy, who became the wife of her cousin, Alexander Hunter, of Sunbury, and Mary, who became the wife of Samuel Scott of Sunbury.

‡See "Pennsylvania Archives", Old Series, VIII: 717.



ming and its vicinity on behalf of the State. As he is to act under the State it is needless to add that he must be a person *well affected to its interests*, as well as trustworthy in other respects."

It does not require a magnifying-glass to see, on reading these letters, that President Reed was not only unfriendly to the Wyoming settlers, but that he was unjust to some of them to charge—in the manner he does—that the military authorities at Fort Wyoming had distributed government supplies to Wyoming settlers "under the denomination of officer and soldiers." He seems either to have lost sight or been ignorant of the fact that a large number of Wyoming, or Westmoreland, men were formally and regularly in military service, under pay and subsistence, at Fort Wyoming; and that the wives and children of some of these soldiers were, as the customs of the time permitted, housed and maintained in the garrison.

The following copy of a report\* made by Captain Mitchell to President Reed indicates what was the strength of the Wyoming garrison, and how it was made up, at the time Colonel Butler was relieved of his command.

"Return of rations drawn per day by the troops under the command of Col. Zebulon Butler at Wyoming, when Captain Mitchell took command February 22, 1781.

"NAMES OF COMPANIES	Colonel	Captain	Lieuts.	Doctor	Com's'y	Forge Master	Serg's	Rank & File	Wom'n & Child'n	Artific'rs	Totals
Field Officer.	1										1
Capt. Simon Spalding's Company.		1	2			7	54	52			116
Capt. John Paul Schott's Company		2	1			4	19	8			34
Staff Department.				1	2	1	1	3	4		12
TOTALS,	1	3	3	1†	2	1	11	74	63	4	163**

With his company Captain Mitchell marched from the camp of the 1st New Jersey Regiment to Wilkes-Barré, and took command of Fort Wyoming on Washington's birthday, 1781.‡ Three days later Captains Schott and Spalding§ marched with their companies from Wilkes-Barré to join Washington's army on the Hudson, encamping the first night, according to the journal of Lieut. John Jenkins, Jr., "at the Spring House." About the same time Colonel Butler set out from Wilkes-Barré to join, as its Colonel, the new 4th Regiment of the Connecticut Line, then at Camp "Connecticut Village", on the Hudson.

At Fort Wyoming, Wilkes-Barré, under the date of May 25, 1781, Captain Mitchell wrote to President Reed of the Supreme Executive Council, at Philadelphia, in part as follows:||

"By the return of stores on hand, and the number of troops that draws rations at this Post you may easily judge how the garrison is supplied. The bearer is Mr. [Thomas] Hamilton, who I have appointed Issuing Commissary at this Post. \* \* \*

"In answer to your letter of 26 January last, you may depend I shall make it my study to carefully abide by the Resolutions of Congress and the orders of His Excellency, General Washington. You may rest assured, whilst this place continues disputed between two States, that

\*See "Pennsylvania Archives", Old Series, IX: 166

†Dr William Hooker Smith.

‡See "The Frontier Forts of Pennsylvania", I: 465.

§Captain Spalding's company became a part of the new 1st Regiment of the Connecticut Line (under the formation of January 1, 1781, continuing to January 1, 1783). Col. John Durkee, the founder and name of Wilkes-Barré, commanded this regiment until his death in May, 1782. The following roster of Spalding's company is taken from "Connecticut in the Revolution", pages 315 and 318. The roster represents "the state of the command on January 1, 1782"; and nearly all the men named therein were paid for service "from January 1, 1781, to December 31, 1781."

¶Captain, Simon Spalding, retired by consolidation, January 1, 1783; served from 1776. *Lieutenants*, Reuben Prida (Norwich) and Andrew Griswold (Norwich). *Ensign*, Phineas Beckwith (Lyme). *Sergeants*, Henry Booth, Joshua Williams, Josiah Steele, Thomas Baldwin and Peregrine Gardner. *Corporals*, Benjamin Clark, Daniel Denton, James Shields, Benjamin Grover, John Hutchinson, Amos Sheppard and Samuel Fox. *Drummer*, Ezra Downer. *Fifer*, Joseph Teal. *Privates*, Jack Antony, James Brown, Richard Beewith, Esau Carter, William Cornelius, David Crouch, Gideon Church, Edward Carter, Jack Demming, William French, Elisha Garrett, Israel Harding, John Halstead, Richard Halstead, Andrew Harrington, Daniel Harrington, Harris Jones, Joseph Johnson, Seth Kellogg, Titus Kent, Josiah Knight, David Lewis, Nathan Lester, Amos Ormsby, Lebbens Qui, William Roch, Richard Reed, Samuel Simmons, Caesar Smith, Nathan Smith, Isaac Smith, Jesse Sheppard, Peter Thayers, Obadiah Walker, Jabez Whitmore and Solomon Woodruff.

||See "Pennsylvania Archives", Old Series, IX: 165, 166.

I will not suffer any person under my command to join in partie on either side; nor shall I suffer any stores or provisions belonging to the public to be given to any person as an inducement for them to continue here, unless those entitled by the Resolves of Congress to it.

"I have got my Fort almost completed, and have built a magazine, which the place was in great want of, as there was no place to hold the ammunition but the boxes—covered with snow and exposed to any storm that might approach—when I arrived here to take command. I should have wrote you Sooner, but it has drawn all my attention to put the Fort in a situation of defense.

\* \* \*  
 "Return of stores on hand in the Commissary Department at Wyoming Post May 25, 1781:—

"65 bbls. of flour, 13,975 lbs. net weight; 4 bbls. salt-shad, containing 400; 3,489 lbs. of dried beef, which has been condemned; 10 bushels of potatoes; 120 lbs. bisquet; 1 hogshhead, 5 bbls. and 9 kegs of salt; 5 bbls. of whiskey, containing 152 gallons; 2 bbls. of soft soap; 160 lbs. of candles."

The regular semi-annual session of the General Assembly of Connecticut was held at Hartford in May, 1781, and was attended by John Hurlbut\* and Jonathan Fitch, as the Representatives from Westmoreland. Early in the session Zerah Beach, John Hurlbut and Capt. John Franklin were appointed Justices of the Peace and Quorum in and for the county of Westmoreland. Later in the session, after Representative Hurlbut had left Hartford for home, the following appointments were made: Col. Nathan Denison to be Judge of the County Court of Westmoreland for the ensuing year; Nathan Denison, Obadiah Gore and Hugh Forseman to be Justices of the Peace; Nathan Denison to be Judge of Probate; William Stewart to be Assistant Commissary of Purchases for the county of Westmoreland. In due time these officers were commissioned by Governor Trumbull, and entered upon the performance of their several duties.

At "Camp High Lands," June 7, 1781, Col. Zebulon Butler wrote in part as follows‡ to Col. Eliphalet Dyer, a Representative in the Continental Congress from Connecticut (see page 393, Vol. I.), but then at Hartford.

"I understand by Esquire Hurlbut that when he left the Assembly there was no Court nor Authority appointed at Westmoreland that had gone through both Houses. Only himself had taken the oath of Justice, and said he did not know whether it would go through till October. I would beg to have it go through this session. There has been so much said in the Assembly they are not able to judge of the matter if our Deputies are absent. I have no names to mention, but must beg to have the Court, &c., appointed this Assembly and the appointments sent on to me. I can forward them to Westmoreland.

"My reason for urging this is our settlers have been very much distressed with fears from the Pennsylvania enemies since our men were called away, but finally concluded the Civil Law was sufficient to keep out Pennsylvania settlers. But now, to have no Court, it will shock them and the opposite party will take the advantage of it." \* \* \*

Miner says ("History of Wyoming," page 296) that on Sunday, June 9, 1781, "a party of twelve Indians made an attack on a block-house at Buttonwood, in Hanover, three miles below the Wilkes-Barré fort. They met with a warm reception. The house was gallantly defended, the women aiding the men with alacrity and spirit. A party from the fort, on receiving the alarm, hastened down, and found pools of blood where Lieut. Roasel Franklin had wounded, probably killed, an Indian. \* \* The Rev. Jacob Johnson‡ now returned with his family from their exile to Connecticut. Glowing with ardor for religion, liberty and the Connecticut claim, the return was welcomed by his flock, indeed by the whole settlement, with cordial congratulations."

At Wilkes-Barré, June 17, 1781, Lord Butler wrote to his father, Col. Zebulon Butler, in part as follows:§

"The Indians came a few days ago to Buttonwood, and about break of day came to the doors and struck their tomahawks into the doors; but the men hearing that, leaped out of bed and fired upon them at the upper houses first, and that disturbed the lower houses. Lieutenant

\*See (†) note, page 1246.

‡The original letter is document "No. 140" in the collection of MSS. described in paragraph "(3)", page 29, Vol. I.

§See last paragraph on page 746, Vol II

§The original letter is in the collections of The Wyoming Historical and Geological Society.

Franklin, opening his door, saw three Indians standing about three rods off. He fired and wounded one, who they afterwards followed by the blood some distance; but they killed none dead nor took any prisoners. Our people sustained not any loss. \* \* \* Mr. Johnson's family arrived safe here. \* \* \* I have looked for the coat-of-arms in the old desk, but can't find it as yet; but I shall look until I find it, and send it as soon as possible."

On the same day that the foregoing was written, Capt. John Paul Schott, who was then in Wilkes-Barré, wrote to Colonel Butler in part as follows:

"Mr. Johnston and family are safe arrived here. We have hath several allarms of Indians but no damage. \* \* \* Your presence is much wandring here and I hope you will pay us a visit before long." \* \* \*

At Wilkes-Barré, under the date of July 27, 1781, Obadiah Gore wrote to Colonel Butler in part as follows:\*

"The dispensation of Providence towards you in taking away the partner of your life's shows the uncertainty of all earthly enjoyments. \* \* \* 'Necessity'† has again gone to Sunbury, which is the second time since his appointment in the Commissary Department. Captain Mitchell keeps up a correspondence from below [i. e. Sunbury], which is kept to himself. He threatens Mr. [William] Stewart that if ever he comes here he will make this place too hot for him—alleging that Stewart has made free with his character below. \* \* \* We have nothing new turned up in our Cabinet of politics. \* \* \* I believe that if the Devil had his own we should not have either Mitchell or Hamilton here."

At Wilkes-Barré, under the date of August 1, 1781, Dr. William Hooker Smith (whose name is several times mentioned hereinbefore) wrote§ to Colonel Butler, giving him an account of "an ominous dream" which he had had. Declaring that he feared plans were being laid for enabling the Pennamites to gain possession of Wyoming, he continued as follows:

"Congress was wearied out with complaints against you and Captain Spalding's company and at length you was removed from this Post—I think by the suggestion and influence of the Pennamite claimers. The second step was, troops sent from the Jerseys to this Post—and in that State a great part of the claimers live. These troops are commanded by Captain Mitchell, who, to my satisfaction, is a party man. \* \* \* If we are betrayed the Lord only knows what will become of us. We have killed the last Continental beef. There is nothing left but flour. \* \* \* Did not the Pennamite claimers rejoice when we were cut off in the day of the bloody battle, and the country laid waste?" \* \* \*

In the Summer of 1781, Capt. John Franklin, Christopher Hurlbut and Jonah Rogers, the regularly elected Listers of Westmoreland, made up "A true list of the polls and estate of the town of Westmoreland, ratable by law the 20th of August, 1781." Under the laws of Connecticut then in force a poll tax was laid on the male inhabitants—those from sixteen to twenty-one years of age being "rated", or assessed, at £9; those from twenty-one to seventy years of age being rated at £18. Ministers of the gospel and a few others were exempt from taxation. A full and complete copy of the 1781 tax-list referred to above is printed in Hayden's "The Massacre of Wyoming" (pages 78-83), published by The Wyoming Historical and Geological Society in 1895, and from it the present writer has carefully compiled the following table:

NAMES	Polls	Minors	Horses	Cows	Respective Sums	NAMES	Polls	Minors	Horses	Cows	Respective Sums
Atherton, James	1		2	5	53-16	Bailey, Benjamin	1			2	25-00
Alden, Prince	1	2	1	2	54-00	Burnham, Asa			2		11-20
Ayers, Samuel	1		2	2	40-05	Barnum, Richard &					
Avery, William	1		1	1	40-16	and Gregory	1	1	2		33-00
Butler, Col. Z.		1	2	4	59-08	Buck, William	1				27-00
Bidlack, Capt. James			1	2	21-12	Brown, Thomas		1		2	16-00
Brink, William	1		2	2	42-10	Brown, David	1		3	2	34-00
Brink, James	1		2	1	34-00	Borlain, John	1		2	2	33-00

\*The original letter is in the collections of The Wyoming Historical and Geological Society.

†The wife of Colonel Butler had died at Wilkes-Barré on the previous day, as noted on page 638, Vol. II.

‡Undoubtedly Thomas Hamilton, "Issuing Commissary" at the Wyoming post, is here referred to.

§The original letter is in the collections of The Wyoming Historical and Geological Society.

NAMES	Polls	Minors	Horses	Cows	Respective Sums	NAMES	Polls	Minors	Horses	Cows	Respective Sums
Prink, Nicholas	1		3	2	43-00	Brewster, David	1		2	2	37-02
Brokaw, Abraham					8-05	Cook, Nathaniel	1		2		33-05
Blanchard, Andrew	1			2	24-00	Cook, Reuben	1		2	1	28-00
Blanchard, John	1		2	1	28-00	Cooley, Preserved	1		2	2	30-00
Burney, Henry	1		2	2	46-00	Chapman, Asa	1		2		24-00
Bennet, Solomon	1		3	8	75-00	Cady, Manasseh		1		2	31-00
Bennett, Ishmael	1	1	1	1	37-00	Cole, Benjamin				1	5-00
Bennett, Asa	1		2	2	46-12	Cole Benjamin, Jr.			1	1	8-10
Bennett, Isaac	1	1	2	1	36-00	Hopkins, Timothy	1		1	2	30-10
Comstock, John	1		2	2	36-00	Hammond, Lebbers	1		2	3	37-00
Comstock, Peleg	1			2	27-00	Heberd, Ebenezer	1		1	1	36-10
Corey, Jonathan		1	2	2	62-10	Heberd, William	1		1	1	35-00
Corey, Jenks					1-04	Hurlbut, Christopher	1		1		30-00
Cary, Nathan	1	1	1	1	51-00	Hurlbut, John	2		2	3	75-10
Church, Gideon			2	1	11-00	Hallet Samuel	1			1	22-00
Denison, Col. Nathan	1		2		27-00	Hyde, John	1		1	2	27-15
Disberry, Joseph	1			3	29-00	Harris, Elijah	1		2	1	27-00
Durkee, Sarah				1	17-10	Hageman, John	2			4	50-05
Eveland, Frederick				1	3-00	Hollenback, Matthias					
Elliot, Joseph	1		2	3	51-12	Harding, Henry	1		2	1	27-00
Elliot, Henry	1			1	21-00	Halstead, Richard	1		2	1	27-00
Franklin, Capt. John	1				31-05	Ingersoll Daniel	1		1	2	30-00
Franklin Roasel	1		3	3	53-00	Inman, Elijah	1	1	2	3	54-04
Forsyth, Jonathan	1		1	2	30-00	Inman, Richard	1		2	2	35-00
Fitzgerald, Richard	1			1	22-00	Jones, Crocker	1		2	2	36-05
Fish, Joanna				2	8-00	Jameson, John	1	1	2	1	54-00
Fish, William	1			1	29-00	Johnson, Turner	1		3	1	30-00
Fuller, Capt. Stephen	1	1	1	5	85-15	Joslin, Thomas	1			1	21-00
Forseman, Hugh	1		1		22-00	Jackson, William	1		1	2	40-10
Fitch, Jonathan			2	3	51-00	Kenny, Lawrence	1		3	1	33-00
Gore, Obadiah	1	1		2	50-00	Kingsley, Lieut. N.	1				18-00
Gore, Elizabeth					7-00	Kellogg, Josiah	1		1		21-00
Gore, Hannah		2		2	27-10	Kelsey, Abner	1		1		21-00
Gore, Daniel	1		2	2	55-14	Landon, Capt. Nath.					9-00
Gale, Cornelius	1		2	2	30-00	Lummis, John	1				18-00
Grimes, James	1		1	1	24-00	Stewart, Martha					36-10
Lantamon, John	1	1	2	1	44-15	Stewart, Dorcas				1	29-12
McClure, Thomas	1		1		22-15	Spalding, Capt. Sim'n				3	9-00
Mann, Adam			4	4	47-00	Smith, Dr. Wm. H.	1	1	2	1	47-00
Nelson, William	1		2	3	36-00	Smith, John			1	1	7-00
Nesbitt, James	1	1	4	2	54-10	Sanford, David			2	1	15-00
Nash, Phineas	1		1		24-15	Sill, Jabez	1	1	5	1	59-08
Neal, Thomas			1	2	9-00	Sutton, James	1				23-00
O'Neal John	1				18-00	Taylor, Silas	1		2	1	30-10
Park, Thomas	1		1	1	24-00	Thomas, Joseph	1		2	4	49-01
Pettebone, Lucy					2-10	Tuttle, Benjamin	1		2		24-00
Pierce, Hannah					5-00	Terry, Jonathan	1		1	1	24-00
Pell, Josiah	1			1	21-00	Tubbs, Lieut. Lebbers	1		1	3	46-10
Platner, John				1	6-00	Trucks, William	1		2	2	40-00
Racer, Benjamin	1		2	1	27-00	Tripp, Job	1		1	2	27-00
Rice, James		1			9-00	Travis, Nicod	1		2	2	33-10
Ransom, Samuel			4	1	26-00	Tyler, Ephraim	1		1		39-12
Roberts, John	1		3	3	45-12	Tillbury, John V.	1	1	3	3	54-10
Ryon, John			2	1	16-08	Underwood, Isaac	1		2	1	27-00
Ross, William	1	1	2	2	64-06	Van Orman, Joseph	1	1	2	1	47-15
Reed, Thomas	1	2	2	2	35-00	Washburn, Jonathan	1				18-00
Rogers, Jonah	1		3	3	56-04	Warner, William	1				20-00
Sullivan, Daniel	1			1	21-00	Williams, William, Jr.			1	1	24-00
Stoddart, Thomas	1		2	2	31-00	Williams, Nathaniel			1	1	6-00
Stevens Uriah*	1	1	1	2	48-00	Williams, William	1		1	2	31-00
Spencer, Caleb	1		4	1	48-08	Westbrook, Abraham	2	1	3	2	70-10
Spencer, Walter	1		2	1	27-00	Westbrook, Leonard	1		1	2	33-00
						Yarrington, Abel	1		2	4	49-01

\*Poll-nabated

## "RECAPITULATION

114	male polls, from 21 to 70, <i>not especially exempted</i> , at £18 each, . . . . .	£2,052-00
26	male polls, from 16 to 21, at £9 . . . . .	234-00
45	oxen, four years old and upwards, at £4 . . . . .	180-00
208	Cows, three years old and upwards, at £3 . . . . .	624-00
14	steers, three years old, at £3 . . . . .	42-00
18	steers and heifers, two years old, at £2 . . . . .	36-00
57	steers and heifers, one year old, at £1 . . . . .	57-00
173	horses, three years old and upwards, at £3 . . . . .	519-00
4	horses, two years old, at £2 . . . . .	8-00
7	horses, one year old, at £1 . . . . .	7-00
127	swine, one year old and upwards, at £1 . . . . .	127-00
989 <sup>1</sup> / <sub>2</sub>	acres of plough land, at 10s. . . . .	494-15
191 <sup>1</sup> / <sub>2</sub>	acres of upland mowing and clear pasture, at 8s. 6d. . . . .	76-12
95	acres of bush pasture, at 2s. . . . .	9-10
2	silver watches, at £1, 10s. . . . .	3-00

## ASSESSMENTS—TRADERS AND TRADESMEN, &amp;c.:

John Hageman and Matthias Hollenback, . . . . .	50-00
Benjamin Bailey, blacksmith, . . . . .	15-00
Capt. John Franklin, 1 silver watch . . . . .	1-10
Sarah Durkee, 1 silver watch . . . . .	1-10
<i>Total amount of ratable polls, property and assessments, . . . . .</i>	<i>£4,534-17"</i>

This tax-list indicates that there were in Westmoreland, in August, 1781, 161 male inhabitants from sixteen to seventy years of age. However, some of the men thus listed were Continental soldiers, as for example: Col. Zebulon Butler, Capt. Simon Spalding, Asa Burnham, Benjamin Cole, Gideon Church, Frederick Eveland, Thomas Niell, John Platner, or Platmore, John Ryon and Nathaniel Williams. Undoubtedly some of these men were at home on furlough in August, 1781, while others were with their commands "at the front."

On the other hand, we miss from the list the names of a number of men who, it is well ascertained, were inhabitants of and property owners in Westmoreland in 1781, as well as for several years previously and subsequently. As for example: the Rev. Jacob Johnson, the gospel minister of the settlement; Benjamin Harvey, who had returned from captivity among the Indians on July 4, 1781, as previously narrated; Capt. Solomon Strong, Lieut. John Jenkins, Jr., Justus Gaylord, Ambrose Gaylord, Mason F. Alden, John Swift, Waterman Baldwin and Zerah Beach. For various reasons these men were not considered by the Listers as "ratable by law" in August, 1781.

On the whole, this tax-list clearly demonstrates the paucity and the poverty of the inhabitants of Westmoreland, in the Summer of 1781.

Miner states ("History of Wyoming," page 301) that on Friday, September 7, 1781, a band of Indians made an attack on the settlement in Hanover Township, not far from Wilkes-Barré, and took off Arnold Franklin and Roasel Franklin, Jr., the foster son (nephew) and son of Lieut. Roasel Franklin. Several horses were stolen, and much grain, in stack, was consumed by fire. Captain Mitchell, with a detachment of soldiers from Fort Wyoming, went in pursuit, but the enemy eluded his vigilance. The captives, who were aged sixteen and thirteen years respectively, were taken to Niagara, where they were detained till the end of the war, when they returned to their home in safety.

At a town-meeting "legally warned and held in Westmoreland," at Wilkes-Barré, September 8, 1781, John Hurlbut, Esq., serving as Moderator, the following resolutions were adopted.

"*Voted*, That a tax be granted of four pence on the pound, as soon as the list can be completed, to be paid\* either in hard money, or in produce at the following prices: flax, 10d. per pound; wheat, 3s. 6d. per bushel; rye, 2s. 6d.; and corn, at 2s. per bushel.

\*At a subsequent town-meeting the time for paying the tax in flax and grain was extended to January 1, 1782, and the constables were instructed "to conform themselves accordingly."

"Voted, That Obadiah Gore and John Franklin be agents to negotiate a petition, praying for an abatement of taxes for the present list of 1781, at the General Assembly in October next."

In pursuance of the last-mentioned vote, a memorial\* addressed to the General Assembly of Connecticut, was duly prepared and was signed by Col. Nathan Denison, John Hurlbut and Capt. John Franklin, "Authority," and Capt. John Franklin, James Nisbitt and Jabez Sill, "Selectmen." Requesting an abatement of taxes, the memorial set forth, among other reasons for the request, the following: "We are exposed to the enemy in such manner as to render it unsafe to labour but in companies together under the protection of a guard at our own expense. Also, we have been frequently called upon to scout after the enemy—all without any expense to the public."

Messrs. Gore and Franklin attended, as Representatives from Westmoreland, the regular semi-annual session of the General Assembly of Connecticut, held at Hartford, in October, 1781, and early in the session presented the above-mentioned memorial to the Assembly.

At Yorktown, Virginia, on October 19, 1781, Lord Cornwallis surrendered his army, "together with all the officers and seamen of the British ships in the Chesapeake, prisoners of war to the combined forces of America and France," under General Washington. This act caused a practical suspension of hostilities between Great Britain and the United States, and was virtually the end of the War of the Revolution.

When, some days later, the news of this surrender became known in the principal cities of the country, there was great rejoicing; and just about that time the members of the General Assembly of Connecticut, being undoubtedly in a generous and joyous state of mind, unanimously voted to grant the prayer of the Westmoreland petitioners.

At this same session of the Assembly there was presented to it a very full and detailed report on losses sustained by the inhabitants of Westmoreland, which had been carefully compiled in pursuance of the resolution adopted by the Assembly in May, 1780—as set forth on page 1251. In the Lower House it was ordered that this "report be lodged on file in the Secretary's office." This action was duly concurred in by the Upper House—and the report still "lodges" in the State Capitol at Hartford, without any further action upon it ever having been taken by the General Assembly of Connecticut or any other legislative body. The document in question will be found in the collection of MSS. referred to in paragraph "(3)", page 29, Vol. I, and it reads as follows:

"A BILL OF LOSSES sustained by the inhabitants of the Town of Westmoreland from the 3d Day of July, 1778, to May, 1780, taken and carefully examined by the Select Men of sd. Town, Pursuant to a Resolve of the Assembly of the State of Connecticut holden at Hartford the second Thursday of May, 1780. And is as followeth:—

	£	s.		£	s.
Samll. Andross	26	15	Ishmael Bennet	96	17
Isaac Adams	103	64	Isaac Bennet	61	7
Richardson Avery	155	0	Asa Bennet	199	12
Alice Abbot	173	6	Henry Burney	71	15
Prince Alden	83	17	Moses Brown	13	8
Mason F. Alden	5	13	Andrew Blanchard	49	15
Noah Adams	83	5	John Blanchard	23	8
Cornelus Atherton	103	0	Joseph Blanchard	54	9
Samll. Ayers	100	10	Margaret Blanchard	79	2
James Atherton	120	9	Lucretia Buck	90	14
Richardson Avery Jr.	137	13	James Benedict	228	13
Eber Andross	120	9	Capt. Jeremiah Blanchard	215	14
Col. Zebulon Butler	429	4	Benjamin Baily	134	17
Zerah Beach, Esq.	67	13	Asahel Burnham	35	6

\*The original is "No. 143" in the collection of documents described in paragraph "(3)", page 29, Vol. I.





FORT RICE AT MONTGOMERY'S NORTHUMBERLAND COUNTY



	£	s.		£	s.
Isaac Benjamin	9	0	Daniel Lawrence	37	0
Thomas Brown	61	0	George Liquors	136	18
Thomas Bennet	507	0	Abigail Leech	82	0
James Brown	165	4	Joseph Leonard	79	19
Capt. James Bidlack	65	19	John Lassley	53	2
Sarah Brockway	205	7	David Linsey	78	7
Joseph Baker	124	13	Edward Lester	109	11
Elisha Blackman	137	1	Samll. Morgan	135	8
Elizabeth Benedict	144	13	Thomas McClure	66	4
Bether Bixby	36	13	John Murphy	86	3
James Bagley	95	15	Benj. Merry	78	2
Mary Bixby	74	8	Ebenezer Marcy	118	12
Capt. Caleb Bates	285	4	Uzania Manvill	46	17
Wm. Buck	245	5	Thos. Neil	4	0
Elijah Buck	103	18	James Nisbitt	74	19
Abigail Bidlack	63	10	Phineas Nash	70	0
David Brown	28	16	John O'Neil	18	2
Richard Brockway	163	17	Daniel Owen	24	0
Mehitabel Bigford	202	1	Amos Ormsby	7	1
Uriah Chapman, Esq.	53	10	Anning Owen	174	12
Samll. Cummins	151	5	Josiah Pell	73	10
John Cary	93	10	Lucey Pettibon	79	7
Wm. Churchill	178	16	Hannah Parish	44	12
Anne Campbell	100	5	Thos. Picket, Jr.	66	0
Nathan Cary	166	4	Hannah Peirce [Widow of Timothy]	151	6
Benjamin Cole, Jr.	165	0	Thos. Picket	111	11
James Cole	207	3	Ichabod Phelps	9	2
Peleg Comstock	40	13	Thos. Porter	200	0
Mary Crooker	51	1	Josiah Parks	49	19
John Comstock	219	7	Noah Pettibone	216	1
Jonathan Cory	173	11	Jonathan Prichard	30	15
Jinks Cory	83	0	Jonth. Parker	54	12
Barnabas Cary	88	17	Silas Parks, Esq.	91	10
Samll. Cole	89	6	Elijah Phelps	550	10
Preserved Cooley	95	19	Sarah Pixley	26	19
Col. Nathan Dennison	209	15	John Ryon	18	3
Samll. Downer	22	19	Wm. Ross	320	0
Daniel Downing	107	0	John Ross	65	17
David Darling	13	0	Susanna Reyno's	28	10
Sarah Durkee	240	18	Peran Ross	233	9
Amos Draper	68	18	Abigail Richards	135	3
Samll. Dart	124	4	David Reynolds	94	2
Anderson Dana, Esq.	194	15	Capt. Samll. Ransom	259	0
Frederick Eveland	90	6	Capt. Daniel Rosecrant	175	10
Samll. Ensign	38	10	James Roberts	83	18
Joseph Elliott	33	7	Jonah Rogers	168	17
Henry Elliott	40	14	Amasa Roberts	92	10
Benjamin Eaton	369	10	Timothy Rose	118	11
Nathaniel Evans	61	19	Caleb Spencer	182	17
Capt. Stephen Fuller	288	4	Margaret Smith	155	10
Roswell Franklin	104	0	James Stark	547	15
Charles Foresythe	15	3	Lazarus Stuart, Jr.	172	12
Capt. John Franklin	21	4	Isaac Smith	67	10
Benj. Follet	118	17	Joseph Staples	223	0
Jabez Fish	223	0	Esther Spencer	135	0
John Ferre, Jr.	61	11	David Sanford	193	12
John Ferre	61	18	Elizabeth St. John	162	0
Hugh Foresman	193	11	Elisha Scovel	712	4
Sarah Fuller	101	13	Jonth. Scovel	72	0
Esther Follet	221	7	Ebenezer Skinner	89	4
James Finn	221	11	Wm. Shay	114	15
Elizabeth Follet	212	3	Josiah Smith	83	19
Richard Fitz Jarold	245	2	Obadiah Scott	72	15
Jonathan Forsythe	138	16	Jedidiah Stevens	285	0
Jonathan Fitch, Esq.	46	10	Joshua Stevens	119	11
Capt. Eliab Farnham	27	11	Zacharias Squire	66	16
Joanna Fish	30	17	James Sutton	176	17
Major John Garret	309	11	David Shoemaker	50	0
Hannah Gore			Daniel Sherwood	40	4
John Garret, Jr.	59	16	Edward Spencer, Jr.	85	7
Daniel Gore	273	13	Thos. Stoddard	200	8
Cornelius Gale	7	14	David Smith	202	15

	£	s.		£	s.
Wm. Gallop . . . . .	200	0	Jane Shoemaker . . . . .	329	12
Solomon Goss . . . . .	31	14	Benj. Skiff . . . . .	98	7
Justus Gaylord . . . . .	134	14	Doct. Wm. Hooker Smith . . . . .	168	7
Keziah Gore . . . . .	89	0	Wm. Stuart . . . . .	57	17
Obadiah Gore, Esq. . . . .	306	1	Giles Slocum . . . . .	205	19
Elisha Garret . . . . .	29	0	Asa Stevens . . . . .	185	11
Catherine Gaylord [Widow of Lieut. Aaron Gaylord]. . . . .	158	4	John Scott . . . . .	217	3
Joseph Gaylord . . . . .	69	6	James Staples . . . . .	80	19
Stephen Gardner . . . . .	176	18	Martha Stuart . . . . .	481	12
Nathaniel Gates . . . . .	66	14	Jabez Sill . . . . .	351	19
James Gardiner . . . . .	180	0	John Staples . . . . .	224	12
Elizabeth Gore . . . . .	240	0	John Stafford . . . . .	36	6
Wait Garret . . . . .	108	6	Josiah Stanberry . . . . .	603	14
Bezaleel Gurney . . . . .	59	7	Luke Sweatland . . . . .	200	0
John Hurlbut, Esq. . . . .	85	7	Joseph Thomas . . . . .	120	18
Peter Harris . . . . .	149	16	Mary Thomas . . . . .	25	0
Lebbeas Hammond . . . . .	84	18	Ephraim Tyler . . . . .	14	19
Richard Halsted . . . . .	177	6	Parshall Terry . . . . .	216	12
Joseph Hagaman . . . . .	19	0	Mary Thompson . . . . .	30	19
Henry Harding . . . . .	55	12	Job Tripp . . . . .	113	1
Matthew Holonback . . . . .	671	3	Isaac Tripp . . . . .	74	10
Doct. Joseph Hamilton . . . . .	284	17	Lebens Tubbs . . . . .	180	5
James Hopkins . . . . .	90	6	John Taylor . . . . .	61	14
Capt. Robert Hopkins . . . . .	28	18	Preserved Taylor . . . . .	18	2
Samll. Hutchinson . . . . .	163	9	Mehitabel Truks . . . . .	159	4
Simeon Hide . . . . .	117	17	Moses Thomas . . . . .	68	3
Widow Hasen and son . . . . .	182	10	Bezaleel Tyler . . . . .	35	17
Samll. Howard . . . . .	27	15	Elisabeth Tuttle . . . . .	67	10
Mary Howard . . . . .	50	1	James Towser . . . . .	36	0
Benjn. Harvey . . . . .	186	0	Isaac Van Orman . . . . .	122	0
Mary Hatch . . . . .	62	7	John Van Tilberry . . . . .	84	9
John Hutchins . . . . .	57	1	Rev. Noah Wadhams . . . . .	193	6
Capt. Stephen Harding . . . . .	181	13	Amy Wilcox . . . . .	116	12
Stutley Harding . . . . .	73	6	Elisabeth Willson . . . . .	87	15
James Headsall . . . . .	210	0	Enos Wooddard . . . . .	30	19
Thos. Heath . . . . .	190	0	Enos Wooddard, Jr. . . . .	16	7
Cyprian Hybert . . . . .	119	13	Eliezer West . . . . .	53	10
Daniel Ingersoll . . . . .	208	2	Nathl. Williams . . . . .	30	0
Sarah Inman . . . . .	161	10	Abigail Weeks . . . . .	129	16
Richard Inman . . . . .	41	17	Mary Walker . . . . .	42	5
Edward Inman . . . . .	84	6	Eunice Whiton . . . . .	26	7
Revd. Jacob Johnson . . . . .	459	4	Daniel Welling . . . . .	44	17
John Jemison . . . . .	88	11	Tho. Wigton . . . . .	175	6
Crocker Jones . . . . .	9	0	Isabel Wigton . . . . .	130	1
Wm. Jackson . . . . .	106	1	Wm. Warner . . . . .	68	16
Robert Jameson . . . . .	183	16	Wm. Williams . . . . .	148	18
Capt. Wm. Judd . . . . .	19	2	Jonath. Weeks . . . . .	239	11
John Jenkins, Esq. . . . .	598	1	Flavius Waterman . . . . .	90	0
Josiah Kellogg . . . . .	146	12	Elihu Williams . . . . .	197	10
Michael Kelly . . . . .	21	11	Richard West . . . . .	65	17
Benj. Kilburn . . . . .	92	16	Amy Williams . . . . .	130	0
Hannah Keys . . . . .	178	14	Daniel Whitney . . . . .	363	14
Alexander McKay . . . . .	277	4	Abraham Westbrook . . . . .	380	2
Sarah Lee . . . . .	236	6	James Wells . . . . .	92	12
Thos. Leavensworth . . . . .	122	14	Lucretia York . . . . .	221	13
Sarah Leonard . . . . .	75	0	Jemima Yale . . . . .	130	3
Rufus Lawrence . . . . .	189	11	Jacob Zuvalt . . . . .	42	11
			[286 Names], TOTAL AMOUNT . . . . .	£38,308	13

"The foregoing Bill was carefully examined in each single account, and estimated in lawful money equal to money in 1774.\* Certified by us:

"Westmoreland Oct.  
the 2d 1781.

"JOHN HURLBUT,  
"NATHAN DENISON, )  
"JOHN FRANKLIN, ) *Select Men*  
"JAMES NISBITT, )  
"JABEZ SILL. )

\*Previous to the Revolutionary War paper money was issued to a greater or less extent by each one of the thirteen Colonies. Originally the issues were authorized to meet the necessities of the Colonial treasuries. Many of the Colonies, therefore, went into the Revolutionary War with paper already in circulation, and with all of the Colonies making issues for the expenses of military preparations.

In the year 1774, and earlier, six shillings in the "lawful money" of Connecticut were equivalent to one Spanish milled dollar, which was valued at 4s. 6d., sterling; equal to \$1.09—in American money of to-day as stated in the note on page 252, Vol. I.

After the Revolutionary War was well under way "hard money" became very scarce in the country. But inasmuch as money of some kind had to be had by the Government, and as the Continental Congress had no power to

After the capitulation of Cornwallis, Washington sent 2,000 troops to reinforce the army under General Greene, and then dispatched the balance of his army, including the soldiers from Westmoreland, to Winter cantonment along the Hudson, north of the city of New York. Washington himself went to Philadelphia, to "endeavor to stimulate Congress to the best improvement of the late successes of the army, by taking the most vigorous and effective measures to be ready for an early and decisive campaign the next year." In a letter to General Greene, about that time, Washington wrote that he feared the Congress might "too much magnify" the importance of the surrender of Cornwallis, and "may think our work too nearly closed, and fall into a state of languor and relaxation."

To the soldiers, leading a life of inactivity in the Winter camp along the Hudson, there soon came a feeling that the war was really over, and that ere long peace would be declared. Consequently many of the men—particularly those who were husbands and fathers—applied for their discharges. Among these men were a number of the Westmorelanders in Captain Spalding's company.

At Philadelphia, under the date of January 3, 1782, Washington wrote to Maj. Gen. William Heath (in command of the Continental posts on the Hudson, with his headquarters at West Point) in part as follows:\*

"Every proper indulgence has been granted to the soldiers of the Connecticut company raised at Wyoming. When they were removed from thence last Spring, by order of Congress, Colonel Butler had liberty to grant furloughs to those whose families would be most distressed by their absence; and he did so. If there are others under the same circumstances, I should have no objection to their being allowed the same indulgence, a like number of those upon furlough being called in. But I cannot consent to the interference of the State [of Connecticut] in giving discharges. That is a matter altogether foreign to their power."

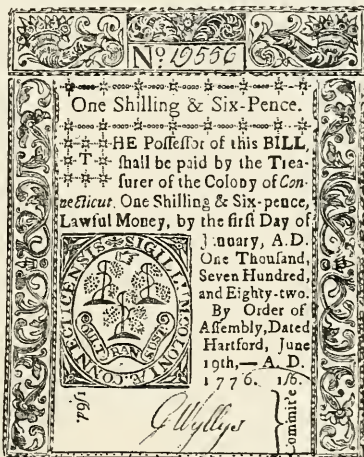
tax the people or the States, and as the members of the Congress were accustomed to paper issues as the ordinary form of public finance, the Congress began to issue bills on the faith of the "Continent", to be used as a circulating medium. These bills, denominated "Continental Currency" (as explained on page 898, Vol. II), were payable in Spanish milled dollars, "or the value thereof in gold or silver."

The first issue—made in August, 1775—was for 300,000 dollars, redeemable in three years. Bills for 9,000,000 dollars were issued before any depreciation began. Undoubtedly their value must have been affected by the bills issued by the separate Colonies, for these, too, depreciated in value as the War went on. At the end of the year 1778 the Continental paper dollar was worth sixteen cents in the northern States and twelve cents in the south. Early in 1780 its value had fallen to two cents, and before the end of the year it took ten paper dollars to make a cent. As Washington said, it took a wagon-load of money to buy a wagon-load of provisions. In October, 1780, Indian corn sold wholesale in Boston for \$150. per bushel; butter was \$12. a pound; tea \$90. sugar \$10., coffee \$12., while a barrel of flour cost \$1,575. Samuel Adams paid \$2,000 for a hat and a suit of clothes. The present writer has in his possession an original receipt given to Zebulon Butler by Benjamin Harvey, at Wyoming, February 7, 1780, for "one hundred and twenty-eight dollars for a sow and two pigs." (See the last paragraph in the note on page 1225, Vol. II, relative to the value of certain articles in Connecticut in 1780.)

The Continental Currency soon ceased to circulate freely, being no longer a legal tender or receivable in payment of taxes. Debts could not be collected, and there was a general prostration of credit. The early issues of the money were so worthless that barber-shops were papered with it. To say that a thing was "not worth a Continental" became the strongest possible expression of contempt. By the close of the year 1780 the Currency had ceased to have currency. "Like an aged man, expiring by the decays of nature, without a sigh or a groan, it fell asleep in the hands of its last possessor." \* The money had, in a great measure, got out of the hands of the original proprietors, and it was in the possession of others, who had obtained it at a rate of value not exceeding what was fixed upon it by the scale of depreciation." Attempts were subsequently made to have it funded or redeemed, but without success.

Concerning the Continental Currency Pelatiah Webster (see note in Chapter XXII, *post*) wrote: "We have suffered more from this than from every other cause of calamity. It has killed more men, pervaded and corrupted the choicest interests of our country more, and done more injustice than even the arms and artifices of our enemies."

\*See "Massachusetts Historical Collections", Fifth Series, IV: 235.



FACSIMILE OF CONNECTICUT CURRENCY

Issued in pursuance of a resolution of the General Assembly of the Colony passed June 19, 1776.

At Fort Wyoming, Wilkes-Barré, under the date of January 4, 1782, Lieut. Samuel Shippard,\* an officer under Captain Mitchell at the Wyoming post, wrote to Col. Zebulon Butler, at "Camp Connecticut Huts," in part as follows:

"The troops at this Post are supplied agreeable to the new mode. I have requested to be relieved, and expect the matter will be gone through with in three or four weeks. \* \* Mrs. Shippard joins with me in our compliments to Colonel Butler, as also to Captain Spalding."

At Wilkes-Barré, under the date of January 8, 1782, Lord Butler wrote to his father: "I believe there never was known to be such weather [here] at this time of the year since this place was settled. The river is banks full—as high a freshet as almost ever has been seen at any time of the year."

At Wilkes-Barré, January 9, 1782, Hugh Forseman wrote to Colonel Butler in part as follows:†

"With respect to the particulars of the affair between Captain Mitchell and his men: They have laid six different complaints against him, \* \* \* (1) for selling their shoes to the inhabitants; (2) for giving them, or ordering them to get, condemned beef for five weeks; (3) for making them receipt in full for their rations, when they received only part; (4) for selling or lending three barrels of whisky to some of the inhabitants; (5) for punishing [soldiers] without their first being tried or examined; (6) for ordering men on fatigue [duty] to work for the inhabitants, and not getting any pay for their labor."

In Hanover Township, only a few miles below Fort Wyoming, on Sunday, April 7, 1782, there occurred an Indian outrage, concerning which Miner ("History of Wyoming," page 301) declares: "A more distressing tragedy scarcely crimson the page of history!" A very detailed and interesting account of this outrage, written by the late Rev. David Craft, D. D., and read before The Wyoming Historical and Geological Society, in October, 1907, is printed in Vol. X of the Society's "Proceedings and Collections," under the title: "The Capture and Rescue of the Family of Rosewell Franklin." The following facts have been gleaned from Dr. Craft's article and from "Historical Sketches of Roswell Franklin and Family," by Robert Hubbard, Dansville, N. Y., 1839; and "Sketch of the Life of Rosewell Franklin," by the Rev. Charles Hawley, D. D., read before the Cayuga County (New York) Historical Society, January 14, 1879, and published in Vol. VII of the Society's Collections.

About the beginning of April, a band of thirteen Indian warriors, bent on murder and plunder, quietly stole into the valley. Before reaching the settlements they separated into two bands, five of the Indians going in one direction, while the other eight made their way to the locality where Lieut. Roasel Franklin‡ lived—in the block-house mentioned on page 925, Vol. II. In the morning of the 7th Lieutenant Franklin went into the woods in search of some of his hogs which were missing. The various members of his family were busy about their home, when the eight Indians previously mentioned suddenly entered the

\*In 1779 he was First Lieutenant and Adjutant of the 3d New Jersey Regiment, and took part in the Sullivan Expedition.

†The original letter is in the collections of The Wyoming Historical and Geological Society.

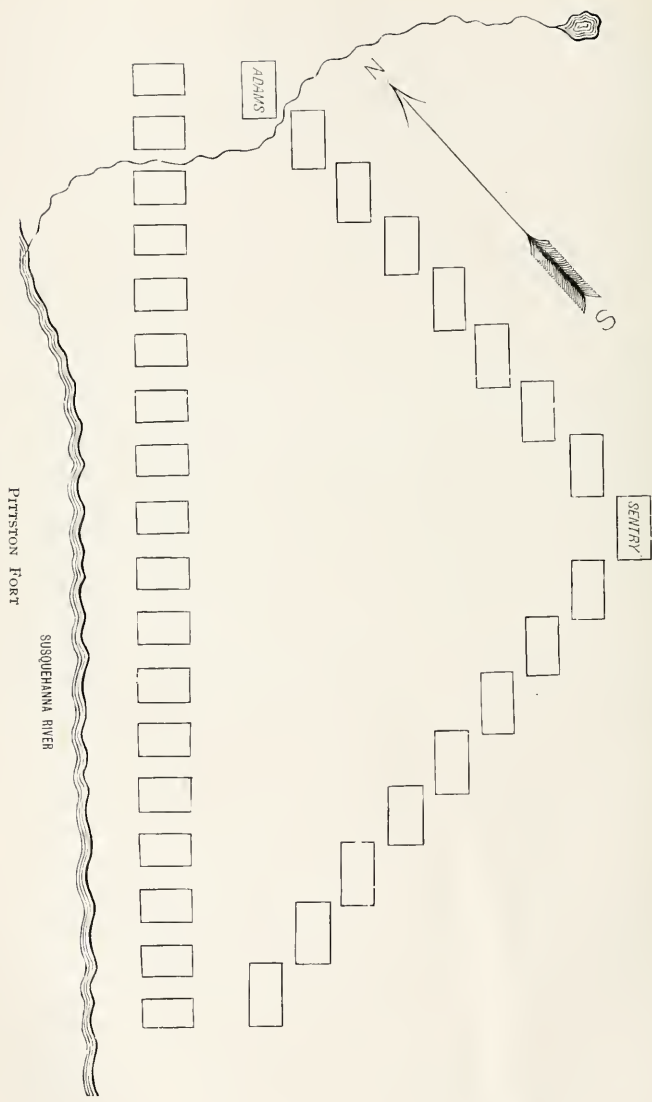
‡ROASEL FRANKLIN, whose name appears frequently in these pages, was a man of activity and prominence in Wyoming, almost from the first days of the settlements here under the Susquehanna Company. In the various Wyoming histories his Christian name is commonly spelled "Roswell" or "Rosewell"; but it was undoubtedly "Roasel", as is evidenced by his signature attached to several original documents now preserved in the collections of the Wyoming Historical and Geological Society.

He was born about 1732 or '33 undoubtedly in Woodbury, Litchfield County, Connecticut, and was the brother or son of Jehiel Franklin of Woodbury, who, at Westmoreland, May 3, 1774, conveyed land in Hanover Township to Thaddeus Broughton of Woodbury.—Roasel Franklin having conveyed to the same man, in the preceding March, certain land which he owned in Hanover.

In 1755 and '56 Roasel Franklin served as a soldier in a Connecticut regiment in the French and English War, and in 1762, as a Connecticut soldier, took part in the expedition against Havana—described on page 482, Vol. I, of this work. He was married (first) September 22, 1760, at Southbury, Connecticut, to Jerusha (born August 17, 1740), daughter of Stephen Hickok.

Roasel Franklin came to Wyoming in the Summer of 1769, having been preceded here a few months by his brother John. (See first paragraph of note "†" on page 1,227, Vol. II.) The latter was married to Elizabeth, daughter of Elisha and Susanna (Higley) Blackman, mentioned in the note on page 1,067, Vol. II, and one of their children was Arnold Franklin, who, after the death of his father, became a member of his uncle Roasel's family, and later was carried into captivity by Indians, as narrated heretofore. John Franklin was slain at the battle of Wyoming, and Decem-





PITTSBURGH FORT

SUSQUEHANNA RIVER

ADAMS

SENIOR

S

N

house. Painting the faces of Mrs. Franklin and her four children, they quickly ransacked the house, set fire to it, and beat a hasty retreat to the woods with their plunder, and the mother and her children as their captives.

Soon after the marauders had left the scene Lieutenant Franklin returned to find his house ablaze and his family gone, he knew not whither. With the direful news he hastened to Fort Wyoming, where the alarm-gun was fired, giving notice to the people of the valley of the presence of the enemy. A party was immediately organized to pursue the Indians and, if possible, rescue the captives. Sergeant Thomas Baldwin led the party, and the other members of it were: Joseph Elliott, John Swift, Oliver Bennett, Waterman Baldwin, Gideon Dudley, ——— Cook and ——— Taylor.

The same day the pursuers set off up the Susquehanna, and several days later interrupted the retreat of the pursued near the mouth of Wyalusing Creek. A sharp fight ensued, at the beginning of which Mrs. Franklin and her children who had been left between the lines of the opposing parties, and could hear the singing of the bullets as they sped from both directions, stood up in order to attract the attention of their friends. Mrs. Franklin being slightly wounded by one of the bullets, she and the children were ordered by the Indians to lie down close together behind the trunk of a fallen tree, and to keep still or they would be killed.

Hearing voices up the hill in the direction whence the pursuing party had come, Mrs. Franklin raised her head and looked that way. Instantly one of the savages shot her, and she died almost immediately. The Indians then fled, one of them carrying off on his shoulder Mrs. Franklin's infant, Ichabod, who was never seen or heard of again. The bodies of two or three dead Indians together with several tomahawks and guns, remained upon the field, while during the encounter Gideon Dudley had been wounded in one of his hands, and Oliver Bennett had been badly wounded in one of his arms. The body of Mrs. Franklin having been buried on the spot, in as decent a manner as circumstances would

ber 31, 1782, Rosael Franklin was appointed administrator of his estate by the Probate Court of Westmoreland; Lebens Tubbs being surety in the sum of £100.

In 1771 Rosael Franklin was a lot-holder and settler in Wilkes-Barré. Upon the organization of the town of Westmoreland in 1774 he was chosen one of the Selectmen of the town. In 1777 he was Lieutenant of the 5th Company of the 24th Regiment, Connecticut Militia, and the next year took part with his company in the battle of Wyoming. In 1780 and '81 he was a Lieutenant of Capt. John Franklin's company of Westmoreland militia. (See pages 1,229 and 1,230, Vol. II.) After the murder of his wife Lieutenant Franklin was married (second) June 22, 1783, to Mrs. Elizabeth Lester, widow of Edward Lester, mentioned on pages 1,106 and 1,107.

(The two daughters of Mrs. Lester, upon their release from Indian captivity, made their home with their mother and step-father until their respective marriages. The younger daughter married ——— Benedict, and in 1839 was living near Brockport, New York—her widowed mother then in the ninety-eighth year of her life, residing with her.)

On the renewal of the land controversies in Wyoming Lieutenant Franklin and his family removed (about 1784 or '85) to Chocout, now Union, in the State of New York. Later he moved to Wysox, in what is now Bradford County, Pennsylvania, and in March, 1789, accompanied by his family and that of his son-in-law, Ebenezer White, moved to what is now Aurora, New York, where he built the first house occupied by a white man in Cayuga County. There, in the Spring of 1792, through stress of trouble and the loss of property, he committed suicide.

At Aurora, on February 22, 1861, at the request of the citizens of the village, an historical address was delivered in memory of Lieut. Rosael Franklin, by his grandson, the Rev. William S. Franklin, then of Genoa and later of Syracuse, New York. On September 24, 1879, the people of Aurora celebrated the centennial anniversary of the destruction of some Indian villages near there by the Sullivan Expedition. The celebration in part was held at "the old foundation" of Rosael Franklin's first log house, which was well decorated with flags and bunting. A grass-covered mound, at the northern end of the village of Aurora, about twelve rods east of Lake Cayuga, marks "the old foundation"—a slight elevation the place of the chimney, and a depression the location of the door-place.

The children of Lieut. Rosael and Jerusha (Hickok) Franklin were as follows: (1) *Joseph*, born about 1765; killed by Indians in Wyoming Valley in 1779. (2) *Rosael*, or *Russell*, born June 22, 1768. (3) *Olive*, born in 1769; became the wife of ——— Stevens of Dansville, New York. (4) *Susanna*, born June in 1771. (5) *Thankful*, born in 1774; died in 1779. (6) *Stephen*, born in 1776. (7) *Ichabod*, born in 1780.

(2) *Roswell Franklin* was married December 5, 1794, to Pamela Goodrich (born February 11, 1775), and they settled at Aurora, New York, where both of them died in March, 1843. For six years prior to his death he had been a Deacon in the Presbyterian Church at Aurora, and in honor of him and his father, memorial windows were placed in the new church erected in 1861. The children of Roswell and Pamela (Goodrich) Franklin were as follows: (a) *Elizabeth*, born August 28, 1795; married May 6, 1813, to ———; died September 8, 1863, at Five Corners, N. Y. (b) *Naomi*, born February 12, 1797; died March 17, 1823. (c) *Almita*, born February 21, 1799; married September 7, 1819, to ——— Hovey; died in Iowa October 5, 1889. (d) *Caroline M.*, born December 28, 1800; married June 23, 1822, to ———. (e) *Ann Eliza*, born September 21, 1803; married October 2, 1827 to ——— White; died July 5, 1893. (f) *John H.* born June 29, 1805; twice married and died at Canandaigua, New York, May 1, 1873. (g) *Pamela*, born October 22, 1808; died November 9, 1810. (h) *William S.*, born October 22, 1811; married twice, and died at Syracuse, New York, March 6, 1882. He was a minister of the gospel. (i) *Samuel Newell*, born May 28, 1817; married January 14, 1816, to ———; died September 5, 1896. (j) *Pamela G.* born January 4, 1821; married September 8, 1847 to ——— Brady; died in Ohio August 9, 1904.

permit, the Wilkes-Barré party proceeded homeward with the three Franklin children as expeditiously as possible. On Tuesday, April 16th, they arrived at Fort Wyoming, where the children were restored to the arms of their father. He took them to the family of a neighbor, Jonathan Forsythe, where they remained until their own home could be rebuilt.

At Wilkes-Barré, April 8, 1782—the day following that upon which the Franklins had been carried off and the rescuing party had set out in pursuit of them—a town-meeting was held, at which arrangements were made “for the distribution of the public powder to the settlements.” It was also “voted, that those men now in service on a scout with Sergeant Thomas Baldwin shall be entitled to receive from the Treasurer of this town [of Westmoreland] the sum of five shillings per day for each day in service; and that Sergeant Baldwin shall be entitled to six shillings per day for said term.” Also, the Town Treasurer was directed to have ground “so much of the public wheat [received in payment of taxes] as to make 200 pounds of biscuit, and keep it made and so deposited that the scouts may be instantly supplied from time to time as occasion requires.”

At Chenussio\*, New York, April 20, 1782, Ebenezer Allen† wrote to Col. John Butler, commander of the “Rangers”, at Fort Niagara: “To-morrow a party of Senecas sets off, intending to strike at Wyoming. If anything particular happens, I will write you.” The next day he wrote again from the same place, as follows:‡

“This day a Tuscarora runner arrived here, who says the party to which he belonged had been at Wioming, where they took five prisoners. The Rebels pursued them to Wylosyn [Wyolusing], and wounded one of the chiefs through the body, so that they were obliged to run and lose the prisoners, except one of which [Mrs. Franklin] they killed and scalped. They were informed by the prisoners that 600 men were killed at Wioming.”

At the regular semi-annual session of the General Assembly of Connecticut, held at Hartford in May, 1782, Westmoreland was represented by Obadiah Gore and Jonathan Fitch.

About this time many of the inhabitants of Westmoreland, who had fled from their homes after the battle of Wyoming, were returning to the Valley with their families; while those men of family who were already on the ground without their families, began to bring the latter back from their temporary homes in New York, Connecticut and elsewhere.

A little light is thrown on some of the conditions existing here at that time by a deposition§ which was made June 24, 1782, by John Seely, Esq., of Northampton County, Pennsylvania, who had been making inquiries “as to the strength, intentions, &c., of the settlers at Wyoming.” He deposed: “There are about 300 men fit to bear arms—one-fourth, or not exceeding one-third, of them being from the State of Connecticut. They expect a large body from Connecticut this Fall and next Spring. \* \* \* If they should fail in their Charter claims, they are determined to push for its being a new State.”

The following is an extract from a letter written at Wilkes-Barré, June 10 1782, to the Hon. Roger Sherman (see page 839, Vol. II) by his second son,

\*Now Genesee, in Livingston County. Sir William Johnson always wrote the name of this place “Chenusio”, its Indian name; but in Iroquois dialects “J” and “Ch” are interchangeable, as are also “G” and “K”, “D” and “T”, &c.

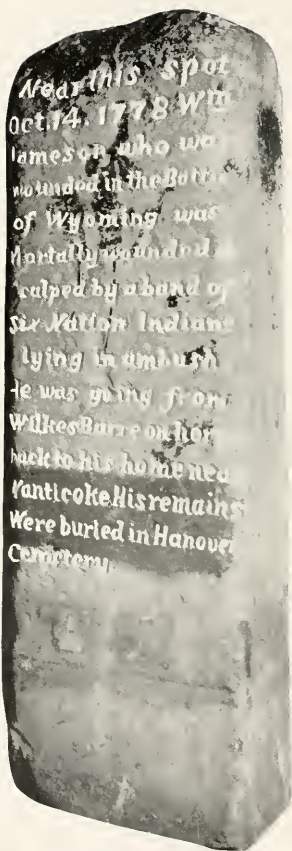
†EBENEZER ALLEN was a Tory who fled from Pennsylvania and joined the Seneca Indians. He had several successive Indian wives (by one of whom he had two daughters), and after the war married a white woman. He was a monster of iniquity, according to Mary Jemison, “the White Woman”, whose “Life” contains a chapter devoted to him. He once drowned a Dutch trader, and committed many other enormities. He built the first mill at the Genesee Falls (now Rochester), New York, under the authority of Phelps and Gorham. He was living in New York in 1791, but ultimately fled the country and died at Grand River.

‡See Canadian Archives, Series B, Vol. CII: 26.

§See “Pennsylvania Archives”, Old Series, IX: 622.







MONUMENT TO WILLIAM JAMESON,  
Killed October 14, 1778.

This formerly stood near the Hanover Cemetery, but is now in possession of the Wyoming Historical and Geological Society.

William Sherman, who had come to Wyoming from New Haven, Connecticut, with the intention of teaching school. (He remained here until, at least, April, 1783, but whether or not he was employed then or at any other time in teaching school, cannot now be learned. William Sherman, born in 1751, was graduated at Yale College in 1770. He was a paymaster, with the rank of Lieutenant, in the Continental army from January, 1777, to January, 1781. He died at New Haven in June, 1789):

"Honored Sir:—I arrived here the 5th inst. after a very fatiguing journey, especially the last day. I rode from Colonel Stroud's Fort Penn, being forty-seven miles—thirty-eight miles being an intire wilderness—without any company. Two days before I arrived at Fort Penn Indians had killed one boy and one horse, and speared two others, which I saw nine miles this side of Fort Penn. Three days ago I was informed by some gentlemen that came through the woods that they had burnt a house and killed a horse, but no other damage done.

"The committee sits this day to determine what wages they will give and what kind of pay. My proposals are, half money and the other half in produce. If we don't agree I shall go to the place about eight miles above, where I have got a call on my proposals. The situation of this town is by far the most pleasant. The whole country between the two mountains is as level as any part of our [New Haven] Green, for several miles in length and four or five in breadth. \* \* \*

In a deposition\* made by Silas Taylor before John Van Campen, Esq., of Northampton County, August 22, 1782, the deponent declared:

"That he was at Wyoming [Wilkes-Barré] on or about July 20, 1782. Col. Zebulon Butler arrived at that place the day preceding. After the arrival of Butler he sent to all the Proprietors of the Connecticut claim then at that place, to meet the next day to consult on business of importance. The next morning after the meeting this deponent asked sundry of these Proprietors what the business was, and learned that Colonel Butler had given them instructions to go down the river to Wapwallopen, build a strong block-house, and take possession of that country. The trial between Pennsylvania and Connecticut will be kept off this seven years." \* \* \*

On Monday, July 8, 1782, John Jameson† and his youngest brother, Benjamin (who was not quite fourteen years of age), brothers of William Jameson, mentioned on page 1100, Vol. II, accompanied by Asa Chapman, a neighbor, were traveling horseback from Hanover to Wilkes-Barré. As they came near

\*See *ibid.*

†JOHN JAMESON was born in Voluntown, Windham County, Connecticut, June 17, 1749, the eldest child of Robert and Agnes (Dixon) Jameson. The father of Robert and the grandfather of John Jameson was John Jameson, Sr., a native of Scotland, where he was born about 1680. At about the age of five years he accompanied the other members of his father's family to the North of Ireland. About the year 1685, shortly after the accession of King James II, when the persecution of the Covenanters was vigorously renewed, many Scots emigrated to the province of Ulster, in the North of Ireland. The family of John Jameson, Sr., settled at Omagh, in the county of Tyrone, Ulster, and there, in 1705, John Jameson, Sr., was married to Rosanna Irwin, or Irvine, a native of Omagh.

John Jameson, Sr., learned the trade of a linen-weaver, and in connection with one or more of his brothers carried on in a small way the manufacture of linen at Omagh until the year 1718. Under the date of March 26, 1718, a large number of persons residing in the North of Ireland signed and sent across the Atlantic to Samuel Shute, the royal Governor of Massachusetts and New Hampshire, a memorial, which, in part, read as follows:

"We, Inhabitants of the North of Ireland, Doe, in our own names and in the names of many others our neighbours—Gentlemen, Ministers, Farmers and Tradesmen—commissionate and appoint our trusty and well-beloved Friend the Reverend Mr. William Boyd of Macasky to His Excellency the Rt. Hon. Col. Samuel Suttie, Governor of New England, and to assure His Excellency of our sincere and hearty Inclination to Transport ourselves to that very excellent and renowned Plantation upon our obtaining from his Excellency suitable encouragement. And further, to act and do in our names as his Prudence shall direct." \* \* \*

Among the 320 signatures appended to this document were those of John Jameson, Sr., and his brother William. To the aforementioned memorial, delivered into his hands by the Rev. William Boyd, Governor Shute returned a favorable answer, and accordingly, early in June, 1718, a company of 120 families, with the Rev. Mr. MacGregor at their head, sailed from the North of Ireland in five vessels, and landed safely at Boston, Massachusetts, August 4, 1718. William and John Jameson, with their wives and children, were of this company of immigrants, concerning whom it is stated (in Bryant's "History of the United States", III: 138): "These people, who undertook to better their condition in America, were descendants, [many of them], of the colonists who had been transferred by James I to the North of Ireland, where their condition, from penal laws against Protestants, and from local taxation, had become intolerable."

John Jameson remained at Boston for a time, but in 1719 removed with his family to Milton, Norfolk County, Massachusetts, distant ten or twelve miles from Boston. In October, 1725, Robert Lord of Fairfield sold to John Jameson 142 acres of land in the new town of Voluntown, Windham County, Connecticut. This land lay in that part of Voluntown which is now Sterling, and was on the Plainfield and Providence highway, near where it crosses Mossap River. Thither John Jameson removed. He was admitted an inhabitant of the town December 23, 1728, and was chosen grand jurymen December 14, 1730. \* \* \*

John Jameson died at his home in Voluntown in April, 1734, his wife, Rosanna, having died there a short time previously. Their children were as follows: (i) *William*, born in Omagh, Ireland, about 1706; died at Voluntown about 1727. (ii) *Mary*, born in Omagh about 1708; was living in Voluntown, unmarried, in 1735. (iii) *Sarah*, born in Omagh about 1710; married at Voluntown May 27, 1735, to Joseph Parke of Plainfield, Connecticut. (iv) *Jean*, born in Omagh about 1712; married at Voluntown August 16, 1739, to Latham Clark. (v) *Robert*, born at Omagh December 24, 1714; died May 1, 1786. (See hereinafter.) (vi) *Elizabeth*, married at Voluntown February 11, 1742, to Thomas Clark of Voluntown. (vii) *Hannah*, married at Stonington, Connecticut, May 19, 1747, to Elissa Chesborough. (viii) *Esther*, born at Voluntown May 29, 1726; married at Stonington October 25, 1748, to Joseph (born January 22, 1718), sixth child of Thomas and Mary (Brown) York of Stonington, and great-grandson of James York, Sr., an early settler in Stonington.

(v) *Robert Jameson* came to New England with the other members of his father's family, and was living in Voluntown when his father died there in the Spring of 1734. In 1744 and again in 1745 he was chosen Lister of the town

in 1745, Surveyor of Highways, and in 1745, '46 and '47, Fenceviewer. He was duly sworn and admitted a freeman April 7, 1746. In December, 1749, he was chosen Constable of Voluntown, and re-chosen in December, 1750. In July, 1753, he became an original member of The Susquehanna Company, subscribing and paying for one "right." Robert Jameson attended as a duly qualified Representative from Voluntown the following sessions of the General Assembly of Connecticut: May and September, 1756; May, 1759; May and October, 1763; January, March and October, 1764. As a Representative he was present in the Council Chamber at Hartford, May 28-30, 1763, when the Governor, Council and Assembly of Connecticut held a conference with certain chiefs of the Six Nations of Indians, as narrated on page 415, Vol. I. From 1754 to 1763, inclusive, Robert Jameson was annually chosen by his fellow-freemen of Voluntown to the offices of Fence-viewer, Constable and Collector of Colony Rates. In May, 1764, he was appointed agent of the town, to appear at ye General Assembly to answer ye memorial of Moses Fish and others, and show why the same should not be granted. In December, 1764, he was chosen Surveyor and Fence-viewer for the ensuing year, and in December, 1767, was chosen Fence-viewer and Surveyor of Highways.

In November, 1776, Robert Jameson removed with his wife, six of his sons and five of his daughters to Wyoming Valley, where his eldest son, John, had already settled. In compliance with a law which was rigorously enforced during the Revolutionary War, it was necessary for a person removing from one State to another to be provided with a passport, issued by a duly authorized public official. The following is a copy of the document furnished Mr. Jameson:—

"Windham, Nov. 4, 1776.

"The bearer hereof, Mr. ROBERT JAMESON, has been for many years an inhabitant in the town of Voluntown in the county of Windham and State of Connecticut, and is now on his journey with his wife and family and family furniture to remove to the town of Hanover on the Susquehanna River, and is a friend to the United States of America and has a right to remove himself and family as above." [Signed] SAMUEL GRAY."

"Justice of the Peace, and one of the Committee of said Windham."  
Stewart Pearce, referring in his "Jameson Memoir" to the removal of Robert Jameson and his family to Wyoming, says: "They brought with them a few articles of household furniture, and an agricultural implement or two, which they conveyed on a large cart drawn by three yokes of oxen. The sons walked alongside, driving the oxen and helping the cart over newly- and badly-opened roads. The daughters, clothed in homespun, also traveled afoot, and drove forty head of sheep. The journey was performed in about three tedious weeks. John Jameson met his father and the other members of the family at the mouth of Lackawaxen Creek, on the Delaware, and conducted them to their homely dwelling in Hanover Township, below the present town of Wilkes-Barré."

In the Spring of 1773 the township of Salem was laid out and allotted, as described on page 771, Vol. II. By virtue of his ownership of a "right" in The Susquehanna Company's Purchase, Robert Jameson was declared a proprietor in Salem Township; and, in the distribution of lots which soon took place, "Lot No. 30 in the First Division" fell to his share. This was a fine tract of fifty acres, lying partly on the river flats and partly on the upland to the north, some six miles below the town borough of Shickshinny, and one and one-half miles from the town of Hanover. In subsequent divisions of Salem lands Robert Jameson was allotted one tract of 100 acres and another tract of 150 acres. He never personally occupied any of these lands, however, but lived until his death on the property of his son John, previously mentioned, where, within a year after his arrival from Connecticut, he had erected a substantial log house and other improvements for the use of himself, wife and unmarried children.

Owing to his age in 1778 (he was in his sixty-fourth year) Robert Jameson was excused from serving in the Westmoreland militia; and so at the time of the battle and massacre of Wyoming, he was one of the men who garrisoned Shawnee Fort, in Plymouth, to which the women and children of his family had repaired for safety. Four of his sons were in the battle, and one of them—Robert, Jr.—was slain. The three who escaped joined their parents and the other members of the family at the Fort in Plymouth, and the next day they fled down the Susquehanna to Fort Augusta, at Sunbury. The oldest and the youngest members of the family floated down the river in a couple of small boats, taking with them such of their belongings as they were able to carry; while the others made the journey of some sixty miles on foot. They undertook to drive some of their cattle before them, but, owing to the haste in which they had to make the journey, the almost impassable roads or paths, and the thick undergrowth along the roads, nearly all the cattle were lost. One yoke of oxen strayed into Northampton County, and was subsequently recovered.

The Jameson refugees, after spending a few days at Fort Augusta, went to Hanover Township, Lancaster County, Pennsylvania, where they had friends and relatives. Two of the sons returned to Wyoming within a short time, and two more within the next year and a-half, but the other members of the family remained in Lancaster County until the early Autumn of 1781, when they also returned. Their houses and other buildings together with the contents thereof, had been burned by the enemy in 1778, but in 1780 and '81 John Jameson, with the assistance of his brothers, had erected a log house on the site of their ruined homes, and this the family occupied upon their arrival.

During the Second Pennamite-Yankee War Robert Jameson and his family suffered much in common with the other Connecticut settlers. On account of his age and ill health, Mr. Jameson did not take an active part in resisting the oppressions and outrages perpetrated by the representatives of the Pennsylvania Government and the Pennamite land-claimers in Wyoming. Nevertheless, he and his family were among those who were dispossessed of their homes under color of law and driven summarily into the wilderness in May, 1784—as more fully related in a subsequent chapter.

Robert Jameson died at his home in Hanover Township May 1, 1786, and was buried in the grave-yard of the old Presbyterian meeting-house in Hanover. Letters of Administration upon his estate were granted to his two surviving sons Joseph and Alexander—January 4, 1788, by the Orphan's Court of Luzerne County.

Robert Jameson was married November 24, 1748, by the minister of the Congregational Church in North Stonington, New London County, Connecticut, to Agnes (born in 1723), daughter of Capt. Robert Dixon mentioned in note on page 251, Vol. I. After the death of her husband Mrs. Jameson resided in Hanover until 1793, when she and four of her surviving children removed to Salem Township, Luzerne County, and occupied the property there which Robert Jameson had owned for thirteen years prior to his death. Their dwelling-house stood on the right bank of the Susquehanna, on the elevated ground west of the river flats, four miles south of the present borough of Shickshinny. It was in the settlement, or hamlet, which subsequently was named Beach Grove. There Mrs. Agnes (Dixon) Jameson lived until her death, which occurred September 24, 1804, in the eighty-second year of her age.

The children of Robert and Agnes (Dixon) Jameson, all born at Voluntown, Connecticut, were as follows: (i) John, born June 17, 1749; murdered July 8, 1782. (See below) (ii) Mary, born March 12, 1751; died at Salem, Sept. 19, 1834, unmarried. (iii) Anne, born April 26, 1752; married about 1775 to George Gordon, born May 10, 1755; she died January 25, 1808. (iv) William, born December 19, 1753; murdered October 16, 1778, as narrated on page 1100, Vol. II. (v) Robert, born June 10, 1755; killed at the battle of Wyoming, July 3, 1778. (vi) Elizabeth, born August 5, 1757; died at Salem, April 23, 1818, unmarried. (vii) Rosanna, born December 24, 1758; became the wife of Elisha Harvey (see footnote, p. 1261), died January 17, 1840. (viii) Samuel, born March 13, 1760; took part in the battle of Wyoming; was accidentally drowned in the Susquehanna River near his home in 1787. (ix) Hannah, born December 29, 1761; married in Pennsylvania to William Reed, and died about eight years later at Hanover. (x) Joseph, born May 23, 1763; died April 7, 1854. (See below) (xi) Alexander, born September 10, 1764; died February 17, 1789. (See below) (xii) Agnes, born April 25, 1766; married about 1790, as his first wife, to John Alden, mentioned in the note on page 500, Vol. I; died about 1791. (xiii) Benjamin, born August 15, 1768; died at Hanover in 1789, unmarried.

(xiv) Alexander Jameson accompanied the other members of his father's family to Wyoming in 1776, being then in the thirteenth year of his life. At the time of the battle of Wyoming he was in the fort at Plymouth. At the beginning of the Revolutionary War the proprietors of the township of Plymouth foreseeing danger, and being desirous that their rich flat lands along the river should not be neglected, made an agreement with a number of persons to give them, during the war, the use of all these lands that they could cultivate, on condition that they should maintain the lessors' possession, and keep in repair the newly-erected stockade, or fort, on Garrison Hill. (See page 886, Vol. II.) Among those associated for this purpose were Capt. Price Alden, James Nishitt, Robert Jameson and Capt. Samuel Ransom. The sons of these associators tilled the soil, and performed the other duties required by the terms of the lease, and while doing so occupied the fort.

Except at the general expulsion after the battle of Wyoming, and for about two years following that event, the lessors and the representatives held their ground "attacked, and saving themselves, fighting, suffering, they still maintained their position." Joseph and Alexander Jameson represented their father in this work. Shawnee Fort was partly destroyed by the savages after its evacuation and surrender by the patriots on July 4, 1778; but the following Autumn it was repaired, and was garrisoned by a small company of men during the Winter.

Alexander Jameson returned to Wyoming in 1780, and he and his brother Joseph (when the latter was not in service with the militia) lived in Shawnee Fort with a number of other young men and farmed a small portion of the flats. Less than 200 acres of land in the whole valley were cultivated in 1781.

In the Autumn of 1787, upon the organization of the militia establishment in the new County of Luzerne, Alexander Jameson became a member of the First (Hanover and Newport) Company of the 1st Battalion, and within a short time thereafter was appointed First Sergeant of the Company. Mason F. Alden was Captain of this company, but Lieut. Shubal Bidlack was in command from November 17, 1787, to February 8, 1789, owing to the delay in issuing Captain Alden's Commission. Sergeant Jameson was elected Ensign of this company May 10, 1791, and having been duly commissioned he held the office until his removal from Hanover to Salem Township, early in 1793. He was elected August 17, 1793, and commissioned in January, 1794, Lieutenant of the Second, or Salem, Company (Nathan Beach, Captain) in the Third Regiment, Luzerne County Militia, commanded by Lieut. Col. Matthias Holeboeck. In 1793 and '94 he was one of the Commissioners of Luzerne County, and from 1811 to 1815, inclusive, a Justice of the Peace in Salem Township.

Alexander Jameson was married May 5, 1796, to Elizabeth born 1777, (fourth daughter and sixth child of Capt. Lazarus and Martha (Espey) Stewart, mentioned on page 644, Vol. II. Mrs. Stewart died at Salem August 20, 1806, and Alexander Jameson died there February 17, 1859, in the ninety-fifth year of his age—the last male member of the Jameson family of Wyoming Valley.

The children of Alexander and Elizabeth (Stewart) Jameson were: (1) William, born in 1797; married to Margaret Henry of Salem, and had children Mary, John W. and Alexander; died September 21, 1853. (2) Martha, born in 1799; died March 8, 1881, unmarried. (3) Robert, born in 1801; graduated at Yale College in 1823; died July 25, 1838, unmarried. (4) Minerva, born in 1803; married in 1823 to Dr. Ashbel B. Wilson (born June 11, 1797, in Madison, County, Virginia; died in Berwick, Pa., January 7, 1856); had children Caroline, Mary Camilla, Edward and Minerva; died in 1831. (5) Elizabeth, born in 1805; married May 2, 1827, to the Rev. Francis McCartney, a native of Ireland, but at that time a minister in Virginia; had children Mary, Elizabeth and Francis A. The last named became, in 1859, Editor of *The Scranton Republican*, Scranton, Pa. Later, for many years, he was a lawyer and journalist in Washington, D. C.

(6) Joseph Jameson fled from Wyoming after the battle of July 3, 1778, but returned in the Summer of 1779 with his brother John to Maryland. Two months before the battle, he enlisted as a private in the 1st Company of Capt. John Franklin's company (see page 1229, Vol. II), and did duty with it for about a year. During this period he, like the other members of the company, engaged in farming and other necessary work whenever the condition of affairs in the settlement permitted attention to such matters.

Charles Miner, in the Appendix (page 42) to his "History of Wyoming", says, speaking of Joseph and Alexander Jameson: "They have resided on their beautiful plantation in Salem, having at their command and hospitably enjoying all the good things that could make life pass agreeably. Joseph, one of the pleasantest and most intelligent men of our early acquaintance, chose to live a bachelor; the more unaccountable, as his pleasing manners, cheerful disposition, and unshakable firmness of amicable, rendered him everywhere an agreeable companion. Both these brothers, besides the deep, deep sufferings of their family, were themselves participators in the active scenes of the war, and endured hardships that the present inhabitants can form no true conception of." Joseph Jameson died of palsy at Salem April 7, 1854, in the ninety-first year of his age, and his remains lie near those of his mother and 1 rothers in the Beach Grove Cemetery, on the hill back of their old home.

(7) Robert Jameson, born at Voluntown June 10, 1755, lived at home, attending school and working on his father's farm, until July, 1775. At the session of the General Assembly of Connecticut held in July, 1775 it was ordered that there should be raised a regiment of infantry to be called the "Eight", to be commanded by Col. Jediah Huntington, and to remain in service until December, 1775. The regiment was recruited mainly in the counties of New London, Hartford and Windham. The second Company was commanded by Capt. John Douglas of Plainfield, and Moses Campbell of Voluntown was Lieutenant of the Company. Robert Jameson enlisted as a private in this company, July 10, and was honorably discharged December 16, 1775. The regiment was stationed on Long Island Sound until September 14, when, on requisition from General Washington, it was ordered to the Boston camp, and took post at Roxbury in General Spencer's brigade. There it remained until the expiration of its term of service.

In 1776 Robert Jameson accompanied the other members of his father's family to Wyoming Valley. As a private in the Fifth Company, 24th Regiment, Connecticut Militia, he took part in the battle of Wyoming. He fell early in the action.

(8) John Jameson, born June 17, 1749, in Voluntown, Connecticut, lived there until March, 1770, when he became a member of The Susquehanna Company, he repaired to Wyoming Valley with a small body of New Englanders under the leadership of Maj. John Durkee—as related on page 646, Vol. II. In October, 1772, he purchased for £42, from William Young—who was the original owner—"Lot No. 22 in the First Division of Hanover Township", which lot comprised 305 acres in the southern end of the township, near the present borough of Nanticoke. In the following November John Jameson went to Voluntown, where he spent the Winter with his father's family—returning to Hanover early in the Spring of 1773.

According to Stewart Pearce, in his "Jameson Memoir", John Jameson "cleared several acres, and erected, a comfortable log house containing two rooms and a half-story loft accessible by means of a ladder. The fire-places were constructed without jambs. The windows were of small size, and the sash had six openings, which, instead of being filled with panes of glass, were covered with oiled paper. This structure compared favorably with the dwelling-places of neighboring settlers, and, indeed, as the logs of which it was built were hewn, the edifice was considered superior to any other in the neighborhood. Here John Jameson lived and farmed a few of his most fertile acres, but spent the greater part of his time working at his trade—that of a wheelwright—chiefly in making spinning-wheels for the women of the settlement. It was to this home that he welcomed his father's family in the Autumn of 1776."

John Jameson remained in Wyoming from the Spring of 1773 until the Summer of 1774, when he made a brief visit to his parents' home in Voluntown, and, under date of July 12, 1774, purchased of Amos Spaulding of Plainfield, Connecticut, one-quarter of a "right" in The Susquehanna Purchase. The same day he bought of James McGonegal of Voluntown another quarter of a "right". Shortly afterwards, when the lands of Newport were sold to the proprietors of that Township John Jameson drew one "right" in each of the three divisions of the township.

In December, 1775, John Jameson was a private in the 24th Regiment, Connecticut Militia, and took part in the battle of "Rampart Rocks", hereinbefore described. In 1776 he was one of the Selectmen of Westmoreland. The General Assembly of Connecticut, at its session in October, 1776 (see page 907, Vol. II), passed various laws relating to the military establishment of the State, and among other things voted that John Jameson be appointed "Ensign in one of the eight battalions to be raised" in the State. January 1, 1777, he was commissioned Ensign in the 5th Regiment, Connecticut Line (Philip B. Braxley, Colonel), which was then being organized, and was assigned to the company to be commanded by Capt. Solomon Strong, then a resident of Wyoming Valley. This regiment was recruited largely in the counties of Fairfield and Litchfield. (See page 915, Vol. II.)

Ensign Jameson resigned his commission July 22, 1777, and returned to his home in Wyoming. In 1778 he was a member of the 5th Company, 24th Regiment, Connecticut Militia, and with his company took part in the battle of July 3, 1778. His name is in the list (incomplete) of survivors of the battle inscribed on the monument erected at Wyoming to commemorate the battle and massacre. Escaping from the bloody field John Jameson joined his wife and infant son, his parents, and others at Shawnee Fort, and fled with them down the Susquehanna. After the fort to get his people settled in Lancaster County, he returned to Wyoming, where he arrived August 16, 1778, and joined Lieut. Colonel Butler's detachment of militia. In the early Summer of 1779 he paid his exiled family and relatives a visit, and upon his return to Wyoming was accompanied by his brother Joseph.

John Jameson was married in Newport Township, in what is now Luzerne County, Pennsylvania, in the Autumn of 1776 to Abigail (born August 11, 1753), third child of Capt. Prince and Mary (Fitch) Alden, mentioned on page 500, Vol. I. Letters of administration upon the estate of John Jameson, deceased, were granted by the Probate Court of Westmoreland to Robert Jameson, the father, and Abigail Jameson, the widow, of the decedent, July 27, 1782; Capt. Prince Alden being surety on their bond for \$500.

The following is a copy of the inventory of the decedent's estate (the original document being now in the present writer's possession), which was made December 31, 1782, by Capt. James Bidlack and James Nisbit.

"To The Honble. the Court of probate for the District of Westmoreland in the State of Connecticut, &c. We The Subscribers Being appointed and Chosen appraisers To apprise The Estate of Mr. John Jameson Late of sd

the Hanover meeting-house, about three miles below the village of Wilkes-Barré. John Jameson exclaimed, "There are Indians!" Before he could turn his horse he was shot by three rifle-balls, and fell to the ground dead. Chapman was wounded, but clinging to his horse escaped to Wilkes-Barré, where he died the next day. Benjamin Jameson's horse, wheeling suddenly about, carried him back in safety to his home. The scalp of John Jameson was taken by the Indians, who hastily retreated from the valley, leaving his dead body in the road.

Thus was the last blood shed and the last scalp taken by Indians within the present limits of Luzerne County. Some years ago this tragedy was made the subject of an historical painting entitled "The Last Scalp", which now hangs in the Wyoming Historical and Geological Society's building. In 1879 the Hon. Stewart Pearce, a grandson of John Jameson, erected alongside the main high-

Westmoreland Deed and being Engaged as the law Directs have appraised said Estate as Shewen to us in the following manner viz:

"To two cows.....	8 — 00 — 0
To Blue Coat and jacket 40s., old Coat & jacket 8s.....	2 — 9 — 0
To one Lining [linen] Coat & jacket 12s., one Corded jacket and britches 10s.....	1 — 2 — 0
To one Holland shirt 18s., one pair leather Britches 24s.....	2 — 2 — 0
To old Stockings 4s., 3/4 yds. all wool Cloth 12s. pr. yd.....	2 — 4 — 6
To one pair Shoebuckles and one pair Knee ditto.....	0 — 5 — 0
To one Silver stock bucket.....	0 — 6 — 8
To old Turning Tools 6s., to one vise 24s.....	1 — 10 — 0
To one pair Boots 18s., To one Calf 18s.....	1 — 16 — 0
To Earthen Ware 5s., one old side saddle 25s.....	1 — 10 — 0
To one old man's Ditto 6s., To curried Leather 9s.....	0 — 15 — 0
To sole leather 10s., To 3 water pails 5s.....	0 — 15 — 0
To four old Casks 7s. 6d., one Ditto 3s.....	0 — 10 — 6
To 3 old Tarces [tierces] 9s., To one Bed and Bedding 70 s	3 — 19 — 0
To Stocking yarn 2s., To one book of Law 15s.....	0 — 17 — 0
One Count book 1s., one Bell 4s.....	0 — 4 — 0
To one yoke of oxen.....	15 — 0 — 0
To The Brown mare.....	12 — 0 — 0
To The Black mare.....	13 — 0 — 0
To Live Swine.....	7 — 4 — 0
To Labour on Nashes House.....	1 — 10 — 0
Land in Hanover.....	250 — 0 — 0
Ditto Newport.....	100 — 0 — 0

[Signed] "JAMES BIDLACK  
"JAMES NISBITT"

Mrs. Abigail (*Alden*) Jameson continued, after the death of her husband, to reside in Hanover, and, although a widow and the mother of three very young children, was made the victim of many persecutions and hardships by the Pennamites during the years 1783 and 84.

In 1787 Mrs. Abigail Jameson was married (second) to Shubal Bidlack, as mentioned on page 1000, Vol. II. She died in Hanover Township June 8, 1795.

The children of John and Abigail (*Alden*) Jameson were as follows: (1) *Samuel Jameson*, born in Hanover August 29, 1777. He studied medicine, and began its practice in Hanover in 1799. He was admitted a member of Lodge No. 61, F. and A. M., Wilkes-Barré, August 11, 1800. In 1818 and '19 he was Assessor of Hanover Township, and from 1823 until his death was one of the Justices of the Peace. He was married September 30, 1800, to Hannah (born July 11, 1779), daughter of Jonathan and Margaret Hunlock, and their children were: Maria, Eliza and Anne Jameson. Samuel Jameson died at Hanover March 27, 1843, and his widow—died there March 6, 1851. (2) *Mary Jameson*, second child of John and Abigail (*Alden*) Jameson, was born in 1780 in Lancaster County, Pennsylvania, during the temporary residence there of her mother, as previously related. She was married in Hanover Township, Wyoming Valley October 1, 1800, to Jonathan Hunlock, Jr. The Hunlock, or Hunlocke, family was early in New Jersey. The will of John Hunlocke of Elizabeth, New Jersey, was proved December 4, 1745, and the will of Thomas Hunlocke was proved August 24, 1746. About the time (1757-'60) that the north-eastern section of Northampton County, Pennsylvania, along the Delaware River, began to be settled by emigrants from Connecticut, New York and New Jersey under the auspices of The Delaware Company, a branch of the Hunlock family (presumably from New Jersey) settled in the township of Lower Smithfield, in that part of Northampton County which is now Monroe County.

Jonathan Hunlock was one of a number of the inhabitants of Lower Smithfield who addressed a petition to the Governor of Pennsylvania in September, 1763. About that time he was married to \_\_\_\_\_ Lee, at or near what is now the borough of Stroudsburg, Monroe County, and they became the parents of a daughter, Abigail. The latter, some twenty or more years later was married to one David Wheeler, by whom she had several children.

In 1773, some time after the death of his wife, Jonathan Hunlock removed from Northampton County and settled on a tract of land lying on the right bank of the Susquehanna River, about three miles below Wyoming Valley, and near the mouth of a good-sized creek flowing from the northwest. The Indian name of this stream was "Mossacota" (see F. C. Johnson's "Historical Record", 1: 73), but after Jonathan Hunlock had settled there it became known as "Hunlock's Creek"—which name it still bears. Mr. Hunlock was well settled there by December, 1775, when the Plunket invasion took place, and he was plundered of most of his movable property by the invaders. He was married (2d) about 1775 or '76 to Margaret \_\_\_\_\_. He died in the Spring or Summer of 1779, and letters of administration upon his estate were granted October 23, 1779, by the Probate Court of Westmoreland to his widow Mary Margaret—John Tilbury being her surety on a bond for £500. The children of Jonathan and Margaret Hunlock were: (i) Jonathan, born June 23, 1777, who became the husband of Mary Jameson, as previously noted, and died in October, 1861. (ii) Hannah, born July 11, 1779, and became the wife of Dr. Samuel Jameson, as previously noted.

(3) *Hannah Jameson*, the third child of John and Abigail (*Alden*) Jameson, was born in Plymouth Township, Wyoming Valley, September 17, 1782, a little more than two months subsequent to the murder of her father by the Indians. She was married June 20, 1799, to James (born in 1768), eldest child of Capt. Lazarus and Martha (*Evans*) Stewart mentioned on page 644, Vol. II. James Stewart died February 15, 1808, being survived by his wife Hannah and the following named children: Martha, Abigail Alden, Caroline, Mary, Lazarus and Francis R.

Mrs. Hannah (*Jameson*) Stewart was married (2d) at Wilkes-Barré in November, 1819, as his second wife, to the Rev. Marmaduke Pearce (born August 18, 1776), son of Cromwell and Margaret (*Boggs*) Pearce of Williston, Chester County, Pennsylvania. Mr. Pearce died at Berwick, Pennsylvania, September 11, 1852, and was survived by his wife (who died at Wilkes-Barré, October 21, 1859) and the following named children: Stewart, Cromwell and John Jameson.

For further mention of the Pearce family see a subsequent chapter; and for fuller details concerning the Jameson and allied families see "The Harvey Book", published at Wilkes-Barré in 1899.



THE LAST SCALP





way, near the old Hanover Church, a marble pillar bearing this inscription: "Near this Spot, 8 July, 1782, Lieut. John Jameson, Benjamin Jameson and Asa Chapman, going to Wilkes-Barré, were attacked by a band of Six Nation Indians lying in ambush. Lieut. Jameson was killed and scalped. Chapman was mortally wounded, and Benjamin escaped. They were the last men killed by Indians in Wyoming Valley." Within recent years the fence bounding Hanover Green Cemetery on the side next the highway has been moved outward, so as to include within the bounds of the cemetery the above mentioned memorial pillar.\*

At a Westmoreland town-meeting "legally warned and held" at Wilkes-Barré, September 10, 1782, the following business was transacted:

"Voted, That Maj. Prince Alden be Moderator of this meeting.

"Voted, That Col. Nathan Denison be desired to send scouts up the river, as often and as far as he shall think it necessary to discover the enemy; they receiving his instructions from time to time, and to make immediate returns to him as soon as they shall return back, and to be subject to be examined under oath touching their faithfulness. They to be found bread and ammunition, and to be paid six shillings per day while in actual service, by this town. The Selectmen to draw an order on the Town Treasurer for such sums, to be paid in produce at the market price, as shall by them be found due; who is likewise hereby directed to pay such orders as soon as he shall be enabled to do it. Said scouts shall be continued from this time to the 1st day of December next; and those two scouts that have been sent by Colonel Denison, to be paid as above—provided they give a satisfactory account with regard to their faithfulness."

Miner records ("History of Wyoming," page 305) that, two days after the above-mentioned meeting was held, "Daniel McDowel was taken prisoner at Shawnee [Plymouth] and carried to Niagara. He was a son of the benevolent Scotch gentleman† at Stroudsburg, who, as we have previously seen, befriended with such disinterested and untiring perseverance the Yankee settlers in their first efforts to establish themselves at Wyoming. He was the father of the wife of Gen. Samuel McKean of Bradford County, [Pennsylvania] recently United States Senator."

Let us now take a hurried look at the general situation of affairs in this country, in the Autumn of 1782.

"The repeated defeats of the British in America had caused amazement and consternation in England." The first successes of the War for Independence had elated the British Ministry, and it was believed in the mother country that the war would be of short duration. But Cornwallis' surrender had convinced the Ministry "that the United States could not be subdued by force, and that the Americans were bound to secure independence no matter how long it required." Nevertheless, not long after the surrender of Cornwallis, Sir Henry Clinton, who was in command of all the British forces in the United States—assured the Government that "with a reinforcement of only 10,000 men he would be responsible for the conquest of America."

Parliament convened November 27, 1781, and in his speech from the throne the King urged that the war be prosecuted with renewed vigor. However, on February 27, 1782, General Conway moved in the House of Commons "that it is the opinion of this House that a further prosecution of offensive war against America would, under present circumstances, be the means of weakening the efforts of this country against her European enemies, and tend to increase the mutual enmity so fatal to the interests both of Great Britain and America."

\*The pillar set up by Mr. Pearce to mark the spot where William Jameson was mortally wounded—as noted on, page 1100, Vol. II—is still standing. In recent years a blacksmith shop has been erected in close proximity to the pillar and the latter has been so hacked and mutilated by vandals that the inscription upon it is almost illegible. The inscription was originally as follows: "Near this spot, October 14, 1778, William Jameson, who had been wounded in the battle of Wyoming, was mortally wounded and scalped by a band of Six Nation Indians, lying in ambush. He was going from Wilkes-Barré on horseback to his home near Nauticoke. His remains are buried in Hanover Cemetery."

†See page 730, Vol. II.

At this time both France and Holland had recognized the independence of the United States.

Conway's resolution was carried, and an address to the King, in the words of the resolution, was immediately voted, and was presented by the whole House. The answer of the Crown being deemed inexplicit it was, on March 4, 1782, resolved by the Commons "that the House will consider as enemies to His Majesty and the country all those who should advise or attempt a further prosecution of offensive war on the continent of North America.

The foregoing votes were very soon followed by a change of the Ministry, as narrated on page 610, Vol. I, and by instructions to the commanding officers of His Britannic Majesty's forces in America which conformed to the resolutions of the House of Commons. A few weeks later Sir Guy Carleton was appointed to succeed Sir Henry Clinton as commander-in-chief in America, as narrated on page 927, Vol. II.

In October, 1782, Washington wrote: "The long sufferance of the army is almost exhausted. It is high time for peace." In fact, the army demanded with importunity their arrears of pay; the Treasury was empty, and no adequate means of filling it presented itself; all the people panted for peace. At this time (the Autumn of 1782) the whole force of the British Crown in America was concentrated at New York and in Canada.

Meanwhile the Continental Congress had made preparations for peace. First, John Adams was appointed Commissioner on the part of the United States, and later Benjamin Franklin, John Jay, Henry Laurens and Thomas Jefferson were appointed additional Commissioners; but upon the shoulders of Franklin and Jay rested the chief responsibility of negotiating a peace treaty. The American and British negotiators met at Paris, and after much correspondence, long-continued discussion and wise compromise, preliminary, or provisional, articles were agreed to and signed by the Commissioners, at Paris, November 30, 1782. Intrigue was used by British agents to prevail on the American Commissioners to accept a twenty years' truce instead of an open acknowledgment of independence, but their efforts were of no avail. The treaty, however, was not to take effect, otherwise than by the cessation of hostilities, until terms of peace should be agreed upon between England and France. This occurred in the following January.\*

With the cessation of hostilities between Great Britain and the United States, following the surrender of Cornwallis, and with the disappearance of danger from Indians on the frontier, Connecticut and some other New England States began to send forward to Wyoming considerable numbers of emigrants—men of character and experience and some of means. Unfortunately for Wyoming, however, its troubles did not all come to an end with the cessation of British-American hostilities.

\*See W. E. H. Lecky's "History of England in the Eighteenth Century", Chapter 15; Wiley and Rines' "The United States" Vol. III, Chapter 33; Marshall's "Life of Washington", Vol. IV, Chapter 11.





## CHAPTER XXI

PENNSYLVANIA PETITIONS CONGRESS FOR A HEARING OF CLAIMS LONG IN DISPUTE—CONNECTICUT CONCURS—A DISTINGUISHED COURT OF COMMISSIONERS APPOINTED—SIDELIGHTS ON SESSIONS OF THE COURT—A SUMMARY OF THE CONFLICTING CLAIMS—THE DECREE OF TRENTON—DISSATISFACTION WITH THE DECREE IN WYOMING—PRIVATE RIGHT OF SOIL NOT ADJUDICATED AND INDIVIDUAL DISPUTES NOT SETTLED BY THIS DECREE.

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“You little know what a ticklish thing it is to go to law.”—*Plautus*.

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“The strictest law sometimes becomes the severest injustice.”—*Terence*.

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“He that will have a cake out of the wheat, must needs tarry the grinding.”  
—*Troilus and Cressida Act 1, Scene 1*.

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During the progress of the Revolutionary War, from the beginning of the year 1776 until the close of 1781, both parties to the Pennamite-Yankee controversy had refrained as well from a discussion of their difficulties as from inimical activities; but promptly on the appearance of the Angel of Peace above the horizon, the Yankees in Wyoming began to experience gloom and darkness instead of clearing skies, and disquietude instead of tranquility.

Fifteen days after the surrender of Cornwallis, to wit, on November 3, 1781, a petition was presented to Congress “from the Supreme Executive Council of Pennsylvania, stating a matter in dispute between the said State and the State of Connecticut, respecting sundry lands lying on the East Branch of the Susquehanna, and praying a hearing in the premises, agreeable to the IXth Article of the Confederation.” The State of Connecticut, through its Representatives in Congress, concurred in the application, but subsequently asked for delay “because that sundry papers of importance in the case are in the hands of counsel in England, and cannot be procured during the war.”

During the ensuing Winter and Spring both parties made preparations for the proposed hearing, and at a meeting of the Representatives in Congress from Pennsylvania and Connecticut, held April 20, 1782, at the house of Attorney General Bradford in Philadelphia, a list was prepared containing the names of sixty-three gentlemen, drawn from the thirteen States of the Union, from whom, after due consideration, Judges to try the cause were selected.

Finally, on August 12, 1782, the Representatives of Pennsylvania and Connecticut entered into a written agreement submitting to a Court of Commissioners, amicably chosen by themselves, but to be appointed and commissioned by Congress, "all the rights, claims and possessions" of the two States in and to the Wyoming lands. The gentlemen who were mutually agreed upon to constitute the Court were as follows: Brig. Gen. William Whipple of New Hampshire, Ex-Gov. John Rutledge of South Carolina, Maj. Gen. Nathaniel Greene of Rhode Island, Lieut. Col. David Brearley and Prof. William Churchill Houston of New Jersey, Judge Cyrus Griffin and Joseph Jones of Virginia.

The names of these gentlemen (together with a full report of the action taken by the Pennsylvania and Connecticut Representatives) were duly submitted to Congress; but a few days later a supplementary report was presented, setting forth that General Greene and Governor Rutledge would be unable to act as Commissioners, and substituting in their stead the Hon. Welcome Arnold of Providence, Rhode Island, and Thomas Nelson, Esq., of Virginia.

Congress, therefore, on August 28, 1782, issued commissions to William Whipple,\* Welcome Arnold,† David Brearley,‡ Prof. William Churchill Houston.§ Cyrus Griffin,¶ Joseph Jones and Thomas Nelson, authorizing and empowering any five or more of them to be a Court of Commissioners, with all the powers,

\*WILLIAM WHIPPLE was born at Kittery, Maine, January 14, 1730. He was in command of a vessel in foreign trade before he was of age; and, when nearly thirty years old, left the sea to engage in mercantile pursuits at Portsmouth, New Hampshire. He was a member of the New Hampshire Committee of Safety in 1775; was elected a Delegate to the Continental Congress in 1775, '76 and '78, and was one of the Signers of the Declaration of Independence. Writing from Philadelphia June 24, 1776, to a friend in New Hampshire, Colonel Whipple said: "Next Monday being July 1 the grand question is to be debated, and I believe will be determined unanimously. May God unite our hearts in all things that tend to the well-being of the rising Empire."

He was a Colonel of militia prior to 1776, was made a Brigadier General in 1777, and commanded a brigade at the battles of Saratoga and Stillwater. The next year he participated in the siege of Newport conducted by General Sullivan. In 1780-'84 he was a member of the General Assembly of New Hampshire; in 1782-'84 he was State Superintendent of Finances, and also judge of the Supreme Court of New Hampshire. From 1784 until his death he was a Justice of the Peace and Quorum. It is noteworthy that he emancipated his slaves, although earlier in life he had been a slave trader. He died at Portsmouth, New Hampshire, November 28, 1785.

†WELCOME ARNOLD was born at Smithfield, Rhode Island, February 5, 1745, the son of Jonathan and Abigail Arnold. He entered upon a business career at an early age, and in the Spring of 1773 became the partner of Caleb Green. With him Mr. Arnold continued in business until February, 1776, when he embarked alone in mercantile business, and soon became extensively concerned in maritime trade. It is said that of thirty vessels and their cargoes which were captured by the enemy, during the Revolutionary War, Mr. Arnold was part owner of each of them. Notwithstanding these heavy losses and reverses he accumulated considerable wealth, especially from his connection with the West India trade.

In 1778 he was elected a member of the General Assembly of Rhode Island, and by successive re-elections was continued in that capacity for a number of years. During the year 1780-'95 he served as Speaker of the House five terms. He also took an active part in the State conventions held for the adoption of the State and Federal Constitutions. He was a Trustee of Brown University from 1783 till his death, which occurred at Providence, Rhode Island, September 30, 1798.

‡DAVID BREARLEY was born near Trenton, New Jersey, June 11, 1745. Admitted to the Bar of New Jersey in 1767 he practiced law at Allentown, New Jersey, and shortly before the breaking out of the Revolutionary War was arrested for high treason against the King. A mob of his patriotic fellow-townsmen rescued him, however, from the hands of the authorities. He joined the Revolutionary Army and rose to the rank of Lieut. Colonel in the 1st New Jersey Regiment, as noted on page 1175, Vol. II; but having been appointed Chief Justice of New Jersey June 10, 1779, he resigned his military commission while in camp at Wilkes-Barré, and repaired to Trenton soon thereafter, as noted on page 1189, Vol. II. (Since that page was printed the writer has seen two or three original signatures of Judge Brearley, and has learned that his surname was spelled "Brearler.") Maj. Joseph Brearley, a brother of Judge Brearley served during the Revolutionary War as an aide on the staff of General Washington without pay.

With William Livingston, William Paterson and William Churchill Houston, all men of renown, Judge Brearley represented New Jersey in the Federal Constitutional Convention of 1787. Later he presided over the New Jersey State Convention which ratified the Federal Constitution. In 1788 he was a Presidential Elector, and in 1789 was appointed Judge of the United States District Court of New Jersey, which office he held till his death. He was one of the compilers of the prayer-book published by the Protestant Episcopal Church of America in 1785. He was elected the first Grand Master of the Grand Lodge of Free and Accepted Masons of New Jersey December 18, 1786, and served as such until his death, which occurred at Trenton, New Jersey, August 16, 1790.

§WILLIAM CHURCHILL HOUSTON was born in Cabarrus County, North Carolina, in 1740, his father being a native of Ireland. He was graduated at the College of New Jersey (Princeton) in 1768, and was forthwith appointed a tutor in the institution. In 1771 he was elected Professor of Mathematics and Natural Philosophy at Princeton, which position he held till 1783, when he resigned. At the beginning of the Revolutionary War he and Dr. Witherspoon were the only Professors in the College, and when Princeton was invaded in 1776, and the students scattered, Professor Houston commanded a scouting-party organized at Flemington, New Jersey, and rendered important services in the counties of Hunterdon and Somerset. He was commissioned Captain in the 2d Battalion of Somerset County February 28, 1776.

In 1777, while still connected with the College, Professor Houston was elected a Representative from Somerset County to the General Assembly of New Jersey. In 1779 he was sent to the Continental Congress from Middlesex County, New Jersey, and served in 1779, 1780 and 1781. In 1783, after retiring from his professorship, he located at Trenton, was admitted to the Bar, and immediately entered on an extensive practice of his profession. In 1784 he was again sent to the Continental Congress, and in 1787, with David Brearley, he was a Representative from New Jersey in the Federal Constitutional Convention. He died at Frankford, Pennsylvania, August 12, 1788.

¶CYRUS GRIFFIN was born in Virginia in 1749. He was educated in England, where he married a lady of noble family. Soon afterward he returned to Virginia and began the practice of law. He gave early adhesion to the patriot cause and became a member of the Virginia Legislature. Early in 1778 he was sent as a Delegate from Virginia to

prerogatives and privileges incident or belonging to a court; "to meet at Trenton, in the State of New Jersey, on Tuesday, the 12th day of November next, to hear and finally determine the controversy between the said State of Pennsylvania and State of Connecticut, so always as a major part of said Commissioners, who shall hear the cause, shall agree in the determination."

Returning now to Wilkes-Barré, we find that early in October, 1782, a town-meeting of the inhabitants of Westmoreland was held here, and that Obadiah Gore and Jonathan Fitch were duly elected to represent Westmoreland in the General Assembly of Connecticut at its semi-annual session, to be held in Hartford, on the second Thursday of October. These gentlemen attended the meetings of the Assembly and were present when an Act was passed to enable The Susquehanna Company and The Delaware Company to collect certain taxes, or assessments, which had been laid on the proprietors, or shareholders, of those companies.

The Act in question set forth "that the purchasers of the native rights to a large tract of land within the limits of this State [Connecticut], and on the west side of the Delaware River, under the name of The Susquehanna Company and The Delaware Company, have, by the consent of this State, made their respective purchases." The Act then declaring that "the proprietors of said rights in said purchases are scattered at great distances from each other, and it becoming necessary to raise monies on said rights for defraying the necessary expenses about the same, and no way being provided for enforcing the collection thereof," authorized and empowered the companies to sell, for unpaid taxes, the lands of the delinquent proprietors.

At this time the Continental Congress was in session at Philadelphia, and on October 18th it passed the following:†

"Resolved, That the post at Wyoming be retained or withdrawn by the commander-in-chief, as he shall think it most for the benefit of the United States, any former resolution of Congress notwithstanding."

As noted on page 811, Vol. II, no meetings of The Susquehanna Company were held from May 24, 1774, till November 13, 1782—so far as can be learned now. On the last-mentioned date a considerable number of the proprietors of the Company, having been "legally warned" and duly notified, assembled at Hartford. Col. Elizur Talcott of Glastonbury, Connecticut, served as Moderator of the meeting, and Samuel Graz, Esq., was Clerk. The meeting continued throughout two days, and the business transacted was as follows:‡

"Voted, That Eliphalet Dyer, Esq., William Samuel Johnson, Esq., Jesse Root, Esq., Samuel Gray and William Judd be chosen Agents for this Company, jointly and severally to act and to make all preparations that are yet necessary to be made, and do any other thing necessary for the benefit of said Company.

"Voted, That Elizur Talcott, Esq., and Phineas Lewis be Collectors for the County of Hartford, Daniel Lyman, Esq., for the County of New Haven. Thomas Morgan of Killingworth and John Owen of New London for the County of New London, Nehemiah Depew for the County of Fairfield, Samuel Gray for the County of Windham, Abraham Bradley, Esq., and Jonas Lawrence, Collectors for the County of Litchfield, and Obadiah Gore, Esq., Collector of Westmoreland County.

"Voted, That Col. Elizur Talcott shall have one full right in said Purchase for his extra services.

"Voted, That the Committee of this Company, or either three of them, be and they are hereby appointed and fully authorized and empowered to make out proper and authentic Power the Continental Congress, and served in that position till 1781. In 1780 he was elected a Judge of the Court of Appeals of Virginia, and in 1787 and 1788 he was again a member of Congress—serving as President of that body in the last-mentioned year. In 1789 he was United States Commissioner to the Creek Nation of Indians. He was President of the Supreme Court of Admiralty so long as it existed, and in December, 1789, he became Judge of the United States Court for the District of Virginia. This office he held till his death, which occurred at Yorktown, Virginia, December 14, 1810.

†See "Journals of Congress", IV: 97.

‡See "Pennsylvania Archives", Second Series, XVIIII: 102.

of Attorney, or Commission, to the Agents appointed at this meeting, namely, the Hon. Eliphalet Dyer, Esq., William Samuel Johnson and Jesse Root, Esq., jointly and severally, or any number of them, to manage and transact all manner of business to be done and transacted on behalf of the said Company before the Commissioners appointed to hear and determine the right, title and jurisdiction, and such like, between the State of Connecticut and the State of Pennsylvania as to the lands west of the Delaware River (part of which land is claimed by this Company), and seal and authenticate such Power, or Commission, on behalf of this Company.\*

"Whereas, The trial of the right of the State to the Western lands is soon to be decided, and the interest of this Company is concerned therein, and it is uncertain whether the taxes already laid by this Company will raise monies sufficient to defray their proportion of the expense of the trial in season,

"Therefore, Voted and Resolved, That the Committee of this Company be, and they are hereby, empowered to sell rights in said Company, not exceeding fifty shares, at such prices as they shall judge fit—in case in their opinion it becomes necessary to raise further sums of money than are already granted, or the taxes shall not be raised in season, to answer the necessary expenses in carrying on the trial of the Cause.

"Voted, That the Collectors appointed at this meeting [be empowered] to collect of the proprietors of The Susquehanna Company the 4 dollars tax granted in March, 1774; and the said Collectors are hereby directed to collect the said tax, and to account with the Treasurer of the said Company for the same by the 30th day of December, 1782; and that the rights of all proprietors that neglect to pay their respective taxes by the 20th of December aforesaid to the Collectors appointed in the County where the said proprietors reside, will be sold in pursuance of an Act of the General Assembly of the State of Connecticut passed in October last; and that all Collectors, heretofore appointed to receive the taxes granted by The Susquehanna Company, be, and they are hereby, called upon to settle immediately with the Treasurer of said Company; and that all proprietors who have not paid their former taxes be directed to pay the same to the Collectors named in their vote, and that this vote be published in all the newspapers in this State as soon as may be.

"Voted, That this Company do give and grant to the Hon. Eliphalet Dyer, William Samuel Johnson and Jesse Root, Esq., to each of them, their heirs and assigns, one whole right, or share, in the Susquehanna Purchase of Land, as a gratuity to them; and that Samuel Gray, Clerk to this Company, give to each of said gentlemen a proper certificate therefor.

"Voted, That a triangular tract, or piece, of land situate on the mountain on the west side of the East Branch of the Susquehanna River, abutting on the towns of Kingston, Plymouth, Bedford and Northmoreland,† be, and the same is hereby, appointed and set out to Maj. William Judd, for such proportion of land in the Susquehanna Purchase as the Committee of Settlers, or either two of them, shall judge the same to be equal in value to, compared with the Susquehanna Purchase at large; and that the said Judd be debarred from any claim for such rights or parts of rights, belonging to him the said Judd in the Susquehanna Purchase, that may be esteemed equal to the grant aforesaid, and considered as laid upon the land aforesaid. That the said granted premises be, and the same are hereby, fully aparted from the general interests of the Company, and to be enjoyed by him the said Judd and his heirs, in severally.

"Voted, That the Committee, Samuel Gray, Esq., and Major Judd, be desired to address the Governor and Legislature of the Commonwealth of Massachusetts, desiring them to furnish such documents and papers, to be found in the records and files of that State, which will reflect any light on the cause depending between the States of Connecticut and Pennsylvania and The Susquehanna Company; and inform them that, if the Commonwealth, on their behalf, should see fit, at their expense, to appoint any person to attend that trial, the Company have directed their Committee to furnish him with a Power of Attorney in behalf of the Company, and the Committee are empowered to do the same."

Two of the seven Commissioners appointed by Congress to hear and determine the Pennsylvania-Connecticut controversy, to wit: Messrs. Brearley and Houston, met at Trenton November 12, 1782. Their commissions being formally read, they were duly sworn, and then adjourned from day to day till November 18th. On that day Messrs. Whipple, Arnold and Griffin appeared, when, they having been duly sworn, the Court was declared to be lawfully constituted, and General Whipple was elected President, and Col. John Nelson‡ of New Brunswick, New Jersey, was appointed Clerk, of the Court.

\*The Power of Attorney thus authorized was executed at Hartford November 15, 1782, by Samuel Talcott, Samuel Gray and William Judd, "a Committee of The Susquehanna Company", and constituted and appointed Eliphalet Dyer, William Samuel Johnson and Jesse Root "Agents and Attorneys for the Company before the Commissioners at Trenton." The original document is now among the "Trumbull Papers", mentioned on page 29, Vol. I.

†See the map facing page 468, Vol. I.

‡JOHN NELSON was born at New Brunswick March 11, 1745. He was educated in Philadelphia, and became a merchant in his native town. In August, 1776, he was appointed and commissioned Colonel of the 2d Regiment of Middlesex County (New Jersey) Militia. He was a delegate from New Jersey to the Continental Congress in 1778 and '79. In 1800 and 1801 he represented New Brunswick in the State Legislature. He died at New Brunswick, March 3, 1833.

Henry Osbourne,\* Esq., appeared as "solicitor", and Col. William Bradford, Jr.,† Joseph Reed,‡ James Wilson,§ and Jonathan Dickinson Ser-

\*HENRY OSBOURNE was a Philadelphia lawyer of peculiar ability, who gathered together the documentary evidence and marshaled the general facts for use in the case. He was a Notary Public in 1781 and later years, and in 1780 was Judge Advocate in the Pennsylvania militia.

†WILLIAM BRADFORD, JR., was born in Philadelphia September 14, 1755, the son of Col. William Bradford, printer and soldier, who established at Philadelphia in 1742 the *Pennsylvania Journal*. He assailed the pretensions of the British Government with respect to the American Colonies, and inveighed against the Stamp Act. (See page 588, *et seq.*, Vol. I.) When the Revolutionary War broke out, he joined, as Major, the Pennsylvania militia, later being promoted Colonel. He fought at the battle of Trenton and Princeton, being wounded at Princeton.

William Bradford, Jr., was graduated at Princeton in 1772; then studied law with Edward Shippen, and was admitted to the Bar of the Supreme Court of Pennsylvania in 1779. During the war he served two years as Deputy Muster-master General, with the rank of Lieut. Colonel. In 1780 he was appointed Attorney General of Pennsylvania. In 1784 he was married to a daughter of Elias Boudinot of New Jersey. He was appointed a Judge of the Supreme Court of Pennsylvania August 22, 1791, and by appointment of President Washington, January 8, 1794, he succeeded Edmund Randolph as Attorney General of the United States. He died August 23, 1795.

‡JOSEPH REED was born at Trenton, New Jersey, August 27, 1741. He was graduated at Princeton College in 1757, and then, having studied law with Robert Stockton, was admitted to the Bar of New Jersey in 1763. Later he went to London, where he spent two years as a law student in the Middle Temple. On his return to this country he practiced his profession at Trenton, but in the Fall of 1770 removed to Philadelphia. In January, 1775, he was elected President of the Second Provincial Congress.

On the appointment of Washington to command the American forces (see page 821, Vol. II), Joseph Reed became his Military Secretary, and served as such until October, 1775. In January, 1776, he was chosen a member of the General Assembly of Pennsylvania, and June 5, 1776, was appointed Adjutant General of the American army, with the rank of Colonel. He was exceedingly active in the campaign that terminated with the battle of Long Island. Early in 1777 he was appointed Brigadier General, and was tendered the command of all the American cavalry; while on March 20, 1777, he was appointed Chief Justice of Pennsylvania—the first under the new constitution of the State. He declined both these appointments, preferring to be attached to Washington's headquarters as a volunteer aide without rank or pay.

In December, 1778, Colonel Reed was chosen President of the Supreme Executive Council of Pennsylvania. (see page 881, Vol. II), and held the office for three years. During his term of office he aided in founding the University of Pennsylvania at Philadelphia, and favored the gradual abolishing of slavery in the State, and the doing away of the Proprietary powers of the Penn family. In 1781 he resumed the practice of his profession at Philadelphia. He died there March 5, 1785.

§JAMES WILSON was born near St. Andrews, Scotland, September 14, 1742. After receiving an education at the Universities of St. Andrews, Glasgow and Edinburgh, he emigrated to this country about 1763. For some time he remained in New York City, and then in 1766 removed to Philadelphia. There he studied law with John Dickinson (see a sketch of him in the ensuing chapter), and was admitted to the Bar of Pennsylvania in 1767. He began to practice his profession in Reading, Pennsylvania, but soon removed to York (see page 725, Vol. II), and later to Carlisle, where he made a reputation as a lawyer before the War for Independence began.

He was a member of the Pennsylvania Provincial Convention which met at Philadelphia January 23, 1775. An extract from an interesting speech on "Loyalty to Law", which Mr. Wilson delivered in that Convention, in vindication of the Colonies, will be found in the "Library of American Literature," III: 260. In November, 1775, in July, 1776, and again in March, 1777, he was elected to the Continental Congress. He, John Morton and Benjamin Franklin were the only members of the Pennsylvania delegation in the Congress who voted for the adoption of the Declaration of Independence on July 4, 1776.

When hostilities between the mother country and the Colonies began, James Wilson was elected Colonel of a battalion of militia raised in Cumberland County, Pennsylvania, and took part in the New Jersey campaign of 1776. In 1779 he was living in Philadelphia, at the south-west corner of Third and Walnut Streets, in a large stone house which was subsequently known as "Fort Wilson"—for reasons fully set forth in the *Pennsylvania Magazine of History*, XXV: 24, *et seq.* He was appointed Advocate General for the French Government in the United States June 5, 1779, and December 31, 1781, was appointed by Congress a Director of the newly-created Bank of North America. He was appointed a Brigadier General of militia May 23, 1782, and on the 12th of November of the same year (on the day fixed for the meeting of the Court of Commissioners at Trenton) he was re-elected to Congress—taking his seat therein January 2, 1783. He was not a member of Congress in 1784, but was returned in 1785, and continued to be a member until the adoption of the Federal Constitution.

He became a leader of the Federal political party in 1787, and being elected a member of the Federal Constitutional Convention held in that year he took a very active and prominent part in its doings—making, in the course of the debates, 168 speeches. Concerning him McMaster (in his "History of the People of the United States," I: 421) states: "Of the fifty-five delegates for the work that lay before him. The Marquis de Chastellux, himself a no mean student, had been struck with the wide range of his erudition, and had spoken in high terms of his library. 'There,' said he [in his "Travels in North America in the Years 1780-'82"], 'are all our best authors on law and jurisprudence. The works of President Montesquieu and the Chancellor D'Aguesseau hold the first rank among them, and he makes them his daily study.' This learning Wilson had in times past turned to excellent use, and he now became one of the most active members of the Convention. None, with the exception of Gouverneur Morris, was so often on his feet during the debates, or spoke more to the purpose."

Mr. Wilson was also a member of the Pennsylvania Convention which ratified the Federal Constitution, and the Hon. James Bryce, the author of "The American Commonwealth" and other works, has declared, in writing of the speeches delivered by Mr. Wilson in the Federal Constitutional Convention and in the Pennsylvania Convention, that "they display an amplitude and profundity of view in matters of constitutional theory which place him in the front ranks of political thinkers of his age."

In October, 1789, Washington appointed Mr. Wilson an Associate Justice of the United States Supreme Court, and he remained in that office till his death. In 1790 he was appointed Professor of Law in Philadelphia College, which conferred on him in that year the degree of LL. D. He was a member of the Pennsylvania Constitutional Convention which framed a new Constitution for the State in 1790, and he was joint-author with the Hon. Thomas McKean of "Commentaries on the Constitution of the United States," published in 1792. William Bayle, a great leader of the Philadelphia Bar a hundred years ago, in an address before the Associated Members of the Bar in 1823, said, referring to James Wilson: "It must, however, be confessed, that Mr. Wilson on the Bench was not equal to Mr. Wilson at the Bar; nor did his law lectures entirely meet the expectation that had been formed."

Prior to the year 1795, Mr. Wilson, like so many Pennsylvanians of his time, speculated widely and deeply in the lands of the State—as noted on page 653, Vol. II. He became in consequence, indebted in large amounts to a number of men; among others, to Pierce Butler, a native of Ireland, who was a Representative from South Carolina in the Federal Constitutional Convention, and was a United States Senator from South Carolina from 1789 to 1796.

At that time the infamous rule of the Common Law, giving to a creditor the right to cause the imprisonment of his debtor, was enforced by the courts of this country. Of this inhuman remedy Pierce Butler availed himself, and Mr. Wilson was thrown into prison at Edenton, North Carolina—not because he had committed any crime, but because, through unfortunate speculations, he could not pay his debts. To the grief and humiliation caused by this imprisonment was due the despair which led him to commit suicide on August 28, 1798 (*not* 1797, as erroneously printed on page 653), while still in confinement at Edenton. In 1906 the remains of Mr. Wilson were dis-interred at Edenton and conveyed to Philadelphia, where, on November 22 (having first lain in state in Independence Hall, where, 130 years before, Mr. Wilson had voted for and signed the Declaration of Independence), they were reinterred with signal honors and impressive ceremonies in the yard of old Christ Church, on North Second Street.

The Rev. Bird Wilson, D. D., for some years a minister of the gospel in New York City, was a son of James Wilson.

gent\* appeared as "counsellors and agents," for Pennsylvania; while Col. Eliphalet Dyer,† Dr. William Samuel Johnson‡ and Jesse Root,§ Esq., were present as counsel and agents for Connecticut.

At Trenton, under the date of November 18, 1782, Attorney General Bradford wrote to the Hon. John Dickinson, President of the Supreme Executive Council of Pennsylvania, in part as follows:¶

"They [the Commissioners] have adjourned until to-morrow at ten o'clock, at which time we apprehend that the Agents for Connecticut will move that the trial be postponed until the settlers (who will be affected by the determination) can have notice. This strange idea seems to be suggested merely for the purpose of delay, and we conceive will not be adopted by the Court. Under this circumstance it is impossible for us at present to say when the witnesses will be wanted. We should, however, be extremely glad if the original Charter and the Indian deeds could be forwarded with all despatch. Some circumstances may occur that will render it necessary for us to be armed at all points, and to rely as little as possible on the hopes of indulgence." \* \* \*

Upon the opening of the Court on November 19th the counsel for Connecticut presented for consideration a document in the following words:¶¶

"The Agents of the State of Connecticut, saving to themselves all advantages of other and further defense in said cause, beg leave to suggest, inform, and give the Court to understand, that there are many persons who are tenants in possession of the lands in controversy, holding, improving and claiming large quantities of said lands under titles from the States of Pennsylvania and Connecticut respectively (particularly the two large companies of Delaware and Susquehanna, consisting of more than 2,000 persons, many of whose people are in possession, improving and holding large tracts of said land in controversy, under title from the State of Connecticut); whose titles under said States, respectively, will be materially affected by the decision in this case, yet have not been cited or in any way legally notified to be present at said trial to defend their titles respectively—which, by the rules of proceeding in a court of justice, ought to be done before any further proceedings are had in said cause.

"And thereupon the said Agents move this honorable Court to cause said companies of Delaware and Susquehanna, and other tenants in possession, holding under title from either of said States, to be duly cited, in some proper and reasonable manner, to appear and defend at said trial, if they see cause, before any further proceedings are had in said cause. And of this they pray the opinion of this honorable Court."

After listening to arguments by counsel on the questions raised by the foregoing motion, the Court adjourned until the next day, at which time the motion was overruled, on the ground that the same could "not be admitted according to the construction of the IXth Article of the Confederation", or compatibly with the tenor and design of the commission under which the Court was acting. This commission, it should be explained, was founded on the *second*

\*JONATHAN DICKINSON SERGEANT was born at Newark, New Jersey, in 1746. He was a grandson of Jonathan Dickinson, the first President of the College of New Jersey (Princeton). He was graduated at Princeton in 1762, then studied law, and began its practice in New Jersey. He took his seat in the Continental Congress a few days after the Declaration of Independence was signed. He sat as a Delegate in Congress in 1776 and 1777, and in July, 1777, became Attorney General of Pennsylvania. In 1778, Congress having ordered a Court Martial for the trial of Gen. Arthur St. Clair, and other officers, in relation to the evacuation of Ticonderoga, Mr. Sergeant was appointed by that body, with William Patterson of New Jersey, to assist the Judge Advocate in the conduct of the trial. In 1780 Mr. Sergeant resigned the office of Attorney General, and settled in practice in Philadelphia.

When the yellow fever visited Philadelphia in 1793 Mr. Sergeant was appointed a member of the City Health Committee, and in consequence refrained from leaving the city. He distributed large sums of money among the poor, nursed the sick, and was active in promoting and carrying out general sanitary measures. Unfortunately he fell a victim to the epidemic, and died at Philadelphia October 8, 1793.

Two of the sons of Jonathan Dickinson Sergeant were: John, born at Philadelphia, December 5, 1779, and attained prominence as a lawyer. Thomas, born at Philadelphia, January 14, 1782, and became Attorney General of Pennsylvania.

†For a sketch and portrait of Colonel Dyer see page 393, Vol. I.

‡For a sketch of Dr. Johnson see page 478, Vol. I.

§JESSE ROOT was born at Coventry, Tolland County, Connecticut, December 28, 1736, and was graduated at Princeton College in 1756. For several years following his graduation he served as a minister of the gospel, but having studied law meanwhile he was admitted to the Bar of Connecticut in 1763, and settled at Hartford in the practice of his profession. In the year 1766 the honorary degree of Master of Arts was conferred upon him by both Yale and Princeton Colleges.

Early in 1777 he raised, and took command of, a company of Connecticut men, with which he joined Washington's army at Peekskill. Shortly afterwards he was appointed and commissioned Lieut. Colonel. He was a member of the Continental Congress from Connecticut in 1779-'80, 1780-'81, 1781-'82, 1782-'83, and 1788-'89. In 1789 he was appointed a Judge of the Superior Court of Connecticut, and held the office till 1793. He became Chief Judge in 1798, and continued as such till 1807. Subsequently he served as a member of the Connecticut Assembly. In 1800 Yale College conferred upon him the honorary degree of LL. D. He was a member of the American and Connecticut Academies of Arts and Sciences, and edited and published "Reports of Cases Adjudged in the Courts of Errors in Connecticut" (2 Vols.), Hartford, 1789-1802. He died at Coventry March 29, 1822.

¶See "Pennsylvania Archives," Old Series, XI: 331.

¶¶See Miner's "History of Wyoming", page 444.



paragraph, or section, of the IXth Article. The determination by the Court of the claims of private property, or right in the soil, would have been *coram non judice*—jurisdiction over such claims being derived from the *third* paragraph of Article IX.\* The two jurisdictions could not be blended.

Having failed in this matter the next move of the Connecticut counsel was to suggest that they might find it necessary to ask for an adjournment or postponement of the hearing, in order—as they set forth in writing—to prosecute their efforts to obtain possession of (1) “a certain original deed from the Indians for a large parcel of the lands in dispute, obtained from their Chiefs and Sachems at their Council Fire in Onondaga, in the year 1763, which is now in England, having been left there before the commencement of the present unhappy war, and which we have never since been able to obtain; and (2) other necessary evidence and proofs which, on examination, we find we are not at present possessed of, and which may be wanted in said trial.”

To this “suggestion” the counsel for Pennsylvania declared that they would oppose any postponement or adjournment after the introduction of evidence had been begun. The Court took the papers submitted by counsel, and the matter rested there—not being brought up again during the progress of the case.

On the second day of the hearing (November 20, 1782) Attorney General Bradford wrote from Trenton to President Dickinson of the Supreme Executive Council of Pennsylvania, at Philadelphia, as follows:†

“I beg leave to inform your Excellency and the Council that the Court of Commissioners have at length proceeded to business. We, however, are still upon the threshold of the Cause, and whether we shall proceed any farther is still undetermined. The Agents for Connecticut seem determined to use every endeavor to prevent a decision of the Cause. First, they demanded that the original petition which was presented to Congress should be produced; an argument ensued, and they were overruled. Next, they objected to the validity of our agency, and contended that we had no authority to appear before *that* Court. After argument the Court held our powers to be sufficient. After this, they contended that the Court could not proceed unless the *terre-tenants*, or others claiming lands in the contested territory, were summoned and made parties in the suit. This they warmly contended for, but were as unsuccessful as before.

“At the next meeting of the Court we moved that the Court would proceed to hear the Cause. The Agents prayed for time to have a conference with us, which they alleged might prevent any further motions to delay the Cause. It was granted to them, and their proposal to us has been, that we will admit *ex-parte* depositions, and concede that there is in England a certain Indian deed, of part of the lands in question, fairly executed, made to The Susquehanna Company, and of which they have no copy. These proposals met with the answer that might have been expected, and, in consequence of our refusal, they propose to move that the Cause shall not be heard till they can procure the witnesses and the deed. We trust that they will not be gratified in this unreasonable request. If they can prove such a deed to have existed, and that it is in possession of the enemy, no doubt its contents may be given in evidence.

“The spirit, however, which has been discovered on these occasions, induces us to wish for evidence the most legal and unexceptionable. If the Charter and Indian deeds cannot be procured, we could wish that the records of them were brought forward.” \* \* \*

\*The second and third paragraphs of Article IX of the “Articles of Confederation and Perpetual Union” between the thirteen American States, adopted at Philadelphia November 15, 1777, read in part as follows:

§2.—“The United States in Congress assembled shall also be the last resort on appeal in all disputes and differences now subsisting or that hereafter may arise between two or more States concerning boundary, jurisdiction, or any other cause whatever; which authorities shall always be exercised in the manner following. Whenever the legislative or executive authority or lawful agent of any State in controversy with another shall present a petition to Congress, stating the matter in question and praying for a hearing, notice thereof shall be given by order of Congress to the legislative or executive authority of the other State in controversy and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint, by joint consent, commissioners, or judges, to constitute a court for hearing and determining the matter in question; but if they cannot agree, Congress shall name three persons out of each of the United States, and from the list of such persons each party shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen; and from that number not less than seven, nor more than nine, names as Congress shall direct, shall, in the presence of Congress, be drawn out by lot, and the persons whose names shall be drawn, or any five of them, shall be commissioners, or judges, to hear and finally determine the controversy; \* \* \* and the judgment and sentence of the court to be appointed in the manner before prescribed shall be final and conclusive; \* \* \* the judgment or sentence, and other proceedings, being in either case transmitted to Congress and lodged among the Acts of Congress for the security of the parties concerned \* \* \*

§3.—“All controversies concerning the private right of soil claimed under different grants of two or more States, whose jurisdictions (as they may respect such lands, and the States which passed such grants) are adjacent—said grants, or either of them, being at the same time claimed to have originated antecedent to such settlement of jurisdiction—shall, on the petition of either party to the Congress of the United States, be finally determined as near as may be in the same manner as is before prescribed for deciding disputes respecting territorial jurisdiction between different States.”

†See Hoyt’s “Brief of a Title in the Seventeen Townships in the County of Luzerne”, page 43

At Philadelphia, under the date of November 23, 1782, Joseph Reed, of the counsel for Pennsylvania at Trenton, wrote to Vice President Moore of the Supreme Executive Council of Pennsylvania, as follows:\*

\* \* \* "I arrived this evening from Trenton, and am sorry to inform you that the proceedings of the Agents on the part of Connecticut manifest the utmost intentions to postpone the hearing of the cause and break up the Court without a decision on the merits. After objecting to our powers, to the non-production of the original petition, and want of notice to the settlers—in all which, after long arguments, they were overruled—they prayed that the Cause might proceed with a reservation of moving an adjournment of the Cause at any stage of it; at the same time adding that they had left sundry papers in England, essential to the merits, of which they gave a verbal detail. \* \* \* Among the papers said to be in England, they lay great stress on the Indian deeds, which they allege to have been left in that Kingdom." \* \* \*

At Trenton, under the date of December 3, 1782, Joseph Reed wrote to the Hon. George Bryan, a former Vice President of the Supreme Executive Council of Pennsylvania, in part as follows:†

"The Agents of Connecticut have brought their testimony down to their Indian deeds; but here is a lamentable failure. Their best deed was carried to England, and a Welsh attorney carried it down with him to that country, and there it stands pledged for a Counsellor Gardiner's debts. The other was brought here, and has been lost since their arrival. Dyer having told us it was much blurred and blotted, but that they had a fair copy. We, you may be sure, have our suspicions. Sergeant just now asked him [Dyer] if he had looked in his breeches. I suppose you have heard the anecdote of the stockings.

"Yesterday they attempted to read the proceedings of The Delaware Company on the Susquehanna [*sic*], that is, the work of the adventurers on the land in dispute. This point is now before the Court for consideration. Our cause at present stands fair enough, but I foresee it will be very tedious. Colonel Dyer will submit to no order; he speaks twenty times a day, and scarcely ever finishes one sentence completely. Dr. Johnson is the ablest man in the agency; he is a good speaker, and is a man of candor. Our Court, pretty well as courts go. When you write, be careful as to opportunities. I mean, don't trust suspicious hands.

"P. S.—Since writing the above, the Court determined not to admit the copy, and soon after the miserable original [Indian deed] was found. What can we think of these folks!"

At Trenton, under the date of December 13, 1782, Joseph Reed wrote again to George Bryan, in part as follows:‡

"We have now got to summing up the cause, and I think, without being too sanguine, we may justly expect a full decree in our favor. It was agreed to speak alternately. Mr. Root began, making use chiefly of [the Rev. Benjamin] Trumbull's Pamphlet§ as a brief. It was very dull, and much said of the policy of taking off this grant for a new Colony, &c., &c. We expected that each would take up two days, as the evidence is multifarious and prolix, but he finished in two hours, or a little more. Mr. Sergeant followed him, and though he evidently abbreviated, he took up Wednesday and Thursday.

"Mr. Wharton came up there to give evidence of the disclaimer of the Indians at Fort Stanwix, but the fear of offending the Delegates from Connecticut was remarkably visible the whole time he was here.

"To-day Colonel Dyer goes on, and we expect much amusement, though little information. Perhaps we may be surprised; as, indeed, we shall be, if he argues with ability or judgment. Thus we stand at present, and have now a reasonable prospect of dismissal next week, which is the least time that has ever been spent on such a cause. The dispute between New York and New Jersey took up three months. We all grow impatient, but I do not mean to leave this [place] till we have finished."

It will not be possible, in these pages, to give more than a brief account of the proceedings before the Trenton Court of Commissioners. For many of the details of the hearing—the "briefs", or "notes", of some of the counsel, certain of the official minutes recorded by the Clerk of the Court, and for interesting data of a technical and legal character—the reader is referred to "Pennsylvania Archives", Old Series, IX: 679-724, and "Brief of a Title in the Seventeen Townships in the County of Luzerne", by the Hon. Henry M. Hoyt, LL. D., sometime Governor of Pennsylvania.

The claim of Pennsylvania, set forth in the "Statement and Representation" filed with the Court by the counsel for the State, is printed in Miner's "History

\*See Hoyt's "Brief", previously mentioned, page 44

†See William B. Reed's "Life of Joseph Reed", II: 388, 389.

‡See William B. Reed's "Life of Joseph Reed", II: 389.

§Mentioned on page 803, Vol II

of Wyoming", page 70-72. In support of their claim the Pennsylvanians attacked the Connecticut charters, patents and deeds, so far as their alleged application or reference to lands within the claimed bounds of Pennsylvania was concerned. In brief, the Pennsylvanians held:

I. That in the time of Charles II, the geography of this country was little understood, and the breadth of the continent unknown; and that the King was mistaken and deceived when he used such general words in his charter to Connecticut as, if literally construed, would convey an extent of 3,000 miles.\*

II. That it was not the understanding, as appears from the state of the Colony when the charter was granted, that the boundaries of Connecticut extended westward far beyond the Connecticut River.

III. That Connecticut, on several occasions, had waived or, by admissions, estopped herself from asserting, her title to lands west of New York.

IV. That the long silence and non-claim of Connecticut, as to the western lands, had acted as a waiver of her charter right, or, rather, as an evidence of her want of such right.

V. That the charter ought not to be so construed as to include the land in question, because of the immensity of the country which would be embraced within the charter limits.

VI. That the charter gave no title west of New York, because of the interjacency of another Province.

VII. That the title of The Susquehanna Company was defective on these grounds: (i) The Company never had a formal grant from the Colony of Connecticut; (ii) Acts of Parliament are never used to grant lands—the alienation of lands being executive, not legislative; (iii) the Colony of Connecticut received nothing from the Company as a consideration for those lands; (iv) Connecticut never passed any law granting lands to the Company in the Province of Pennsylvania; (v) the Company made its purchase from the Indians, contrary to the laws of Connecticut; (vi) Connecticut never granted the land by any formal grant; (vii) the Company never had a sealed patent.

VIII. That the King, in 1763, forbade the settling of this territory.†

IX. That the Indian deed of July 11, 1754, to The Susquehanna Company was null and void—in fact, absolutely worthless—on these grounds: (i) the description of the land, and other material parts, being written on erasures, and in ink different from that used in the major part of the deed; (ii) the deed having been executed at different times and before different subscribing witnesses; (iii) it not having been executed in the open, public, national manner in which the Indians were accustomed to sell and transfer their lands; (iv) it being clandestine, and deceptive in that the amount of the consideration is stated as £2,000, when it was only 2,000 dollars; (v) it being denied by the Six Nation Indians as an act of their confederacy.

Particular stress was laid by the Pennsylvanians on the slovenly and defective character of the last-mentioned deed,‡ and it must be admitted that it

\*See pages 242-244, Vol. I.

†In reply to this point the Connecticut agents averred that the order of the King referred to was procured upon *ex-parte* representations made by the Proprietaries of Pennsylvania, and that the King himself, having granted the lands by charter, had no authority reserved to forbid the settlement. In this connection see pages 414 and 415, Vol. I.

‡This deed, the manner in which it was executed, and the opposition early made to it on account of its alleged spuriousness and invalidity, etc., are described at considerable length on pages 269-292, 300, 301, 302, 303, 304, 305, 307, 332, 396, 400, 410, 413, 416, and 830.

In this connection we desire to correct an erroneous statement made on page 280, to the effect that the name of only one woman appears in the list of grantees in the deed. The names of two women appear—the second being that of "Rachel Millner", to be found in the third column on page 273, *ante*.

bears on its face every evidence of having been written and executed in a bungling and ship-shod manner. The names of the grantors in the body of the deed, the amount of the consideration money, the description of the territory granted and the date of the execution of the document are all in a different handwriting from, and written with blacker ink than, the major part of the deed. In the list of grantees the name of John Henry Lydins has been carelessly erased, and that of Abraham Lansing substituted. The descriptive part of the deed begins at the top of page "II" of the document (see the photo-reproduction of the same facing page 276, Vol. I), and the lines from the third to the sixth, inclusive, are written on an erasure.

Undoubtedly the principal proprietors of The Susquehanna Company early conceived the desirability—yea, the necessity—of having a more complete and perfect deed for their Purchase, and so, in the Summer of 1763, they obtained, from a number of the chief men of some of the tribes of the Six Nations, a brand-new deed for the Wyoming lands—as narrated on page 417, Vol. I.

This deed (with other important papers relating to The Susquehanna Company) was carried to London, in August, 1763, by Colonel Dyer, and when he returned to America, in October, 1764, he left the papers of the Susquehanna Company in the hands of John Gardiner, Esq., of the Inner Temple. The latter gentleman, it seems, later got into some kind of trouble, and "ran away from London without first turning over to a representative of The Susquehanna Company, the deed and other papers belonging to the Company which were in his hands."\* Colonel Dyer subsequently made several attempts to regain possession of these papers—particularly the Indian deed—but without success.

The common belief of the chief men of The Susquehanna Company *circa* 1782, seems to have been that Gardiner had sent the papers to Colonel Dyer, but that they fell into the hands of a certain agent of the Pennsylvania land-claimers. This belief was plainly set forth years later by Col. John Franklin (see page 1227, Vol. II), in a communication printed in the *Wilkes-Barre Gazette* of September 23, 1800, and reading in part as follows:

"The papers alluded to were left with Col. John Gardiner, of London, agent for the Susquehanna and Delaware Companies. Col. E. Dyer, who had left the papers with said Gardiner, sent for them a short time before the Revolutionary War. He received a letter from said Gardiner—or, at least, the cover of a packet—that had been gutted of its contents, except a few papers of little consequence. It is since in proof that the aforesaid Indian deed and many other important papers, by some means unknown to the Connecticut agents or The Susquehanna Company, fell into the hands of John Rome of New York some time in 1774, who delivered them to Col. Cornelius Cox,† who then lived, and still lives, near Harrisburgh; that the said Cox, sometime in 1776, sent said papers to Col. [Turbutt] Francis‡ and ——— Lukens,§ Esq., of Philadelphia—the said Francis and Lukens being principally concerned for the Pennsylvania Proprietaries; that after the decease of Colonel Francis in [1777] said papers fell into the hands of Tench Cox, then of Philadelphia and now of Lancaster, Pennsylvania [and Secretary of the Land Office of Pennsylvania]. It is also in proof that the said Tench Cox has said that he 'delivered the said papers to one of the Pennsylvania agents (to wit: the late Judge Wilson) a short time before the Trenton trial.' Neither the State of Connecticut nor The Susquehanna Company has ever yet been able to procure them."

Further, with respect to the Indian deeds of 1754 and 1763, we have the testimony of the Rev. Jacob Johnson (see page 744, Vol. II), given in January, 1787, to Col. Timothy Pickering, and recorded by him at that time in his diary,<sup>||</sup> as follows:

\*See pages 440, 443, and 504, Vol. I.

†See note, page 1192, Vol. II.

‡See page 489, Vol. I, and 664, Vol. II.

§JOHN LUKENS, sometime Surveyor General of Pennsylvania. See notes on pages 654 and 861, Vol. II.

<sup>||</sup>See the original MS. diary of Colonel Pickering among the "Pickering Papers" (LVII: 39), mentioned on page 29, Vol. I.

"He [Johnson] believed the Charter of Connecticut was better than that of Pennsylvania; that the Indian deed was a good one; that the original produced at Trenton was not the *fair one*, and was only kept by the Company, but not intended to be used. That after receiving that [one] of the Indians, the Company got another, in a fuller assembly of the Indians, and *this* was perfectly fair. That this had been sent to England. That it had been returned, and fell into the hands of the Pennsylvanians, who kept it and would not produce it at the Federal Court, and they still had it."

Still further, with respect to the disappearance of the deed of 1763, we have the following, to be found in a memorial\* presented to the General Assembly of Connecticut, at Hartford, May 10, 1787, by Col. John Franklin, "in behalf of himself and the rest of the inhabitants settled upon the rivers Delaware and Susquehanna."

"That the Penns, by their agents having by mere accident possessed themselves of the Indian Deed to the purchasers, and many other important papers—evidences of the title of this State to the lands aforesaid—applied to the Congress of the United States for the constituting of a Federal Court for the settlement of the jurisdiction, &c. \* \* \* Your memorialists are now able to prove beyond contradiction that the aforesaid deed and evidences of title were actually in the hands of the agents of the State of Pennsylvania before that State made their application to Congress for the establishment of said Federal Court, and that they secreted them until after the aforesaid decree, and now have them in their power and custody."

With respect to the missing deed of 1763, Miner says ("History of Wyoming," page 101):

"The deed was left by Colonel Dyer in the hands of an agent in England, from whom it was, as is alleged, unfairly obtained by the opposite party, who had it in possession in Philadelphia in 1782, and could and would have produced it at the Trenton trial if it had been vitiated by interlineation; and as they did not, the presumptions were all in favor of its fairness."

What ultimately became of the missing Indian deed of 1763, we are unable now to learn.†

The counsel for Connecticut were well convinced, some time before the trial at Trenton began, that, in the absence of the deed of 1763, they would have to rely on their deed of July 11, 1754; and so, in the Summer of 1782, they had this deed duly recorded among the archives of The Susquehanna Company at Windham, Connecticut, and then, on October 26, 1782, in the office of the Secretary of State of Connecticut—as related on page 289, Vol. I. At the same time the deed from the Indians to The Delaware Company was recorded in the office of the Secretary of State—as mentioned on page 294, Vol. I.

Also, in preparation for the trial at Trenton, the agents of Connecticut obtained in October, 1782, the affidavits of the Hon.\*Stephen Hopkins, Lieut. Col. Thomas Dyer, Capt. Vine Elderkin, Allen Wightman, Cyprian Lothrop and Capt. William Gallup, hereinbefore printed.‡ But whether or not these affidavits, as well as the deposition of the Earl of Stirling§ (taken at the instance of the agents for Pennsylvania), were admitted as evidence by the Trenton Court, we are not able now certainly to determine; but presumably and undoubtedly they were.

The hearing of the cause, including the arguments of counsel, continued until December 24, 1782, when the closing argument was made by Mr. Root. The Court then took possession of the various briefs, records and exhibits which had been filed in the case, and proceeded to consider them in secret. On Monday,

\*The original is "No. 172" in the collection of documents mentioned in paragraph "(3)", page 29, Vol. I.

†At Wilkes-Barré, under the date of July 13, 1801, Judge Thomas Cooper and Gen. John Steele, Commissioners under the "Compromise Act" of April 4, 1799, and its supplements, wrote to the Hon. Tench Coxe, Secretary of the Pennsylvania Land Office, in part as follows: "You are also of opinion that, for the purpose of ascertaining whether the seventeen townships are all within the bounds of the purchase of The Susquehanna Company, we ought to demand inspection of the Indian Deed. We believe that Mr. [John] Franklin has lately [within these two months] procured from a Mr. Peppom, of Albany, the original deed; but we are persuaded he would not entrust us with it, nor do we know upon what fair plea to insist upon it."—*Pennsylvania Archives*, Second Series, XVIII: 455.

‡See pages 291, 475 and 477, Vol. I, and page 630, Vol. II.

§See pages 288 and 289, Vol. I.

December 30, 1782, the Court reconvened, and pronounced the following decree\*:

"This Cause has been well argued by the Learned Council on both sides.

"The Court are now to pronounce their Sentence or Judgment.

"We are unanimously of Opinion that the State of Connecticut has no right to the Lands in Controversy.—

"We are also unanimously of Opinion that the Jurisdiction and Pre-emption of all the Territory lying within the Charter boundary of Pennsylvania and now claimed by the State of Connecticut do of Right belong to the State of Pennsylvania.—

[Signed]

"WM. WHIPPLE

"WELCOME ARNOLD

"DAV'D BREARLEY

"CYRUS GRIFFIN

"WILLIAM C. HOUSTON."

"Trenton, 30th Dec'r, 1782.

In forwarding to the Hon. John Dickinson, President of the Supreme Executive Council of Pennsylvania, a copy of their Decree, the Commissioners sent a letter† (written by President Whipple) reading as follows:

"TRENTON, 31st December, 1782.

"Sir: We take the liberty to address your Excellency, as private citizens lately honored with a Commission to hear and determine the controversy between the State of Pennsylvania and Connecticut, relative to disputed Territory.

"In the course of executing this Commission we have found that many Persons are, or lately have been, settled on the lands in Question. *Their individual claims could, in no Instance, come before us, not being within the line of our appointment.* We beg leave to declare to your Excellency that we think *the situation of these People well deserves the notice of Government.* The dispute has long subsisted. It may have produced Heats and Animosities among those living in or near the Country in Contest, and some Imprudences may take place and draw after them the most unfavorable consequences.

"With all deference, therefore, we would suggest to your Excellency and the Council, whether it would not be best to adopt some reasonable measures to prevent any, the least, Violence, Disorder or misunderstanding among them; and to continue things in the present peaceable posture until proper steps can be taken to *decide the Controversies respecting the private right of soil, in the mode prescribed by the Confederation.* We doubt not an early Proclamation from the Executive of Pennsylvania would have all necessary good Effects, and we feel ourselves happy in the fullest confidence that every means will be adopted, or acquiesced in, by the State to render the settlement of this dispute complete and satisfactory, as far as may be, to all concerned.

"We have the Honour to be, with great respect,

"Your Excellency's most obedient,

"And very humble Servants.

"To His Excellency JOHN DICKINSON, Esqr."

[Signed]

"WM. WHIPPLE

"WELCOME ARNOLD

"W. C. HOUSTON

"C. GRIFFIN

"DAVID BREARLEY

The foregoing letter was received by President Dickinson, and was filed by him with the Supreme Executive Council January 2, 1783, but no publicity was given to it. Subsequently the letter passed into the possession of President Dickinson‡ himself. On February 18, 1790, Col. Timothy Pickering (then living in Wilkes-Barré), having heard that such a letter had been written and signed by the Commissioners, wrote to Judge Brearley, inquiring about it and asking for a copy of it. At Trenton, under the date of March 4, 1790, Judge Brearley wrote to Colonel Pickering as follows:§

"My first letter to Colonel Neilson|| by some means miscarried. However, I have now got his answer, which is, he has 'not got a copy of the letter which is wanted.' I am apprehensive it is not to be found. We had *very strong reasons* for writing to the President of Pennsylvania. We were fully acquainted with the peculiar circumstances of the New England settlers. We knew that many of them had honestly paid for their possessions; that they verily believed the

\*See "Pennsylvania Archives", Second Series, XVIII: 629.

†See Hoyt's "Brief of a Title in the Seventeen Townships in Luzerne County", page 45.

‡Surmising that Mr. Dickinson had this letter in his possession, Colonel Pickering wrote concerning it to him at Wilmington, Delaware, March 25, 1793, and a few days later received a reply, in part as follows: "It gives Me very particular Pleasure, that I have found the Letter from the Commissioners. Confiding that it will be immediately delivered to the Supreme Executive Council of Pennsylvania, it is enclosed." According to Mrs. Murray's "Old Tioga Point and Early Athens" (page 228) the letter in question is now in the possession of the heirs of Edward Herrick, Jr. at Athens, Pa.

§See Hoyt's "Brief", page 103.

||Col. JOHN NEILSON, who had been Clerk of the Trenton Court. See (†) note page 1296.

title, under which they claimed, to be perfectly good; that they had cleared, huilt upon and improved the lands; that in doing this they had encountered many dangers and suffered innumerable hardships; and beyond all these things—and what cannot be estimated—many of their nearest connections had spilt their blood in defense of their possessions.

"Thus circumstanced, it was manifest that they had become enthusiasts for the land; that the reasoning of legislators and statesmen would have but little weight with them; that if the State should attempt to dispossess them, they would become desperate, and a civil war would be the consequence. On the contrary, if the State should quiet them in their possessions, they would become peaceable, good citizens, and that the State would compensate those who held under Pennsylvania title by giving them an equivalent in lands or money at a less expense than that of dispossessing the New England settlers. That, therefore, the interest of humanity and the policy of the State would be to lead them to adopt the measures that we recommended.

"The letter bore no official authority. We subscribed it as private citizens. Nevertheless we did conceive that it would have some weight, as it would be apparent that our means of information had been better than those of any other persons who were disinterested."

The following brief but cogent statement of The Susquehanna Company's case, as developed at the Trenton trial, is from a letter\* written at New York, March 6, 1790, to Col. Timothy Pickering, by Dr. William Samuel Johnson, previously mentioned.

"I have just now received your favor of the 3d *inst.*, and as I shall have no time seasonably to answer it, except a few minutes this evening, I instantly sit down to acquaint you that the Susquehanna settlers had *no formal grant from Connecticut*. The reason for which was that their original plan was to *establish a new Government or Colony* in that part of the country, under the Crown of Great Britain. They, therefore, with the approbation of the then Governor of Connecticut, first purchased of the Indians, and then obtained from the General Assembly of Connecticut an approbation of their proceedings and a recommendation of them to the Crown, for the purpose of their being created into a Government.

"Application was accordingly made to the Crown for that purpose. But, meeting with many delays at the Court of Great Britain, they again applied to the Assembly of Connecticut, who having, by that time, determined to vindicate their claim to the whole western part of their Patent, they, by several Acts of the Legislature, took the Susquehanna settlers under their protection, extended the jurisdiction of the Colony over them, and established government amongst them.

"This was considered by the Colony and the settlers as so full a ratification of all their proceedings, and especially of their Indian purchase, as rendered any formal grant (which at most could amount only to a right of pre-emption, or a liberty to purchase of the natives) altogether unnecessary, and therefore none was ever applied for—those Legislative approbations being considered as securing their titles under the Colony more effectually than any grant or deed could do. In fact, by the law of Connecticut the Susquehanna settlers were (previous to the Trenton trial), in holding those lands, regularly under the Colony of Connecticut; and had she been able, at that trial, to have established her title, no question would or could ever have been made but that the said settlers had as good a title to their lands as any settlers in North America."

Concerning the Decree of Trenton, Judge Cyrus Griffin (who had been a member of the Trenton Court) wrote under the date of September 15, 1796,† to Barnabas Bidwell, Esq., of Massachusetts, sometime counsel for The Susquehanna Company, as follows:‡

"Being upon a tour of duty in the line of my office, I had not the pleasure of reading your letter until yesterday.

"Before the Commissioners determined that important contest between Pennsylvania and Connecticut, it was agreed:

"1st. That the reasons for the determination should never be given.

"2d. That the minority should concede the determination as the unanimous opinion of the Court.

"No doubt sufficient reasons appeared to us to adopt these preliminary points. Whether strictly justifiable, or at present would be adopted, I will not undertake to say. Perhaps a different course might be pursued; but this I will undertake to say, that no Court ever met and decided a great question less subject to partiality or corruption, or in which more candor and freedom of debate were exercised.

"As you seem to suppose, I do not know in what manner the jurisdiction might be considered if tried again; and especially since a number of important discoveries have been made, and a mass of evidence can now be produced which was not known at that time. But I can assure you, Sir, that the Commissioners were unanimously of opinion that the *private right of soil should not be affected by the decision*. The decision was not to reach the question of property in the soil.

"We recommended, very strongly—derived from legal and political grounds—that the settlers should be quieted in all their claims by an Act of the Pennsylvania Assembly; and that the

\*See the "Pickering Papers", LVIII: 221.

†At this time Judge Griffin and Welcome Arnold were the only surviving members of the Court.

‡See the "Pickering Papers", LVIII: 350, and Hoyt's "Brief", page 46.

*right of soil* (if I recollect truly), as derived from Connecticut, *should be held sacred*. Such, however, *I am certain*, was the opinion of the individuals who composed that Court."

The people of Wyoming, generally, viewed the proceedings of the Trenton Court with comparative indifference at first, assuming that the question at issue before the Court was as to political jurisdiction only. But, very quickly after the decree had been extensively promulgated and thoroughly discussed by the people, there came a change of opinion. Colonel Pickering recorded in his diary\*, under the date of January 24, 1787, at Wilkes-Barré, that he had often heard, previous to that time, that the judges of the Trenton Court had been bribed; and that it was *then* charged "that Colonel Dyer (the most zealous agent on behalf of Connecticut, and one deeply interested in The Susquehanna Company) was also bribed by Pennsylvania to betray the cause of Connecticut and the Company."

Charles W. Upham, in his "Life of Timothy Pickering" (II: 232), says, referring to the Decree of Trenton:

"Thus ended the Wyoming controversy between the two States. It ought to have ended strife, and given peace at once and for ever to the unhappy valley; but it did not. The Government of Pennsylvania ought instantly to have quieted the Connecticut settlers in the possession of their farms with their improvements. The affections and allegiance of such a people would have been worth more than all their lands. But other counsels prevailed, and a new chapter of disorders and troubles was opened."

The following editorial, printed in the *Wyoming Republican and Farmer's Herald* (Kingston, Pennsylvania), August 23, 1837, sets forth briefly an opinion with reference to the Decree of Trenton which early found lodgment in the minds of the Connecticut settlers in Wyoming, and which continued to strengthen as time went on:—

"The fact is notorious. I need not argue it now. If called on I will, however, do it, and show conclusively that Wyoming and this western part of Connecticut was, by the Trenton Decree, transferred to Pennsylvania, *not on legal principles*, but on grounds of *National and State policy*, to which Connecticut made only a seeming, not a real, objection; that it was done to consolidate the union of the State—to promote harmony—to *conciliate Pennsylvania*."

Miner, in his "History of Wyoming," page 448, commenting upon the letter of Judge Griffin to Barnabas Bidwell (previously mentioned), declares:

"I assume again with the utmost confidence, that my proposition is well established, *viz.*: That the Decree of Trenton, adjudging the jurisdiction to Pennsylvania, was a decision of *policy* and not of *right*; that it could not, and did not, affect the right of soil."

The following paragraphs, relating to the Decree of Trenton, are from an address† entitled "Wyoming; or Connecticut's East India Company," delivered before the Fairfield County Historical Society, Bridgeport, Connecticut, April 21, 1893, by Henry T. Blake, Esq., of New Haven, Connecticut:—

"There are grounds to believe that this decision was not entirely unexpected, or even disagreeable, to Connecticut, for reasons which do not appear on the surface. So many States had conflicting claims to western territory that there was every prospect of inextricable confusion and controversy, and possibly a disruption of the Confederacy, unless there could be mutual adjustment and compromise on this subject. That there was some secret understanding between Connecticut and Pennsylvania is indicated by the fact that, immediately after the Trenton Decree Connecticut ceded to Congress all her lands lying west of Pennsylvania—reserving, however, a certain tract in Ohio, since known as the Western Reserve.

"These Ohio lands were also claimed by Virginia, and if the title of Connecticut was bad to the Wyoming Valley, it was bad, for the same reasons, to all land west of it. Yet, on the question whether Congress would accept the cession and recognize the right of Connecticut to keep the Western Reserve (a question which gave rise to much debate), Pennsylvania always voted with Connecticut, and, in one instance, in opposition to all the other States."

The Hon. Henry M. Hoyt, in his scholarly and admirable "Brief of a Title in the Seventeen Townships in Luzerne County," makes some "personal

\*See the "Pickering Papers", LVII: 39.

†See "Reports and Papers, Fairfield County Historical Society, 1896-'97," page 45.



reflections" on the facts relating to the trial at Trenton, and the "Decree", in part as follows:

"The Connecticut Charter of 1662 fairly included the territory described in its limits, as contended for by its partizans.

"No action was ever taken by the Crown to vacate it or modify its bounds.

"No legal necessity existed to purchase the Indian title; and what is called 'the right of preëmption' is unmeaning and insignificant as between Colonies. The Indian title and possession was a lien, or incumbrance, which was to be extinguished or not, at the option of grantees. The charters were not granted subject to Indian titles.

"One cannot well escape a sort of general intuitive conviction that the Court at Trenton worked out the correct result. There is, it is true, no defect in the technical legal title of the Colony of Connecticut. The difficulty is, therefore, to account for this instinctive conclusion against it. Throwing the settlers and their private rights out of the case, I think the weak link in the chain lies here: From the date of Penn's charter, in 1681, to the year 1773, Connecticut had not definitely 'asserted title,' either by legislative enactment or popular movement. Neither the Colonial authorities nor the leading men had, evidently, set any great store by, or taken any action based on, their possessions west of New York. \* \* \*

"The movement of The Susquehanna Company was in accordance with the genius of the whole northern colonization scheme.

"In *Carkuff vs. Anderson*, 3 Binn., 10, Justice Brackenridge said: 'The appearance of right which The Susquehanna Company, a people of Connecticut, had to advance a claim to this district of country, is in my mind in considering the case before me. I do not view them in the light of trespassers, with a full knowledge of their want of title. At all events, the bulk of them do not appear to have been apprised of their want of title, and I make a great distinction between trespassers knowing, or having good reason to know, their defect of title, and such as may reasonably be supposed to be ignorant of what they are about. Before the Decree of Trenton, the most intelligent and the best informed might have been led to believe that the part of the country in question was settled under a good title from the State of Connecticut. But, in favor of those who had settled under the idea of a good title, and with an expectation of enjoying the land which they were improving and defending, at a great risk and with much loss, from the common enemy during the Revolutionary War, there is a claim which ought not wholly to be disregarded. I do not call it a right, but a claim on the ground of moral obligation.'

"Connecticut, at Trenton, did not insist on her *historical* claim to all lands in Pennsylvania north of Latitude 41 North, nor even to all the lands comprised within the Indians' deed of 1754 to The Susquehanna Company. Her final stand was made on the settlements and improvements made in the county of Westmoreland. There would seem to be no doubt that proof was offered, and successfully, before the Court, of actual settlements under Pennsylvania, and under rights derived from the Proprietaries in 1730, 1732 and 1740—thus prior to any others. \* \* \*

"At the time of the Decree of Trenton the Colonies, grown into States, had hardened and settled into definite and reasonable municipal limits, and that Decree was correct, both *in right and policy*; saying, as it did, 'the private right of soil.' The problem came now between them and the actual *bona fide* warrantees of a Pennsylvania title. It was a question of real difficulty and delicacy. The land speculators, not numerous, but influential, were reckless and clamorous. The people, the best publicists and the ablest lawyers gave long and anxious consideration over some device by which a sovereign State might protect its own grantees, and deal justly with the claimants under another sovereignty.

"The Connecticut settlers had, unquestionably, the sympathy and best wishes of the real population of Pennsylvania. Of late years they had felt no great interest in the Proprietaries. The Yankees had borne themselves patiently, defiantly it maybe, but heroically, without the assertion of any title except to the land under their feet, which they had dug out of the forests and wilderness. They had been a sober, steady people, attending faithfully to the serious affairs of life; they had been efficient promoters of churches and schools; they were no bandits or border ruffians; they brought with them as high views and lofty purposes in American citizenship as the most chivalrous and scholarly entertained.

"There were, doubtless, adventurers among them; but, in war or peace, they illustrated the best results of the bold, free tendencies of Americans. They were a brave, hardy and proud community. They had, of their own resources, defended themselves and the frontier of the State of Pennsylvania. The overruling supreme equity of the case, enforced by the unyielding attitude of the settlers, led to the adoption of the final legal device, and the acquiescence of all in it—open, as it may be, to some constitutional criticism.

"It will surprise us to find that, in fact as finally adjusted, no fully litigated case ever arose out of the whole unhappy business. There were bluster, threats, vexation and outrage, but the heart of the settler's title was never pierced. Of the men sent to execute the unsettled and unsteady purposes of Pennsylvania, it may be said that, notwithstanding the estimate, in which they and their memories are held, deservedly or not, they must be credited with the supposition that they were acting in the line of duty."





## CHAPTER XXII

INHABITANTS OF WYOMING LEFT BY CONNECTICUT TO FIGHT SINGLE HANDED PETITION THE LEGISLATURE OF NEW YORK—THE CONTINENTAL GARRISON AT WILKES-BARRÉ WITHDRAWN AND COMPANIES OF PENNSYLVANIA MILITIA SUBSTITUTED—DISTRUST AUGMENTED—END OF THE REVOLUTIONARY WAR AND RETURN OF QUOTAS OF TROOPS TO WYOMING

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“Ah! what a mighty treasury of ills  
Is open'd here, a copious source of tears.”

—*Euripides, “Ion.”*

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“Men, who once praised one another,  
Jawed and clawed upon the run;  
Brother aimed a blow at brother,  
Father took a crack at son;  
Epithets were flung at random,  
Men, with grievances to air,  
Did not hesitate to hand 'em  
On to others then and there.”

—*Anon.*

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With the advent of the year 1783 “Peace, which waved its cheering olive branch over every other part of the Union, healing the wounds inflicted by ruthless War, soothing the sorrows of innumerable children of affliction, and kindling the lamp of Hope in the dark chamber of Despair, came not to the broken-hearted people of Wyoming.”

By the Decree of Trenton, Wilkes-Barré and Wyoming Valley, as part of the territory which had been in controversy between Pennsylvania and Connecticut, were—for the first time since Wilkes-Barré was founded, more than thirteen years before—formally declared by unbiased competent authority to be actually and legally within the jurisdiction of Pennsylvania. Furthermore, as a result of this Decree the settlers in Wyoming, under the auspices of The Susquehanna Company, were left, single-handed, to manage their own case. “The State of Connecticut had never, in fact, done anything for the Wyoming settlers. They ‘recognized’ them, but in a way that the ‘recognition’ cost noth-

ing. They levied large taxes upon them, but they returned nothing for their defense. *They dropped them, incontinently, after the Decree of Trenton*.\*

Immediately upon the receipt at Wyoming of definite information as to the decision of the Trenton Court, the Yankee settlers here got busy—as we learn from the following paragraph gleaned from the unpublished "Historical Sketches of Wyoming"†, by Col. John Franklin:

"On the 4th January, 1783, an Express arrived at Wyoming from Trenton, by whom we had information that the Court of Commissioners, appointed by Congress for the purpose of determining the right of jurisdiction over the territory of country then in controversy between the States of Pennsylvania and Connecticut, had determined the same in favor of Pennsylvania. January 6th a meeting of the inhabitants of Wyoming was held at Wilkes-Barré to advise on measures necessary to be taken. Capt. John P. Schott‡ was appointed Agent for the settlers, with directions to repair immediately to Philadelphia to consult with the Agents from Connecticut [Messrs. Dyer, Johnson and Root], supposed to be at that place, and to petition the Assembly, then sitting at Philadelphia, in such manner as should be thought most proper and beneficial for the inhabitants at Wyoming."

On the same day that the town-meeting of Wyoming Yankees was held at Wilkes-Barré the Supreme Executive Council of Pennsylvania convened at Philadelphia. The Decree of Trenton, and the accompanying documents forwarded by the late Court of Commissioners, having been duly filed, the Council resolved "that a proclamation be issued giving notice of the said Decree, and also for preserving peace and quieting the minds of the people settled on the lands lately disputed between this State and Connecticut, and requiring the settlers to pay their obedience to the laws of this Commonwealth."§ Whereupon, the same day, a proclamation, signed by John Dickinson, President, and attested by Timothy Matlack, Secretary, was duly prepared, and, a few days later, having been printed, was carefully disseminated.

This proclamation||, setting forth, first, the "judgment" of the Trenton Court of Commissioners, continued as follows:

"We have thought fit to make known and proclaim, and do hereby make known and proclaim, the same; and we do hereby charge, enjoin and require all persons whatsoever, and more especially such person and persons who, under the authority or countenance of the late Colony, now State of Connecticut, either before or since the Declaration of Independence, have entered upon and settled lands within the bounds of this State, to take notice of the said judgment, and pay due obedience to the laws of this Commonwealth.

"*And Whereas*, There is reason to fear that the animosities and resentments which may have arisen between the people who, under the authority or countenance of the said late Colony, now State, of Connecticut, as aforesaid, have made settlements within the bounds of this State, and the citizens of Pennsylvania who claim the lands whereon such settlements have been made, may induce some of the latter to endeavor to gain possession of the said lands by force and violence, contrary to law, whereby the peace of the State may be endangered and individuals greatly injured, we do hereby strictly charge and enjoin all persons whatsoever to forbear molesting, or in any wise disturbing, any person or persons who, under the authority or countenance of the late Colony, now State, of Connecticut, as aforesaid, have settled lands within the bounds of this State, until the Legislature or courts of justice shall have made laws or passed judgment in such case, as to right and justice may appear to belong, as such person offending therein shall answer the contrary at their peril.

"And we do hereby charge, enjoin and require all judges, justices, sheriffs, and other peace officers, to use their authority to prevent offenses and to punish, according to law, all offenses committed, or to be committed, against any of the people so, as aforesaid settled under the authority or countenance of the said late Colony, now State, of Connecticut, as aforesaid, on lands within this State, and who pay due obedience to the laws thereof, as in case of like offenses against any of the citizens of this State."

Captain Schott, who, as previously related, had been appointed one of the "Agents" for the Wyoming settlers, repaired to Philadelphia as soon thereafter

\*The Hon. Henry M. Hoyt in "Brief of a Title in the Seventeen Townships in the County of Luzerne", page 53.

†The original MS. of these "Sketches" was, in 1874, in the possession of O. N. Worden.

‡In fact, the settlers appointed at this time Col. Nathan Denison, Hugh Forseman, Obadiah Gore, Samuel Shippard and Capt. John Paul Schott to act as their agents; and it was voted that one or more of these agents should repair to Philadelphia without delay to "consult", "petition", &c. Captain Schott, was subsequently selected by his co-agents as the one to perform this service. (For a sketch of the life of Captain Schott, and his portrait, see page 1163, Vol. II.)

§See "Pennsylvania Colonial Record," XIII: 474.

||See "Pennsylvania Archives", 4th Series, III: 873.

as possible. Whether or not he found there the "Agents from Connecticut," we are unable to state; but he found some one of ability, and with fair command of the English language (which *he* had not), who prepared a petition, or memorial, to the Pennsylvania House of Representatives, which was signed by Captain Schott, at Philadelphia, January 18, 1783, and was presented to the House, the same day.

This document\*, deserving of the reader's special attention, was worded as follows:

*"To the Honorable the Representatives of the freemen of the Commonwealth of Pennsylvania, in General Aassembly met:*

"The memorial and address of Nathan Denison, Hugh Forseman, Obadiah Gore, Samuel Shippard and John Paul Schott, inhabitants, settlers and proprietors of a territory of country situated on the waters of the Susquehanna River, under the claim of the State of Connecticut, on behalf of themselves and others of the inhabitants, settlers, etc., of the said country—

*"Most respectfully sheweth:* That in the year 1754 a number of the inhabitants of Connecticut, finding all the lands eastward of the line of the State of New York settled and appropriated, proceeded to purchase of the Six Nations a large territory of country, extending from the Delaware westward about one hundred and sixty miles, and in breadth the whole forty-[second] degree of North latitude; and gave a valuable consideration, supposing that, without dispute, the aforesaid territory was included in the Charter granted them by King Charles II, April 3, 1662; and formed themselves into a company of proprietors, by the consent of the Legislature, and regulated by the laws of said State, and proceeded to locate the valuable lands situated on the Eastern Branch of the Susquehanna River, the full breadth of the forty-second degree, extending six miles east and twenty-miles west of said river.

"Having no apprehension that any royal grant covered the same, either previous or subsequent to the aforesaid Charter of Connecticut, they proceeded to plant themselves through said territory and cultivate the same (among which number of settlers are your petitioners, and those whom they represent), in full confidence of the justice of our title under Connecticut. With the most honest intentions we uniformly maintained our supposed right, by opposing persons claiming under the Pennsylvania Proprietary, who frequently interrupted us in what we esteemed our lawful business.

"Constantly wishing for an absolute decision between the two States, concerning jurisdiction, we used every effort to expedite such decision, resolutely determined to maintain the title which we had acquired, until a more equitable one could be established. In the year 1763, and a number of successive years, appeals were made to the Crown by one and the other State, for a final decision, which were yet depending when the commencement of the present war put a period to all appeals to the Crown. In the course of which appeals the opinion of counsel, most eminent and learned in the law, was taken, who advised (as we apprehended) fully in favor of the claim of Connecticut. This greatly encouraged your memorialists that they were right in supporting their claim.

"In 1774 the Legislature of the State of Connecticut asserted their claim, and erected civil jurisdiction and complete civil and military establishments according to the laws and usages of said State; which led your memorialists into a greater confidence of their security under said State, and induced them to build houses and mills for their convenience, and to cultivate a country which we esteemed our own. Since that time attempts have been made to dispossess us in a hostile manner, which the law of self-preservation obliged us to oppose—in the course of which there were faults on both sides, which we hope may be canceled, and buried in oblivion.

"The right of jurisdiction was always esteemed important to the claiming State, and more especially to the settlers and tenants who have ventured their all there, and who were combatting difficulties and dangers in every shape.

"After recourse to Great Britain was cut off, it was provided that, in all disputes concerning boundaries, jurisdiction, etc., the United States, in Congress, should be the last resort an appeal. That judges be appointed to hear and determine the matter in question; and that the sentence of the Court be decisive between the parties. And also in all controversies—the private right of soil being claimed under different grants of two or more States, etc.,—said grants, etc., shall, on the petition of either party to the Congress of the United States, be finally determined, as near as may be, pursuant to this provision.

"The Honorable Congress established a Court; both States were cited, and appeared; the cause was heard for more than forty days; the grounds were stated on which each State asserted

\*See Miner's "History of Wyoming", page 311. Commenting on this memorial Miner says: "The style is marked-ly peculiar. We pronounce with great confidence, from internal evidence, that it could not have been written in Wyoming. It exhibits in no particular the peculiar characteristics of the style either of [John] Franklin or [John] Jenkins, the ready writers of the settlers. From all which we infer that the petition was prepared below the mountains, probably by the Connecticut Agents at Trenton."

Concerning this document the late Steuben Jenkins, Esq., in an address delivered before The Wyoming Historical and Geological Society, February 11, 1881, and published in the "Proceedings" of the Society for 1881 (Vol. I, page 32), said: "John Paul Schott, who signed the memorial of submission for the settlers, had permitted the friends of the Pennsylvania Government to draw the memorial; and they had injected into it such a display of weakness and pusillanimity that the Pennsylvania land-sharks thought they had the settlers fully in their toils, and could play with them at their pleasure, as cats frequently play with their victims before putting them to death and devouring them."

their right of jurisdiction. On which the Court finally adjudged in favor of the State of Pennsylvania, by which the jurisdiction of the disputed territory, on which your memorialists live, is adjudged yours. By this adjudication we are under your jurisdiction and protection. We are subjects and free citizens of the State of Pennsylvania, and have to look up to your Honours as our fathers, guardians and protectors, entitled to every tender regard and respect as to justice, equity, liberty and protection, on which we depend, and which we are warranted to do by the impartial treatment that all, even strangers, have received when once they became inhabitants and citizens of this great and flourishing State.

"Thus have we stated the grounds on which our title was established; which, though determined to be ill-grounded by the Honorable Court, appeared to be founded in the highest reason, and we verily thought it our duty to do as we did. If we have committed faults, we pray for mercy and forgiveness. If we have deserved anything, we hope for something from the gratitude of our country.

"We have settled a country, in its original state but of little value; but now, cultivated by your memorialists, is to them of the greatest importance, being their all. *We* are yet alive, but the richest blood of our neighbors and friends—children, husbands and fathers—has been spilt in the general cause of their country, and *we have suffered every danger this side death!* We supplied the Continental army with many valuable officers and soldiers, and left ourselves weak, and unguarded against the attacks of the savages and others of a more savage nature. Our houses are desolate—many mothers childless—widows and orphans multiplied—our habitations destroyed—and many families reduced to beggary—which exhibits a scene most pitiful and deserving of mercy.

"If the greatest misfortunes can demand pity and mercy, we greatly deserve them. That the country, twenty-six miles in breadth and the length aforesaid, when compared with the extended territory of the State of Pennsylvania, is trifling indeed. That the present population is of far more consequence to this State than the [Wyoming] country could have been in an uncultivated state. We are yet entitled to another trial for our particular possessions, according to the IXth Article of the Confederation; but, reduced in every respect, we are unable to maintain a trial against an opulent State. We therefore present a request, which the laws of justice and policy suggest, and which the dictates of humanity demand.

"That your Honours, of your abundant goodness and clemency, would be pleased to grant and confirm to your memorialists, and those whom they represent, the inconsiderable part of the claim contested, extended as above, to be apportioned [held?] as they were before the decision. Thus will you increase the inhabitants of this flourishing State, will add to its wealth and strength, will give joy to the widow and fatherless. Sure these must be irresistible motives to a just, generous and merciful Assembly. Our only resource is in your decision. If that is unfavorable, we are reduced to desperation. Unable to purchase the soil, we must leave our cultivations and possessions, and be thrown into the wide world, our children crying for bread which we shall be unable to give them.

"It is impossible that the magnanimity of a powerful and opulent State will ever condescend to distress an innocent and brave people that have unsuccessfully struggled against the ills of fortune. *We care not under what State we live*, if we can be protected and happy. We will serve you—we will promote your interests—will fight your battles; but in mercy, goodness, wisdom, justice and every great and generous principle, do leave us our possessions, the dearest pledge of our brothers, children and fathers, which their hands have cultivated and their blood spilt in the cause of their country—has enriched.

"We further pray, that a general *Act of oblivion and indemnity* may be passed, and that Courts of Judicature be established according to the usages and customs of this State, that we may be not only a happy but a well-organized and regulated people; and that all judicial proceedings of the prerogative courts and the common law courts, held by and under the authority of the State of Connecticut, be ratified and fully confirmed. And they, as in duty bound, will ever pray, &c."

About the time the foregoing memorial was presented to the Pennsylvania House of Representatives, a petition was presented to it signed by Simon Spalding, Stephen Fuller, Nathaniel Davenport, Daniel Whitney, Solomon Perkins, Isaac Baldwin, the heirs of Christopher Cartwright, Joseph Elliott, Joseph Hageman, Asahel Burnham, Conrad Lyons, Preserved Cooley, William Stark, Lawrence Myers, Samuel Shippard\*, and others, inhabitants of Wyoming, praying for a grant of lands in lieu of those they had lost (?) by the Decree of Trenton. This petition was duly referred to a committee of the House.

On January 23, 1783, President Dickinson of the Supreme Executive Council of Pennsylvania formally addressed the House of Representatives on

\*Col. John Franklin, in a "Plain Truth" article printed in *The Lucerne Federalist* (Wilkes-Barré), September 21, 1891, referred to this petition in these words: "A petition was started by Samuel Shippard, a New Jersey man, a Lieutenant in the Jersey Line, in Captain Mitchell's company, which company had been stationed at Wyoming some time in the beginning of the year 1781 (as near as I can recollect), and continued there until after the Trenton Decree. Lieutenant Shippard resigned his commission when the company was called out to join the army. Shippard remained at Wyoming some time after. He never owned a foot of land at Wyoming under the Connecticut title."

"various matters of State policy." The second matter to which he referred in his address was the Decree of Trenton, and concerning it he said:\*

"The second is highly interesting in every point of view. The peaceable and conclusive settlement of a dispute between two such powerful sovereign States, concerning a large and valuable territory, and the jurisdiction over it, casts a light upon the American character (the martial spirit of which has been fully and recently displayed) that must attract the attention and esteem of the world.

"This uncommon occurrence will furnish to the good and wise a pleasing page in the mournful history of human discords; and we fervently wish, for the repose of mankind, it may be deemed worthy of imitation. It reflects great honor, also, on the Confederation, by yielding a memorable proof of its political energy—having been accomplished in the mode thereby prescribed—and strengthens the bands of the Union, by evincing that it is the best protection against internal mischiefs, as well as against external dangers. Thus the fears of the apprehensive who expected, and the hopes of the disaffected who wished for, confusions, are dissipated, and an agreeable presage is formed of the like salutary effects attending similar contests in the future, which cannot fail of giving the firmest stability to the whole system of our affairs. \* \*

"This determination will be of the utmost importance to the prosperity of Pennsylvania, if all the benefits are derived from it that probably may be obtained by a prudent management. We have issued a proclamation for preserving peace and for quieting the minds of the people on the lands lately disputed, a copy of which, together with other papers relating to the affair, shall be immediately sent to you. We rely on the Legislature that such further measures will be adopted as shall be most advisable for improving to the best advantage the decision that has been made."

A large number of the inhabitants of Wyoming, who had come hither among the earliest settlers under the auspices of The Susquehanna Company, were discouraged and disheartened by the Decree of Trenton. In consequence, after a considerable discussion of the situation of affairs, the following agreement† was drawn up and signed at Wilkes-Barré.

"We the subscribers hereby covenant and agree to and with each other, and jointly petition the Assembly of the State of New York for a tract of land situate on the waters of the Susquehanna and within the limits of said State, sufficient for us the subscribers, our families, and those who were Distressed and Drove from here by the savages in 1778; and also do hereby appoint Obadiah Gore our agent, with full power and authority to apply to the Governor and Senate of said State, or to the General Assembly, or to any Board within and for said State, proper to make application to for lands as aforesaid; and in our names and behalf to petition, &c., according to his best Discretion.

"In Testimony whereof we have hereunto set our hands at Westmoreland, this 12th day of February, 1783.

"Armstrong, Sarah	Fish, heirs, (Jehn or John)	Nobells, Jedediah
Andrews, Samuel	Fry, heirs, Nathaniel	Neill, Thos.
Aylsworth, Philip	Fuller, John	O'Neal, John
Alden, Prince	xFuller, Reuben	Pell, Josiah
Alden, Prince, Jr.	Fitzgerald, Robert	Phillips, John
Alden, Andrew S.	Frisbie, James	Phillips, Francis
Alden, Mason F.	xFrisbie, Jonathan	Pike, Abraham
Alden, Lydia	Forseman, Alexander	Prichard heirs, Jonathan
Ayres, Samuel	Forseman, Hugh	xPrichet, Abel
Ayres, Wm.	Gore, Obadiah	Pierce, Pelatiah
Atherton, James	Gore, Silas, heirs	Pierce, Phinehas
Atherton, James, Junr.	Gore, Asa, heirs	Pierce, Chester
Atherton, Asel	Gore, Daniel	Pierce, Timothy, heirs
Atherton, Wm.	Gore, Samuel	Pettebone, Phebe
Atherton, Cornelius	Gore, John	Pettebone, Noah
Avery, Wm.	Gore, Avery	Phelps, Joel
Avery, Jonathan	xGore, Welthy	Park, Darius
Avery, Solomon	xGore, Annah	Park, Ebenezer
Avery, Richardson	xGore, Sarah	xPark, Benjn.
Avery, Richardson, Junr.	xGore, Asa	Perkins, Solomon
Avery, Christopher	xGore, Daniel, Junr.	xPreston, Joseph
Allington, Thos.	xGore, George	Ryon, John
Annis, Charles	xGore, Hannah 2d	Ransom, Sam'l, Junr.
xAlden, John	Gardner, Benjn.	Ransom, Sam'l, heirs
xAlden, Daniel	Gardner, Peregrine	Roth, Robert
xAyres, Dan'l	Goss, Nathl.	Randall, Joseph
Bullock, Nathan	Goss, Solomon	Reed, Thos.
Bullock, Elias	Gibson, Alexander	Reed, Widow

\*See "Pennsylvania Archives", Fourth Series, III: 876.

†The original agreement was written by Obadiah Gore, Jr. The names of the subscribers to it having been secured, they were arranged alphabetically by Mr. Gore, and the names of all minors were indicated thus: "x". In March, 1907, this document came into the possession of Mr. Samuel N. Rhoads of Philadelphia.

- Burnham Asel  
 Barnum, Richd.  
 Bennet, Solomon  
 Bennet, Andrew  
 Bennet, Sarah  
 Bennet, Thomas  
 Bennet, Asa  
 Bennet, Ishmael  
 Bennet, Ishmael, Junr.  
 Benjamin, Isaac  
 Brockway, Sarah  
 Bark, Thomas, (? Buck)  
 Beach, Zerah  
 Blanchard, Mary  
 Blanchard, John  
 Blanchard, Peggy  
 Blanchard, Andrew  
 Bidlack, James  
 Bidlack, Benjn.  
 Bidlack, James, heirs  
 Bidlack, Shubael  
 Bingham, Augustus  
 Billings, Matthew  
 Brockway, Richd.  
 Baldwin, Isaac  
 Baldwin, Waterman  
 Baldwin, Thomas  
 Baldwin, Isaac, Junr.  
 Budel, Frederick  
 Bigelow, Oliver  
 Bickford, Jeremiah, heirs  
 Buck, William  
 Buck, Elijah  
 xBuck, Asahel  
 Brown, Moses  
 Brown, Thomas  
 xBrown, Ezekiel  
 Bailey, Benjn.  
 Butler, Lord  
 Butler, Zebulon  
 Bates, Caleb  
 Brokaw, Abraham  
 Coe, Samuel  
 Corey, Joseph  
 Corey, Gabriel  
 Corey, Jonathan  
 Corey, Jenks, heirs  
 Cary, Elnathan  
 Cary, Barnabas  
 Cary, John  
 xCary, John  
 Cary, Nathan  
 Cary, Elihu  
 Cary, John  
 xCary, Baranabas, Junr.  
 xCary, Comfort  
 xCary, Benjn.  
 Cooper, Price  
 Cook, Reuben  
 Cooke, Nathaniel  
 Cady, Manasseh  
 Cooley, Preserved  
 Cole, Benjn.  
 Cole, James  
 Cole, John  
 Comstock, John  
 Clark, Benjn.  
 Clark, Joseph  
 Clark, Elias  
 Carpenter, Benjn.  
 Cuyzar, Benjn. (or Cussar)  
 Carr, John  
 Crow, Roger  
 Gibson, Thomas  
 Gallup, Thomas  
 Gordon, Samuel  
 Gregory, Jehiel  
 Grimes, James  
 xGrimes, Shawne  
 xGreen, Willard  
 Hollenback, Math.  
 Hollenback, John  
 Harris, Elijah  
 xHarris, Charles  
 xHopkins, Joseph  
 Hopkins, Timothy  
 Hawks, Thos.  
 Houk, Wm.  
 Heberd, Ebenezer  
 Hamilton, Gurden  
 Hartsoff, Zechariah  
 Hurlbutt, John  
 Hurlbutt, Christopher  
 Hurlbutt, Napthali  
 Hover, Samuel  
 Hallet, Samuel  
 Hewlet, Samuel  
 Holister, Samuel  
 Halstead, Richard  
 Halstead, Richard, Junr.  
 Harding, Henry  
 Harding, Thos.  
 Harvey, Benjn.  
 Harvey, Elisha  
 Harvey, Lucy  
 Hammond, John  
 Hammond, Joseph  
 Hammond, Issac  
 Hammond, Lebbens  
 Hammond, Oliver  
 Hammond, Josiah  
 Ingersoll, Daniel  
 xIngersoll, Francis  
 Inman, Richard  
 Inman, Elijah  
 xInman, Edward  
 xInman, Elijah, heirs  
 Johnson, Rev. Jacob  
 xJohnson, Jehoida  
 Johnson, Wm.  
 Johnson, Turner  
 Johnson, Sabin  
 Johnson, Saml. Wm.  
 xJohnson, Jacob, Junr.  
 xJohnson, Nehemiah  
 xJohnson, Wm.  
 Jameson, Alexander  
 Jameson, Abigail  
 Jacobs, John  
 Jewel, Joshua  
 Jackson, Frederick  
 Joslan, Thos.  
 xJoslan, Thos., Junr.  
 Jenkins, John  
 Jenkins, Benjn.  
 Judd, Wm.  
 Kelsey, Abner  
 Kingsley, Nathan  
 Kingsley, Wareham  
 xKingsley, Roswell  
 xKingsley, Chester  
 Kinne, Joseph  
 Kerney, Samuel  
 Kenedy, John  
 xLane, Daniel  
 Lane, Nathan  
 Roads, Isaac  
 Roases, Dan'l  
 Reynolds, Eli  
 Reynolds, Eli, Junr.  
 Richard, Henry  
 Richard, Casper  
 Rogers, Jonah  
 Rogers, Josiah  
 xRogers, Jonah, Junr.  
 xRogers, Joseph, Junr.  
 xRogers, Joze  
 xRogers, Elihu  
 xRogers, Joel  
 Ross, Wm.  
 Root, Jesse  
 Stark, Henry  
 xStark, Wm. Junr.  
 xStark, Nathan  
 Stark, James  
 xSlocum, Ebenezer  
 xSlocum, Benjn.  
 Slocum, Wm.  
 Slocum, Jonathan, heirs  
 Smith, Benjn.  
 Smith, Abel  
 Smith, Frederick  
 Smith, Oliver  
 Smith, Oliver, Junr.  
 Smith, Lockwood  
 Sutton, James  
 Stevens, Uriah  
 Stevens, Uriah, Junr.  
 Stevens, John  
 Stevens, Phinehas  
 Stoddard, Thomas  
 Sweet, Lois Harvey  
 Sheldon, Stephen  
 Satterlee, John  
 Satterlee, Elisha  
 Sullivan, Dan'l  
 Sawyer, Thos. heirs  
 Sheppard, Stephen  
 Shippard, Sam'l.  
 Stewart, George  
 Spencer, Edward  
 Spencer, Walter  
 Spencer, Caleb  
 Sprague, Joseph  
 Sanford, David  
 Sanford, Ephraim  
 Stanbury, Josiah  
 Spalding, Simon  
 Spalding, John  
 Stafford, John  
 Smith, James  
 Smith, John  
 Smith, Wm.  
 Terry, Parshal  
 Tilbury, Abraham  
 Tyler, Ephraim  
 Tyler, Joseph  
 Thomas, Joseph  
 Tubbs, Samuel  
 Tubbs, Lebbens  
 Tubbs, John  
 Tuttle, Benjn.  
 Terril, Matthew  
 Treadway, Sam'l  
 Travis, Absalom  
 Tripp, Job  
 xTripp, John  
 xTripp, Wm.  
 Trucks, Wm.

Chapman, Abigail	xLane, Nathan, Junr.	Upson, Asa, heirs
Church, Gideon	xLane, David	xUpson, Dan'l.
Church, Jonathan	Landon, Nathaniel	Utley, Oliver
xChurch, Joseph	Leonard, Joseph	Underwood, Isaac
xChurch, Almon	Lewis, Benjn.	Underwood, Timothy
Drake, Elisha	Lester, Betty	Van Campen, Isaac
Denison, Nathan	Louterman, John	Van Norman, Isaac
xDenison, Lazarus	Lewis, Mary	Van Nordan, Ephraim
xDrake, Eliphalet	Leffingwell, Elisha	Van Gorden, Jeremiah
Decker, Henry	Leffingwell, Andrew	Woodward, Park
Decker, Andrew	McClure, Thomas	Woodworth, Jonathan
Draper, Amos	xMcClure, Thomas, Junr.	Williams, Nath'l.
Draper, Simeon	McClure, Wm.	Williams, Asher
Draper, Simeon, heirs	xMcClure, John	Williams, Wm.
Dorrance, John	Minor, John	Walker, Ed., heirs
Dorrance, Widow Betty	Myers, Lawrence	Walter, Ashbel
Durkee, Robert, heirs	McDaniel, James	Waller, Nathan
Dyer, Eliphalet	McDowel, Robert	Westbrook, Abraham
Eveland, Frederick	McDowel, Dan'l.	Westbrook, Richard
xEveland, Frederick, Junr.	Marcy, Zebulon	Westbrook, James
Evans, Nathaniel	Marcy, Ebenezer	Westbrook, Leonard
xEvans, Luke	Murphy, John, heirs	Watrous, Walter
Elliott, Joseph	Northrop, Nathan	Winship, Jabez
Elliott, Henry	Nelson, William	West, Eleazer
Franklin, Roasel	Nash, Phinehas	West, Clement
Franklin, Sam'l.	Nash, Asel	West, Richard
Franklin, John	Nisbitt, James	Warner, William
Fairchild, Ebenezer	Nisbitt, Abraham	Whitney, James
Forsyth, Jonathan	Nobells, James	Young, John
Fish, Jabez	Nobells, John	Young, Robt.
Fitch, Elnathan	Nobells, Timothy B.	Yarrington, Abel"

[Total, 396.]

With this document in his possession Mr. Gore\* proceeded to Kingston, Ulster County, New York, where the New York State Legislature was then sitting. (Kingston is some thirty miles up the Hudson from Newburgh, where, from April, 1782, until August, 1783, General Washington had his headquarters.) There Mr. Gore drew up the following petition†:

"To the Honble. the Legislature of the State of New York. In Senate and Assembly met:  
 "The petition of OBADIAH GORE, in behalf of himself and a number of Inhabitants of Wyoming on the Susq. river, humbly Sheweth that your honours memorialist and those he represents have been at Great Expense and Trouble in settling an Extent of Territory on sd. Susq. under the claim of Connecticut with the most honest Intentions, &c., but being a Frontier and upward of Two hundred of our ablest men Engaged in the Service of the United States, either for During the war or three years, whereby our settlements were left weak against the Unexpected attacks of the Savages and Others of more Savage Natures. Whereby we have suffered almost a Total loss of our property by the calamity of War, and the Hon'ble board of commissioners appointed to Settle the Controversy between Connecticut and Pennsylvania have given their Opinions in favour of the latter, which renders us still more miserable, having to leave the premises in about one year.

"And Whereas there is an Extent of Territory lying on the waters of the said Susq. river and within the limits of the State of New York the most Easy of access to us, which is not yet appropriated or located;

"These are therefore to pray your honours of your abundant goodness to take the matters aforesaid into consideration, and grant that the lands on the Susq. river beginning near the mouth of Owego Creek, or where the Pennsylvania line crosses the said Susq. river, and extending up said river (and including the waters of the same) to Onoquaga, be appropriated and surveyed, and a grant thereof of five hundred acres to each of your honours memorialists for an Encouragement to make an Immediate settlement so soon as the situation of the times will permit (with restrictions of the like nature to enforce compliance on the part of your honours memorialists) as an Immediate settlement of those lands will open a Door for a large Increase of Inhabitants into this flourishing State. It will add to its wealth and strength, and Enhance the value of the other Unappropriated lands, &c.

"Or, we pray that land may be granted us in such Quantities and on such Terms as your honours in your wisdom shall think fit.

"And your memorialist as in Duty bound shall ever pray.

[Signed]

"OBADIAH GORE, in behalf of the inhabitants of Wyoming."

"Dated at Kingstown, March 10th, 1783."

\*At this time Obadiah Gore was Clerk of the County Court of Westmoreland, and shortly after his departure for Kingston John Jenkins, Sr., was appointed Clerk *pro tem.*, "and sworn to serve only until the Return of Obadiah Gore, who is now absent."

†The original became the property of Samuel N. Rhoads of Philadelphia in March, 1907.

‡Oghwaga. See pages 257 and 667.



This petition and the agreement signed by the Wyoming inhabitants (as previously mentioned) were presented to the Senate of New York on March 12, 1783, and, having been read, were referred to a committee composed of Senators Scott, Schuyler and Duane. Friday morning, March 21, 1783, the Senate met pursuant to adjournment, when Senator Scott, from "the Committee on the petition of Obadiah Gore and others, delivered a report, which was read etc., and then the Senate resolved":

"WHEREAS, It appears that the tract of country on which the inhabitants of Wyoming are settled has furnished a quota of fighting men, who have served in the United States Army; that they suffered a great loss of property during the war; that their settlement was made under the government of Connecticut Colony; that it now appears the land is not within the jurisdiction of Connecticut; that the inhabitants are directed to remove from the land within one year.

"And Whereas the said settlers have asked for the grant of a suitable tract of land to which they may remove, and have pointed out the desirability of the waste and unappropriated lands north of the division line between New York and Pennsylvania.

"Resolved, That Obadiah Gore and his associates shall be permitted to locate on any of the waste and unappropriated lands within this State on the like terms and conditions as the immediate citizens of this State may be entitled to, whenever the Legislature shall determine to grant the lands; and that in the meantime O. Gore and his associates, or any of them, may explore the said lands in order to determine their future choice.

"Ordered, That Mr. Duane carry a copy of the preceding resolution to the House of Assembly, and request their concurrence."

The same day the Assembly resolved to "concur with the Honorable the Senate" in its action on the Gore petition.

At Philadelphia, February 20, 1783, the Pennsylvania House of Representatives, acting upon the petition which had been presented a month previously by Capt. John Paul Schott, in behalf of the inhabitants of Wyoming, passed the following preamble and resolutions\*:

\* \* \* "That the persons now settled at or near Wyoming, yielding due obedience to the laws, are undoubtedly entitled, in common with other citizens of the State, to the protection and the benefits of civil government. That the new and extraordinary circumstances in which they stand, renders it expedient for this House to take proper measures therein, without loss of time. And they having declared the appeal which they have made to this House their only resource, it becomes the dignity of this House to be very circumspect in its conduct towards them, and to act upon the best information.

"Therefore, Resolved, That Commissioners be appointed to make full inquiries into the cases respectively, and report to the House.

"Resolved, That in order to make the inquiry effectual, the Commissioners have authority to send for persons, papers and records.

"Resolved, That they be instructed to confer with all or any of the claimants under Pennsylvania of any land now in the possession of, or claimed under, the State of Connecticut, by persons now being actual settlers, as well as with the said settlers, or any of them; and to endeavor, as much as possible, by reasonable and friendly compromises between the parties claiming (and where this cannot be done, to consider of and report such plans of accommodation as may be most advisable), for accomplishing an equitable and final adjustment of all difficulties.

"Resolved, That as soon as may be, after the Commissioners shall report, an Act be passed providing fully for the cases of the inhabitants of the said country—more especially for the extending to them of the advantages of civil government; for authorizing and directing the choice of Justices of the Peace; for appointing places for holding their annual elections; for giving time for entering their slaves, if any, according to the spirit of the Act of Assembly for the gradual abolition of slavery; for consigning to oblivion all tumults and breaches of the peace—by whatsoever name they may be called—which have arisen out of the controversy between the Colony, or State, of Connecticut and the settlers, on the one part, and the Province, or State, of Pennsylvania and the inhabitants thereof, or any of them, on the other part; and for such other purposes as circumstances shall appear to require.

"Resolved, That an Act be immediately passed for staying proceedings at law, during said inquiry, against the settlers, for dispossessing them by writ of ejectment or otherwise, until this House shall decide upon the report so to be made by the said Commissioners.

"And as the guard of Continental troops, which has been stationed at Wyoming, is about to be withdrawn, it is necessary, for the protection of the said settlement against the savages, to replace the guard immediately with the two companies of Rangers commanded by Captains Robinson and Shrawder."

\*See "Pennsylvania Archives" Old Series, 1X: 754.

Two days later, (to wit; February 25, 1783) the House elected by ballot William Montgomery,\* Moses McClean† and Joseph Montgomery‡ to serve as Commissioners under the foregoing resolutions.

\*WILLIAM MONTGOMERY was born in Londonderry Township, Chester County, Pennsylvania, August 3, 1736, the third child of Alexander and Mary (Nevin) Montgomery. Alexander Montgomery (born about 1700 and died in 1746) was a descendant of Alexander Montgomery (born in 1666) who was an officer under William of Orange, and who, for bravery displayed at the battle of the Boyne, was promoted a Major in the British army.

William Montgomery was between ten and eleven years of age when both his parents died. He grew to manhood on the family plantation in Londonderry, and soon came to be recognized as a man of character and ability. When the difficulties with the mother country became serious, Mr. Montgomery was at a large county meeting held at Chester December 20, 1774, appointed a member of a committee "to aid in organizing an acceptable Government" to supersede the old provincial establishment.

January 23, 1775, he was one of the ten delegates from Chester County in the convention which assembled at Philadelphia, which substantially took charge of the affairs of the Province, and which in the Spring of 1776 appointed members of Congress from Pennsylvania who had nerve enough to vote for the Declaration of Independence. In June, 1776, Mr. Montgomery was commissioned Colonel of the 4th Battalion of Chester County Associates, composed of about 450 men, rank and file. During his absence in the field his place in the Convention was filled by his brother-in-law, Thomas Strawbridge. After the battle of Long Island—in which Colonel Montgomery's battalion participated—the battalion was attached to the "Flying Camp."

Early in 1773 Colonel Montgomery had been induced to visit Northumberland County, Pennsylvania, to look over some land concerning which he had heard favorable reports. He purchased 180 acres of this land from J. Simpson, November 26, 1774. It lay along Mahoning Creek, on the north side, or right bank, of the North Branch of the Susquehanna River, some twelve and a-half miles north-east of the village of Northumberland. (For a better understanding of the location of these lands, see page 1090, Vol. II, and the "Map of Luzerne County" in Chapter XXIII, 305.) Having disposed of his property in Chester County, Colonel Montgomery removed with his family in 1777 to his Northumbria lands; but about the time of the battle of Wyoming he was obliged, owing to fear of Indian incursions, to seek refuge with his family at Fort Augusta, Susquehanna.

As soon as he deemed it safe to return to his home at Mahoning Creek, he did so, and immediately began to clear more land and make various improvements. Other people settled near him, and, as early at least as 1778, the settlement was known as "Montgomery's Landing" and as "Montgomery's."

Colonel Montgomery soon became known in Northumberland County as an enterprising and energetic man, and ere long became one of the leading citizens of the County. In 1779 and 1780 he represented the county in the Pennsylvania Assembly. In September, 1780, he was Assembly appointed William Maclay, Gen. James Wilkinson (Adjutant General of the State) and William Montgomery, Commissioners, to examine the navigation of the Susquehanna, and also ascertain where the northern boundary of Pennsylvania would fall, and "particularly whether any part of Lake Erie is within the State"—as noted on page 759, Vol. II. In October, 1783, Colonel Montgomery was elected a member of Pennsylvania Council of Censors, and in November, 1784, he was elected by the Assembly a delegate to the Continental Congress, in which body he served until February 7, 1785 when he resigned. He was at once appointed President Judge of the Courts of Northumberland County.

In 1787 Colonel Montgomery was appointed by the Assembly one of the commissioners to carry into effect the Confirming Act. In September, 1788, he was appointed a Justice of the Peace in and for Northumberland County, and in the Autumn of the same year was elected a State Senator from the county, under the new constitution of the State. In 1792 he was elected a Representative to the 3d Congress of the United States, and served in that capacity for two years. April 17, 1793, he was commissioned Major General of the Division of Pennsylvania Militia composed of the militia of the counties of Northumberland, Northampton and Luzerne. His commission expired in 1800, whereupon he was recommissioned for a further term of seven years.

The Duke de la Rochefoucault-Liancourt, in the journal of his travels through the United States in 1795, '96 and '97, states under the date of Monday, May 18, 1795: "We halted at Mr. Montgomery's, twelve miles from Northumberland. Mr. Montgomery is a surveyor. He does not keep an inn, but supplies both men and horses with food and provender for money."

In 1801 General Montgomery was appointed and commissioned by Governor McKean an Associate Judge of the Courts of Northumberland County, and this office he held until 1813. In 1808 he was a Presidential Elector on the Republican ticket in Pennsylvania. When, in 1806, the first Post Office was established at Danville, Pennsylvania (see below), General Montgomery was made Postmaster, and, with the assistance of his son Daniel, conducted the office until 1813. He was the first man at Danville to use anthracite coal. This was as early as the year 1813.

General Montgomery died at Danville, May 1, 1816, in his eightieth year. He had been married three times, and had eleven children. His sixth child and third son was Daniel Montgomery, born in Londonderry Township, Chester Co., Pennsylvania, in 1765. In 1790 General Montgomery started a store at his "Landing", which was managed for a number of years by his son Daniel.

In 1792 Daniel Montgomery laid out on his father's lands at "Montgomery's" a town-plot, which was named, after him, "Danville" (now the county-seat of Montour County, Pennsylvania).

In 1800 Daniel Montgomery was sent to the Pennsylvania Legislature as one of the Representatives from Northumberland County. He was commissioned Lieut. Colonel in the Pennsylvania Militia in 1805, and July 27, 1809, was commissioned Major General of the 9th Division, Pennsylvania Militia (comprising the militia of the counties of Northumberland and Luzerne), to succeed his father. His commission was renewed July 4, 1814, and, in the re-arrangement of the State militia, his Division became the 8th—comprising the militia of the counties of Northumberland, Union, Luzerne, Columbia, Susquehanna and Wayne. In 1807 Daniel Montgomery was elected a Representative to Congress from the District which comprised the counties of Northumberland and Luzerne.

Daniel Montgomery was married November 27, 1791, to Christiana Strawbridge (born in 1770) of Chester County, Pennsylvania, and they became the parents of nine children. General Montgomery died at Danville, December 30, 1831.

†MOSES MCCLEAN was born in Upper Dublin Township, Philadelphia County, Pennsylvania, January 10, 1737, the son of William and Elizabeth McClean. He was elected Major of the 2d Battalion, York County (Pennsylvania) Associates, July 28, 1775. Under authority of a resolution of Congress passed January 4, 1776, the 6th Pennsylvania Battalion was raised in the counties of Cumberland and York. William Irvine of Carlisle was commissioned Colonel January 9, 1776, and the same day Moses McClean was commissioned Captain of the 6th Company. Thomas Hartley (see pages 1107 and 1108, Vol. II) was the original Lieut. Colonel of this battalion.

In May, 1776, the 6th Battalion, commanded by Gen. Sullivan, N. Y., forming a part of the force commanded by General Sullivan, was engaged at Red Bank, on the western shore of the Delaware River, June 8, 1776. Eleven days later the "6th" was encamped with other Pennsylvania battalions on the east side of Isle Aux Noix, at the upper end of Lake Champlain. On June 21, Captain McClean, seven other officers and four privates of the "6th", went over from the island to the western shore of the Lake, about a mile from camp, to fish. Captain McClean prudently proposed that they should take arms with them, but was over-ruled by the others of the party. Some Indians observed their movements, and, while they were at a house drinking some beer, the savages surrounded them, killed two of the officers, and two of the privates, and carried off as prisoners Captain McClean and the other members of the party.

Captain McClean was held by the enemy until March 1777, when he was paroled, and a week later was exchanged. Meanwhile, the 6th Battalion had been re-enlisted for three years, or the war, as the 7th Pennsylvania Regiment of the Continental Line.

Captain McClean was elected and commissioned Lieut. Colonel of the 2d Battalion of York County (Pennsylvania) Militia, June 17, 1779. During the years 1780, '81, '82 and '83 he represented his county in the Pennsylvania Assembly. He was married to Sarah Charlesworth, and their daughter, Margaret McClean, became the wife of Abram Scott, the son of Hugh Scott, who was born in Ireland in 1726 and came to America in 1730 with his parents, who settled in Donagel, Lancaster County, Pa. Colonel McClean died at Chillicothe, Ohio, August 25, 1810.

JOSEPH MONTGOMERY was born in Faxtang Township, in what was then Lancaster, but later became Dauphin, County, Pennsylvania, October 3, 1733. He was graduated at the College of New Jersey (Princeton) in 1765, and then

Miner, referring to the matters covered by these resolutions, says ("History of Wyoming", page 318): "Notwithstanding the recall of the Continental guard, and the doubtful measure of sending the companies of Robinson and Shrawder to Wilkes Barré, the proceedings were received at Wyoming by many with no little satisfaction; by the sanguine, with joy; by a few, with misgivings and distrust, for the two military companies—as the war with Great Britain was regarded at an end, and the danger of Indian incursions no longer existed—awakened the jealousy of the more sagacious old men, who remembered the invasion of Plunket, and who saw, or thought they saw, in this array, not protectors, but agents of a hostile interest experience had shown them they had great reason to dread. But the highly respectable names of the Montgomeries were pledges of honor and fairness, that on the whole inspired confidence, and hope of an honorable adjustment."

Col. Timothy Pickering, commenting on the sending of the companies of Robinson and Shrawder to Wilkes-Barré, wrote\*: "Early in the year 1783 Council ordered two companies of Rangers to repair to Wyoming Whether really to protect that country against the Indians, or to curb the Connecticut settlers, may perhaps admit of a question. If for the latter purpose, it will not be difficult to guess at whose instance those troops were sent thither. Certain it is that *the Connecticut settlers did not send for them for one purpose or the other.* But these Rangers were enlisted *only during the Indian war.*"

At Philadelphia, under the date of March 4, 1783, the Supreme Executive Council wrote to Capt. Philip Shrawder and Capt. Thomas Robinson, in part as follows:†

"As the Continental troops have lately been withdrawn from Wyoming, \* \* you will each of you, directly march with your respective companies to that Fort, and take every proper measure for maintaining the Post there, and for protecting the settlements. \* \* \*

"As we confide very much in your prudence, we trust that your conduct will enforce our wishes on a point of great importance. It is our earnest desire that the inhabitants settled at or near Wyoming should be in all respects treated with kindness. This we know to be the desire also of the Legislature—it being the unanimous sense of both Branches of the Government that all differences should be equitably and finally adjusted. We therefore expect that you will separately and together employ your best exertions to prevent any injury being done to the inhabitants before mentioned, and even any quarrels being entered into with them by the officers and soldiers under your command, and that you may convince them by your care and attention to them that they are regarded as fellow citizens whose welfare and happiness you sincerely and affectionately desire to promote." \* \* \*

At this time Captain Shrawder and his company were on duty in Northampton County, Pennsylvania, while Captain Robinson and his company were stationed at Northumberland, Pennsylvania (as mentioned in [ ] note on pages 1243 and 1244). As soon as possible both companies were marched to Wilkes-Barré, where they took possession of Fort Wyoming and re-named it "Fort Dickinson", in honor of the President of the Supreme Executive Council of

became Master of the grammar school connected with that college. Meanwhile he studied theology, and was licensed to preach by the Presbytery of Philadelphia in 1760. The same year he received the honorary degree of Master of Arts from his Alma Mater, Yale College, and the college of Philadelphia (afterwards the University of Pennsylvania.)

Mr. Montgomery held various pastorates in Pennsylvania until 1769, in which year he was installed pastor of the congregations of Christiana Bridge and New Castle, Delaware, where he remained until 1777. Subsequently he served as Chaplain of Colonel Smallwood's regiment of Maryland troops in the Continental Line. In 1780 he was chosen by the House of Representatives of Pennsylvania as one of the State's Representatives in the Continental Congress, and in this office he served two terms. He was elected to the State Assembly in 1782, and was a member of that body when elected to serve as a Commissioner to conduct the investigations at Wyoming. As stated in the note on page 759, Vol. II, he succeeded William Montgomery in 1784 as a member of the New York-Pennsylvania boundary-line commission.

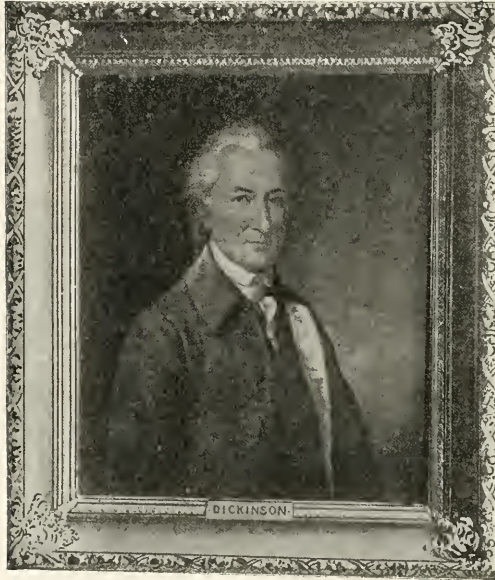
In March, 1785, when the county of Dauphin, Pennsylvania, was erected, Joseph Montgomery was appointed and commissioned Recorder of Deeds and Register of Wills in and for the new county; and these offices he held until his death, which occurred at Harrisburg October 14, 1794.

\*See Hoyt's "Brief" (previously mentioned), note on page 56.

†See "Pennsylvania Archives", Old Series, IX: 761.

Pennsylvania.\* Meanwhile, on March 11, 1783, the Pennsylvania Assembly resolved that the Commissioners appointed on the 25th of February should attend at Wyoming on April 15, 1783; and that Surveyor General John Lukens, or a Deputy under him, "be directed to attend the Commissioners with the necessary

\*JOHN DICKINSON, known as the "Penman of the Revolution," was born in Talbot County, Maryland, November 13, 1732. Gen. Philemon Dickinson, mentioned on page 903, Vol. II, was his younger brother, having been born in Talbot County, April 5, 1739, and dying near Trenton, New Jersey, February 4, 1809. Their parents were Samuel D. and Mary (Cadwalader) Dickinson—



*John Dickinson*

They form one political body, of which each Colony is a member. \* \* \* We have all the rights requisite for our prosperity. The legal authority of Great Britain may indeed lay hard restrictions upon us; but, like the spear of Telephus, it will cure as well as wound. Her unkindness will instruct and compel us, after some time, to discover in our industry and frugality surprising remedies—if our rights continue unviolated; for, as long as the products of our labour and the rewards of our care can properly be called our own, so long it will be worth our while to be industrious and frugal.

"Let us take care of our rights, and we therein take care of our prosperity. 'Slavery is ever preceded by Sleep!' Individuals may be dependent on Ministers, if they please. \* \* \* But, if we have already forgotten the reason that urged us, with unexampled unanimity, to exert ourselves two years ago—if our zeal for the public good is worn out before the homespun clothes which it caused us to have made—if our resolutions are so faint as, by our present conduct, to condemn our own late successful example—if we are not affected by any reverence for the memory of our ancestors, who transmitted to us that freedom in which they had been blessed—if we are not animated by any regard for posterity, to whom, by the most sacred obligations, we are bound to deliver down the invaluable inheritance—then, indeed, any Minister, or any tool of a Minister, or any creature of a tool of Minister, or any lower instrument of administration (if lower there be), is a personage whom it may be dangerous to offend."

The Act respecting impost duties met at once with opposition in the Colonies, and late in October, 1767, was denounced by a public meeting in Boston, which suggested a non-importation agreement as the best means of rendering its operations ineffectual. "While the leaders of the opposition throughout the country were doubtful and hesitating," says Charles J. Stille, LL. D., in his 'Life and Times of John Dickinson,' there appeared in *Pennsylvania Chronicle* (Philadelphia) for the 2d of December, 1767, the first of a series of letters on the political situation, afterwards known as the 'Farmer's Letters'. The letters, fourteen in number, followed one another in quick succession, and they were read by men of all classes and opinions throughout the continent as no other work of a political kind had been hitherto read in America. It was, of course, soon known that John Dickinson was their author."

In the first of these "Letters" Mr. Dickinson wrote: "Benevolence towards mankind excites wishes for their welfare, and such wishes endear the means of fulfilling them. These can be found in liberty only, and therefore her sacred cause ought to be espoused by every man on every occasion, to the utmost of his power. 'The Letters' were collected together and published in book form (80 pages, size 3<sup>1</sup>/<sub>4</sub> inches) at Boston in 1768, under the title 'Letters from a Farmer in Pennsylvania to the Inhabitants of the British Colonies.' A second edition of the pamphlet was published by Hall & Sellers at Philadelphia in 1768, and a third edition was printed by William and Thomas Bradford at Philadelphia in 1769. From that time to the present, various editions of the "Letters" have been published both in this country and England—one of the latest editions being the one published by The Outlook Company, New York, in 1903.

Mary (Cadwalader) Dickinson—Samuel D. Dickinson having located in 1740 in Delaware, where he became Chief Justice of Kent County, and died July 6, 1760, aged seventy-one years.

John Dickinson studied law in Philadelphia from 1750 to 1753, and then went to London, where he entered the Middle Temple and spent three years. On his return to America in 1757, he began the practice of his profession in Philadelphia. In 1760 he became a member of the General Assembly of Delaware, and in 1762, at the age of thirty years, was elected to the Pennsylvania Assembly, where he served with great distinction until 1765.

The imposition of the Stamp Act on the American Colonies in 1765, as related on pages 584 and 585, Vol. I, produced great activity on the part of the press. The chief writer was John Dickinson, who acquired great distinction at this period in his published articles against the policy of the British Government. In September, 1765 (as noted on pages 587 and 589, Vol. I), he was appointed a delegate to the Stamp Act Congress, and, as a member of that body, formulated what was a genuine Bill of Rights.

The Stamp Act having been repealed in March, 1766 (see page 592, Vol. I), a new measure, respecting impost duties in the American Colonies, was passed by Parliament in the Spring of 1767, as mentioned in the note on page 596, Vol. I, about which time John Dickinson issued an "Address to the British Colonists", containing the following paragraphs:

"What have these Colonists to ask while they continue free? Or what have they to dread but insidious attempts to subvert their freedom? Their prosperity does not depend on ministerial favours doled out to particular Provinces.

The "Farmer's Letters" had a wide circulation, both in the Colonies and in England, and they plainly fore-shadowed trouble if the British did not make an attempt to understand what the Americans desired and what they would not suffer. One of the earliest copies of the "Letters" sent to the mother country was the one sent to John Wilkes, as related on page 548, Vol. I.

The "Letters" produced such an effect on both sides of the Atlantic that their appearance has been regarded as "the most brilliant event in the literary history of the Revolution." Ramsay, in his "History of the American Revolution," declares that Dickinson, in his "Letters," "may be said to have sown the seeds of the Revolution." The following is an extract from a letter from a gentleman in London, published in the *New York Journal* of April 13, 1769. "Mr. Dickinson's 'Farmer's Letters' have carried his name and reputation all over the British Dominions. I was a few days ago in a large company of patriots and advocates of liberty, where I heard a thousand fine encomiums passed upon them. It is a general remark here that all the State papers which come from America are written in a style not to be equalled in any part of the British dominions."

At a largely-attended meeting of the merchants of Philadelphia, held in that city on April 25, 1768, Mr. Dickinson delivered a long and carefully-prepared address, the opening (1) and closing (2) paragraphs of which were as follows: (1) "You are called together to give your advice and opinions as to what answer shall be returned to our Brethren of Boston and New York, who desire to know whether we will unite with them in stopping the importation of goods from Great Britain until certain Acts of Parliament are repealed, which are thought to be injurious to our rights as freemen and British subjects. \* \* \* (2) I hope, my Brethren, there is not a man among us who will not cheerfully join in the measure proposed, and, with our Brethren of Boston and New York, freely forego a present advantage, may, even submit to a present inconvenience, for the sake of Liberty, on which our happiness, lives and properties depend. Let us never forget that our strength depends on our union, and our liberty on our strength. *United we conquer—divided we die!*"

In 1768 William Goddard of Philadelphia published a tract of eight pages written by Mr. Dickinson and entitled "To the Public." It dealt with the Stamp Act and the renewal of the Non-Importation Agreement. In this same year a "Liberty Song" written by Mr. Dickinson was widely disseminated and sung. It was set to the air of "Hearts of Oak", and is said to have been the first American patriotic song, produced in this country. It first appeared in Goddard's *Pennsylvania Chronicle*, and was soon copied into newspapers throughout the Colonies. It had a great vogue. In it were the lines:

"Then join hand in hand, brave Americans all!  
By uniting we stand, by dividing we fall!"

This phrase was freely quoted during the American Revolution. It was the pith of all Mr. Dickinson's public writings; it was the motto of the times; it was the slogan which eventually was to lead the patriots to victory.

In 1774 Mr. Dickinson wrote, and William and Thomas Bradford of Philadelphia published, "An Essay on the Constitutional Powers of Great Britain over the Colonies in America."

As narrated on pages 354 and 602, the First Continental Congress convened in Carpenter's Hall, Philadelphia, September 5, 1774. In general the Delegates—fifty-five in number—were men of uncommon ability, who had taken a prominent part in the political action of their several localities. Among the Delegates from Pennsylvania were Joseph Galloway (mentioned in the note on page 781, Vol. II), some time later attained of high treason in pursuance of the treason laws of the State of Pennsylvania, and John Dickinson. The latter was the author of a series of State papers, put forth by the Congress, which won for him a glorious tribute from Lord Chatham. Among them was the "Petition to the King", referred to on pages 557 and 603. It has been said that "it will remain an imperishable monument to the glory of its author and of the Congress of which he was a member, so long as fervid and manly eloquence and chaste and elegant composition shall be appreciated."

On the adjournment of the Congress in October, 1774, a public entertainment was given to the Delegates by more than 500 citizens of Philadelphia; and it was manifest that the union of the Colonies was greatly strengthened by the ties not only of public interest, but of private friendship. *Independence*, let it be borne in mind, was still not yet the object aimed at. Redress of grievances and the repeal of obnoxious statutes were to be accomplished, if possible, by means compatible with colonial allegiance. If blood was to be shed, it was to be in defense against aggression.

To carry into effect the measures determined on by the Congress, a committee of sixty persons was elected in Philadelphia in November, 1774. John Dickinson, Joseph Reed, Charles Thomson, George Clymer and Thomas Mifflin were members of it. The committee proceeded with great energy to the discharge of its duties.

The following paragraph is from a letter written in Philadelphia relative to the First Continental Congress, and printed in the *London Chronicle* of January 5, 1775. "The cordiality and affection which the American puffers and scribblers say prevailed at the General Congress are known by every honest Philadelphian to be falsehoods. The celebrated Mr. Dickinson, the second-named Delegate from Pennsylvania, cannot have forgotten the thorough caning which he received from Mr. Galloway, the first-named Delegate; nor can Mr. Galloway have forgiven the scurrilous falsities which provoked him to discipline the celebrated Gentleman Farmer, Lawyer and Patriot. The public may guess what sort of affection subsisted between the well-dribbed patriot and his corrector."

As mentioned in the note on page 859, Vol. II, John Dickinson was a member of the Provincial Convention which assembled at Philadelphia in January, 1775. The Second Continental Congress convened at Philadelphia May 10, 1775, and Mr. Dickinson attended as one of the Delegates from Pennsylvania. On the 23d of the same month he was appointed by the Pennsylvania Assembly, and duly commissioned, Colonel of the 1st Battalion of Associators (Militia) in the City and Liberties of Philadelphia. Early in the Second Congress a second "humble and dutiful" petition to the King was moved. John Dickinson had the chief part in framing it, but it met with strong opposition. John Adams condemned it as an imbecile measure, calculated to embarrass the proceedings of the Congress. He was for prompt and vigorous action, and other members concurred with him. The petition was finally adopted, however, on July 8, 1775, and the same day a committee, that had previously been appointed, presented through John Dickinson, its author, a "Declaration of the Causes of taking up Arms against England." This "Declaration", which was duly adopted, contained the following paragraphs:

"We are reduced to the alternative of choosing an unconditional submission to the tyranny of irritated Ministers, or resistance by force. The latter is our choice. We have counted the cost of this contest, and find nothing so dreadful as voluntary slavery. Honor, justice and humanity forbid us tamely to surrender that freedom which we received from our gallant ancestors, and which our innocent posterity have a right to receive from us.

"We cannot endure the infamy and guilt of resigning succeeding generations to that wretchedness which inevitably awaits them if we basely entail hereditary bondage upon them. Our cause is just! Our union is perfect! Our internal resources are great, and, if necessary, foreign assistance is undoubtedly available."

As noted on pages 847 and 849 Colonel Dickinson was a member of the Pennsylvania Assembly in 1775, and served on committees having to do with the state of affairs in Wyoming.

As an important means of prosecuting the rebellion of the Colonies against the Royal Government, a "Committee of Secret Correspondence" was appointed by the Continental Congress November 29, 1775, composed of John Dickinson, Benjamin Franklin, Benjamin Harrison, and John Jay. This was actually a Committee of Foreign Affairs, whose negotiations resulted, two years later, in an alliance with France.

In June, 1776, as a member of Congress, Colonel Dickinson opposed the adoption of the Declaration of Independence, because he doubted the wisdom of the measure. When the question came to be voted on he absented himself intentionally from the Hall of Congress; but subsequently he proved that his patriotism was not inferior to that of those who differed with him by enlisting as a private in the American army. In October, 1777, he was commissioned a Brigadier General of the Delaware militia. In April, 1779, he returned to Congress as a Representative from Delaware, and wrote the "Address to the States" of May 26. He was Governor of Delaware in 1781-82, and November 7, 1782, succeeded William Moore as President of the Supreme Executive Council of Pennsylvania.

But, says Dr. Stillé, in his "Life and Times of John Dickinson", previously quoted from, "Mr. Dickinson was not permitted to assume office until after he had been exposed to a most violent and scurrilous attack in the newspapers by an anonymous writer, who signed himself 'Valerius'. The attack began by a letter in the *Freeman's Journal* of October 3, 1782, and was followed up, after Mr. Dickinson's election as President, by several other letters from the same source, in which the bitterness and malignity of the writer were more conspicuous, if possible, than in the first."

"Who 'Valerius' was has never been distinctly known, and his identity has been, perhaps, as difficult to fix certainly as that of the author of the letters of Junius. Like the attacks of that famous libeler, the letters of 'Valerius' are more

papers on that day." On March 13th, the Assembly passed an Act which, after first referring to the Decree of Trenton, contained the following paragraphs:

"And Whereas, This House, taking into consideration the situation of the present settlers under the late claim of the State of Connecticut, at that part of Wyoming eastward and northward of Nescopeck Falls, on the East Branch of Susquehanna, have agreed to send Commissioners to make inquiry into the cases of the said settlers, and to encourage, as much as possible, reasonable and friendly compromises between the parties claiming, and, therefore it is highly improper that any proceedings at law shall be had for the recovery of any lands or tenements during the said inquiry:

"Be it therefore enacted, That every writ and process whatever, granted or issued, or which may hereafter be granted or issued for any owner or owners, claimant or claimants, against any person being now an inhabitant on said lands at Wyoming, in order to dispossess any of the said inhabitants or settlers of the lands or tenements in his, her, or their occupancy, shall be and the same are hereby declared to be stayed; and on motion, all further proceedings thereon shall be quashed by the Court to which such writ shall be returnable, until the report of the said commissioners shall be laid before this House, and order shall be taken thereon.

"And be it further enacted by the authority aforesaid, That this Act shall be and continue in force until the end of the next sitting of General Assembly, and no longer."

At Wilkes-Barré, under the date of March 26, 1783, Capt. Thomas Robinson\* wrote to President Dickinson of the Supreme Executive Council, in part as follows†:

"Your orders of the 4th inst. I received on the 13th, but such was the state of the weather, the roads, and the freshets in the creeks and rivers, as rendered it impracticable for me to march before the 19th; and on the 23d I arrived here, with much difficulty, where I met Capt. Philip Shrawder. I immediately took possession of the garrison, with everything belonging thereunto. I also met at the same place Capt. Peter Summers, late of the 4th Pennsylvania Regiment, who remarkable for boldness of invective and unscrupulous ascription of bad motives than for any influence or impression, which they made upon the public mind at the period when they were written. These letters are the source from which posterity has drawn the materials for the libels which have done so much to misjudge and injure, in the eyes of posterity the man who had the moral courage to refuse to vote for the Declaration of Independence because he thought it inopportune."

Dr. Stillé then refers to the diary of Mrs. Deborah Logan, and quotes an extract from it which shows that "the family tradition is that Gen. John Armstrong, Jr., was 'Valerius.'" "It must be borne in mind, however," says Dr. Stillé, "that Armstrong was Secretary of the [Supreme Executive] Council before Dickinson was elected President." Dr. Stillé is in error here, for, as shown in the sketch of Armstrong, hereinafter, he was not elected Secretary of the Council until March, 1783. The extract from Mrs. Logan's diary, quoted by Dr. Stillé, reads as follows: "Here let me mention an anecdote of Armstrong, given on the best authority as true. He has still displayed a love of intrigue, a dereliction of principle and a baseness of deceit which should draw on him the scorn of every honest mind, from his first appearance in public life until this time [August 30, 1814]. He read law, when a young man, under my honored cousin, John Dickinson, and had received from him polite and kind attentions. When Armstrong was Secretary of Council he was, of course, much in John Dickinson's family, receiving daily proofs of his confidence and friendship; yet at this period he was actually the writer of all those ill-natured and detestable paragraphs in some of the public prints which wounded the mind of his patron but too sensibly."

In 1783 Dickinson College was established at Carlisle, Pennsylvania, and incorporated by the Legislature of the State. It was named for John Dickinson, in commemoration of the great and important services rendered by him to his country, and in acknowledgment of his very liberal donations to the institution. The same year he was made an honorary member of the Pennsylvania Branch of the Society of the Cincinnati.

General Dickinson served as President of the Supreme Executive Council of Pennsylvania, by successive elections, until October 18, 1785, when he was succeeded by Benjamin Franklin. After his retirement from the Council he took up his residence in Wilmington, Delaware, where he resided until his death. His influence had waned somewhat after 1776, on account of his opposition to the Declaration of Independence; but a series of papers written by him in 1787-'88, and published over the pseudonym of "Fabius", were widely read, and contributed much towards inducing Pennsylvania and Delaware to ratify the Federal Constitution. General Dickinson sat in the Constitutional Convention (May-September, 1787) as one of the five delegates from Delaware, and took a prominent part in the debates.

In 1796 General Dickinson received the honorary degree of LL. D. from the College of New Jersey (Princeton), and in 1801 his "Political Writings" were published in two volumes, 8vo, by Bonsal and Niles at Wilmington. He died at Wilmington February 14, 1808.

The following concerning John Dickinson is taken from Sharf and Westcott's "History of Philadelphia" (page 275): "Truly he lives in my memory," said William T. Reed, "as a realization of my bean-ideal of a gentleman." That was apparent to all, and it may have been the reason John Adams did not like him, and wrote of him, "A certain great fortune and piddling genius, whose fame has been trumpeted loudly, has given a cast of folly to our whole doings." John Dickinson had the misfortune to be an *homme incompris*. He was sensitive, proud, haughty; disappointed, too, perhaps, that he could not participate in the Revolution to move on as he would have had it do, and, perhaps thought his pen and voice could make it do, like a gentleman's chaise and pair over a smooth lawn. He was too precise, courtly and formal, perhaps, to suit his business-like colleagues, who could not conceive so much grace and polish to be compatible with earnestness."

†THOMAS ROBINSON was commissioned February 10, 1781, Captain of a company of Pennsylvania militia raised in Northumberland County, and known as "Rangers". Moses Van Campen (mentioned in [ ] note on page 1243) was Lieutenant of this company (having been commissioned February 10, 1781), and when it came to Wilkes-Barré Thomas Chambers was its Ensign.

During the winter of 1781-'82 Robinson's "Rangers" were stationed at Reading, Pennsylvania, assisting to guard the British prisoners detained there. In the latter part of February, 1782, the "Rangers" were ordered to Northumberland, whence, under orders of the Supreme Executive Council issued March 6, 1782, they marched up the valley of the West Branch of the Susquehanna to a point near the present town of Muncy, Lycoming County, Pennsylvania, where they began preparations to rebuild Fort Muncy—which had been originally built in 1778 by soldiers under the command of Col. Thomas Hartley, and had been destroyed by the Indians in 1779 or '80. The fort stood near the stone mansion of Samuel Wallis, mentioned in the note on page 653, Vol. II. It was while this fort was being rebuilt that Lieutenant Van Campen was sent in command of a detachment of "Rangers" up to Bald Eagle Creek, where he was captured by Indians, as hereinbefore narrated.

About the time Captain Robinson was ordered to Fort Muncy, Samuel Hunter, Lieutenant of the county of Northumberland, wrote to the Supreme Executive Council that "it would require at least 100 men to keep proper out-posts and repair the garrison" at Fort Muncy. In reply the County Lieutenant was directed to have the necessary repairs to the fort made, "having due regard to frugality." Under the date of April 17, 1782, the County Lieutenant wrote to the Council: "Agreeable to your letter Captain Robinson's headquarters is at Fort Muncy, and I am certain he does



THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED

Original

To the Honorable Secretary of the War, Sir, I have the honor to acknowledge the receipt of your letter of the 17th inst. in relation to the appointment of an officer in your Regiment to the rank of Major, and in reply to inform you that the Committee of Congress have taken into consideration the same, and have concluded to advise the President to appoint you to the rank of Major, and to the command of the 2d Regiment of the Connecticut Militia, in the State of Connecticut, as soon as you shall be qualified to take the oath of office, and to receive the arms of the United States. I am, Sir, very respectfully, your obedient servant,

J. B. C. Secretary of the War

And you are to observe that the Committee of Congress have taken into consideration the same, and have concluded to advise the President to appoint you to the rank of Major, and to the command of the 2d Regiment of the Connecticut Militia, in the State of Connecticut, as soon as you shall be qualified to take the oath of office, and to receive the arms of the United States. I am, Sir, very respectfully, your obedient servant,

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J. B. C. Secretary of the War

Commission of Zebulon Butler as Colonel of the 2d Connecticut Regiment, 1779. (Original is in the Collection of "Butler Papers" at the Wyoming Historical and Geological Society.)



had been sent here to collect and carry away the remainder of the Continental military and other stores from this Post. As I had carried no military stores to this Post, \* \* \* I retained some part of the military stores—shot, grape and canister, powder and lead."

At Wilkes-Barré, three days later (March 29, 1783), Captain Shrawder\* wrote to President Dickinson in part as follows:†

"In obedience to your Excellency's orders I took possession of this Fort the 21st inst., and Captain Robinson arrived the 24th. From Captain Summers, who had been sent here by Mr. [Samuel] Hodgdon for the military stores belonging to the United States, we received some necessary ammunition for the artillery at this Post, hoping to meet with your Excellency's approbation, as the ordnance otherwise would have been entirely useless. Powder, lead and flints for rifles and muskets we stand very much in need of. \* \* \*

"The conduct and behavior of the inhabitants resemble that of a conquered nation very much. They had several meetings concerning their public affairs this week, keeping the result thereof a secret. Yesterday morning they sent one Mr. [Benjamin] Harvey to Connecticut to a Recording office for copies of the names of the first settlers on the Susquehanna, and when they took possession of the land. By another gentleman I was informed they had wrote to the State of Connecticut to bring on another trial.

"Last Tuesday they held Court, but adjourned again the same day. As the law of Pennsylvania is not established yet, and that of Connecticut abolished (the body of the people a concourse from different States, among whom there is a number of the bad kind, who, by taking advantage of the times, would be willing to defraud the better sort), I would therefore entreat your Excellency and the Honorable Council for instructions how to conduct in case people come of their own accord, or are brought before [me]. I would further beg your Excellency's orders what to do when some of the Pennsylvania claimants should come up to plant a little Summer grain, as those new acquired peoply say they will not suffer the Pennsylvania landholders to plant anything; neither will they permit some of those Connecticut Pennsylvanians to raise any grain on the ground, who had done so last year under Connecticut claim.

"Mr. [Obadiah] Gore of this place, who had been sent some time ago to the Assembly of the State of New York with a petition for a grant of land thirty miles square at Aghnague on this side of the Lake near the head of the Susquehanna, returned last night, and brought the news that the petition of the Wyoming settlers had been granted, and that he was to go up and choose the place."

On Monday, March 24, 1783, Col. Zebulon Butler arrived at Wilkes-Barré from the camp of his regiment on the Hudson, for a few days visit. The same all he can in the ranging way for the good of the county; but as for doing much towards the repairing of the fort, it is not in his power at present, as the enemy has made their appearance once more on our frontiers."

After rebuilding Fort Muncy, and conducting other operations along the West Branch, Robinson's "Rangers" returned to Northumberland, where they were stationed until ordered to Wilkes-Barré. Here they remained until discharged from and mustered out of service in November, 1783. Shortly after this, Captain Robinson settled at Robinson's Island, in Pine Creek, about one-half mile from where the creek empties into the West Branch of the Susquehanna, in Lycoming County. He soon became extensively engaged in the land business.

In the Summer of 1792, while on a business trip up the North Branch of the Susquehanna, he was taken ill. Coming down the river in an open boat, exposed to the sun, his disease was aggravated, and shortly after reaching Wilkes-Barré, in August, he died and was buried here. He had a daughter Mary, who became the wife of John Cook (of Lycoming County?).

†See "Pennsylvania Archives", Old Series, X, 14.

\*PHILIP SHRAWDER, or PHILIP CHRISTIAN SCHRADER as he was christened, was born December 16, 1745, at Frankenthal, in Bavaria, now one of the States of the German Empire. He was the eldest of five children—two sons and three daughters—who grew to maturity. At the beginning of the American Revolution he came to this country, and, proceeding to Philadelphia, offered his services, in a military capacity, to the Pennsylvania Council of Safety. By the Council he was recommended to the Continental Congress for a commission, August 9, 1776, and three days later, by a resolution of Congress, he was commissioned "Second Lieutenant of the 5th Company of Germans to be raised in Pennsylvania." This company formed part of the "German Regiment" referred to at length in the note on page 1162, Vol. II, and Philip Shrawder served with the regiment in all its campaigns and battles until its reduction, January 1, 1781. He was promoted First Lieutenant, May 13, 1777; promoted Captain-Lieutenant, February 8, 1778, and retired January 1, 1781.

While stationed with his regiment at Sunbury, Pennsylvania, in the Winter of 1779-'80 (see page 1224, Vol. II), Captain Shrawder, who for some time had been a member of Military Lodge, No. 19, Free and Accepted Masons, mentioned on page 1184, Vol. II, presented his petition to Lodge No. 22, at Sunbury. He was admitted to membership in this Lodge February 19, 1780, and at the same meeting Dr. Peter Peters, Surgeon, and Bernard Hubble, a Captain of the German Regiment (see note, page 1162, Vol. II), late members of Military Lodge, No. 19, were also admitted members of Lodge No. 22. (See F. A. Godcharles' "Free Masonry in Northumberland and Snyder Counties, Pennsylvania", I: 15, 16.)

In August, 1782, Captain Shrawder was one of several petitioners to the Grand Lodge of Pennsylvania, Ancient York Masons, for a warrant for a Lodge (No. 38) to be held at Easton, Pennsylvania. (See "Old Masonic Lodges of Pennsylvania", II: 141.)

Upon his retirement from the Continental army Captain Shrawder raised a company of Pennsylvania "Rangers", which was mustered into the service of the State, as a part of its militia, February 10, 1781, to be stationed in Northampton County. A pay-roll of this company, covering the period from February 10, 1781, to June 1, 1782, is printed in "Pennsylvania Archives", Second Series, XIV: 581. It contains the names of Philip Shrawder, Captain (commissioned February 10, 1781); Jacob Cramer, Lieutenant; Lawrence Erb, Ensign; Adolf Creselius and John Beissel, Sergeants; D. St. Clair, Drummer; and the names of twenty-nine privates.

May 1, 1781, Joseph Reed, President of the Supreme Executive Council, wrote as follows to the Hon. John Van Campen, of Lower Smithfield, Northampton County, who at that time was a member of the Supreme Executive Council—having been elected October 14, 1780. "Captain Shrawder has orders to procure ammunition, which will be sent up by the wagons. Our advice is, and we wish you to impress it upon the leading men of the County, that Captain Shrawder's company should be recruited as soon as possible. The next relief is money, of which we have sent £1,000 by the bearer, which you will appropriate with prudence and discretion for immediate relief, employing it in hiring men on this emergency. We must now recommend to you vigorous exertions of yourselves, stockading the strong houses, and, if possible, promoting scouting parties—offering the reward for scalps and prisoners agreeable to our proclamation of last year." (See "Pennsylvania Archives", Second Series, III: 478.)

In September, 1781, Shrawder's "Rangers" were stationed at Lower Smithfield, Northampton County, and on the 6th of the month the Captain wrote to President Reed in part as follows (See "Pennsylvania Archives", Old Series,

day a town-meeting of the inhabitants of Westmoreland was held at Wilkes-Barré, and adjourned meetings were held on the 26th and 27th of the month. As stated in the letters of Captain Shrawder, it was voted to send Benjamin Harvey to Connecticut for the following purposes: (1) To get from the records of The Susquehanna Company, at Windham, a full and complete "list of the first settlers on the Susquehanna" under the auspices of the Company, and a statement as to when they took possession of the land; (2) to present to the General Assembly at Hartford, a petition urging that steps be taken to have "another trial for the soil, if not for jurisdiction," of the Wyoming region.

On Friday, March 28th (the same day on which Obadiah Gore returned to Wilkes-Barré from his mission to the Legislature of New York), Benjamin Harvey set out on horseback from his home in Plymouth for Windham, a journey of 235 miles, which at that time occupied from twelve to fourteen days. The General Assembly of Connecticut was to hold its regular semi-annual session early in May; so, having completed at Windham the business of the Wyoming settlers, Mr. Harvey journeyed next to his former home in Lyme, Connecticut, to visit his brothers and look after some private affairs there.

At Wilkes-Barré, under the date of Sunday, March 30, 1783, Captain Shrawder wrote to John Van Campen, Esq., previously mentioned, as follows\* :

"At and since my arrival at this place the inhabitants are exceedingly reserved, and, to judge by appearances, the generality of them does not like the Pennsylvanians to an excess. Last Monday they had a town-meeting, to sound their purses whether they can muster as much as would pay for a trial; but, not coming to a determination, they adjourned till Wednesday, for it seems that some part is for Pennsylvania and others not.

"On Tuesday they held Court. As far as I could hear nothing was done, so they adjourned again, for the defendants will call their authority in question, and the Court cannot support their authority by force. Mr. Justice below the mountain, near the Delaware (whom you know, and I do not), continues to issue warrants or precepts, but Mr. Yarrington, the Constable [at Wilkes-Barré], swears he'll not serve any more warrants, as the Justice can do nothing after a man is taken.

"On Monday Colonel Butler arrived here, and the day following he and several of the principal inhabitants were over the river to Shawnee; but whether on private (as they would fain make me believe) or on public [business] I cannot tell. On Thursday they had a town-meeting. Your Excellency's request, to turn my men either to the Pennsylvania Line or to Captain [Thomas] Robin-son's company, I have endeavored to put into execution, but was disappointed, as the men, amounting now to twelve had, previous to their engagements, assurances that they should not be taken off, but employed for the defense of this County. There is the greatest probability for raising the company in a very short time if clothing and the first bounty in *hard money* could be tendered to recruits." \* \* \*

In the Summer of 1782 Shrawder's "Rangers" were stationed at Chestnut Hill, Northampton County, and under the date of June 19, Captain Shrawder wrote to John Van Campen, Esq., previously mentioned, in part as follows. "The men are all very anxious for their pay, and myself should be very happy to be enabled to procure some clothing for myself, and to pay my debts. \* \* \* I have always parties out scouting the woods from my post to Zawitz, &c. and again from my post to Fort Allen. Those at Fort Allen take their tour down to Berks County, and also up to my quarters again. Mr [Jacob] Cramer, who, agreeable to his information, sent his resignation [as Lieutenant] to Council in March last, is with me since the 2d of May as volunteer—scouts the woods with my parties. Mr. Lawrence Erb begs to be remembered by Council, to be promoted to Lieutenant." ("Zawitz" referred to in the foregoing letter was undoubtedly the locality referred to as "Sebitz" in the journal of Dr. Schopf. See page 1339)

In September and early in October, 1782, Captain Shrawder was stationed at Fort Allen (mentioned on page 339, Vol. I), and in the following November he was again at Chestnut Hill. There, under the date of November 4th, he wrote to John Van Campen, Esq. (temporarily in Philadelphia), to the effect that "in September last our late President [Moore] mentioned to have my company recruited during the Winter to about 100 men, with the addition of another officer; by which means the militia might be spared, and the State saved a good deal of expense."

After his retirement from the military service of Pennsylvania in November, 1783, Captain Shrawder settled in Lower Smithfield Township, Northampton County, Pennsylvania. In December, 1783, he became a member of the Pennsylvania Branch of the Society of the Cincinnati. He was married at Lower Smithfield, February 19, 1793, by the Rev. William Francis Poppard, to "the widow Rachael Van Campen." She died September 29, 1805. Captain Shrawder was commissioned a Justice of the Peace in and for Northampton County April 1, 1806.

In 1818 Captain Shrawder paid a visit to his relatives in Bavaria, and while at Frankenthal acted in the capacity of godfather at the christening of his grand-nephew, George Philip Christian Friederich Schrader, born at Frankenthal, December 23, 1818, the fourth child of John Nicholas and Albertine (*Schuck*) Schrader. G. P. C. F. Schrader, or, as he was commonly called and known "Frederick Schrader", immigrated to America in 1833, and settled in Wilkes-Barré. Later he removed to Scranton, Pennsylvania, where he died, October 17, 1893.

Capt. Philip Shrawder died in Northampton County, March 17, 1820, leaving no children. According to the "Genealogical and Family History of the Wyoming and Lackawanna Valleys", p. 260, "Captain Shrawder left a large estate, principally in land, in Pennsylvania. \* \* \* His name is commemorated in Shradler's Creek. He was an ardent American in spirit, and provided that, in order to obtain inheritance in his estate, his kindred in Germany should come to the United States, establish a residence here, and assume the obligations of citizenship. As a further inducement to his heirs to come to this country, he offered a large sum of money to the first child born in the United States to such immigrants." (See sketch of the Hon. John Reichard in a subsequent chapter.) In May, 1832, the Trustees named in the will of Captain Shrawder, "late of Smithfield Township, Northampton County", were authorized to make sale of certain real estate of the testator in the counties of Luzerne and Wayne, Pennsylvania

\*See "Pennsylvania Archives", Old Series, X: 23.

\*See "Pennsylvania Archives", Old Series, X: 24

meeting here, when they agreed, according to Capt. [Simon] Spalding's information to me, to send Mr. [Benjamin] Harvey to a certain place in Connecticut for a copy of records, &c.; and accordingly Mr. Harvey set off yesterday morning. But by the way of another information I heard they had wrote to the Governor and Assembly of Connecticut about having another trial for the soil, if not for jurisdiction; for the people are divided—some for one, some for the other and some for both.

"They have also appointed a committee last Thursday to confer with the committee appointed by the [Pennsylvania] Assembly. Captain Spalding is one of those for Wyoming. He is the truest of any I have seen yet. His interest doth not lie here at all, he claiming only a certain place near Standing Stone, on which he formerly lived.\* Other gentlemen pretend ignorance of Court and town-meetings, although I am very certain of the contrary, and it is very likely they are absent in person but present by proxy at those meetings.

"Notwithstanding the assurances you have had, the conduct and deportment of the people indicates a great dissatisfaction for the State of Pennsylvania. Before I could be up I had wrote a letter to Colonel Denison and Captain Schott setting forth the sentiments of both branches of the Government concerning the dispute; but during the whole time of my presence here I have not seen Mr. Denison yet. Captain Robinson, who came up on Monday last and went off again on Tuesday last, informed me there was no knapsacks at all at Northumberland."

Let us, at this point, turn aside for a brief space to acquaint ourselves with certain important happenings which occurred about this time at some distance from Wilkes-Barré.

Provisional articles of peace between Great Britain and the United States having been signed at Paris, November 30, 1782 (as mentioned on page 1292), King George III issued his royal proclamation February 14, 1783, "declaring the cessation of arms, as well by sea as land", agreed upon between His Majesty and the United States of America, and enjoining the observance thereof upon all his "loving subjects," under the penalty of incurring his "highest displeasure." Some weeks later official information concerning the King's act was conveyed to the Continental Congress, then sitting at Philadelphia; whereupon that body on April 11, 1783, declared it to be their will and pleasure that hostilities should cease. Five days later President Dickinson, in behalf of the Pennsylvania Government, issued a proclamation announcing the cessation of hostilities.

The return of peace was celebrated everywhere with bonfires, with rockets, with speeches, and with thanksgiving on April 19th, the eighth anniversary of the fight at Lexington. The columns of the few newspapers and periodicals which were published in this country at that period overflowed with articles and editorials, both in poetry and prose, on the all-absorbing topic—Peace and a return of Prosperity. One of the most widely printed and read articles was Thomas Paines' "The Birth-day of the Republic"†, in which appeared these sentences:

"The times that tried men's souls‡ are over, and the greatest and completest revolution the world ever knew gloriously and happily accomplished! \* \* \* To see it in our power to make a world happy—to teach mankind the art of being so—to exhibit, on the theater of the universe, a character hitherto unknown—and to have, as it were, a new creation intrusted to our hands, are honors that command reflection, and can neither be too highly estimated, nor too gratefully received. \* \* In this pause, then, of recollection—while the storm is ceasing, and the long agitated mind vibrating to a rest—let us look back on the scenes we have passed, and learn from experience what is yet to be done."

The following stanzas are from a popular song of the period—a parody on "God Save the King."

"Fame, let thy trumpet sound,  
Tell all the world around,  
Columbia's free!  
Tell Germaine, North and Bute,  
And every other brute  
Tyrannic George won't suit  
Her Liberty.

"The bloody George in vain  
May forge a stronger chain,  
The deed is done!  
A greater George than he  
Hath set Columbia free.  
Immortalized shall be  
GEORGE WASHINGTON!"

\*According to C. F. Heverly's "History of Sheshequin", page 56, "the first settlement in Sheshequin [in what is now Bradford County, Pennsylvania] dates from May 30, 1783, when Gen. Simon Spalding and his little band arrived from Wyoming." The party consisted of General Spalding and the persons named in the note on page 980, Vol. II

†See "Library of American Literature", III: 222.

‡See page 875, Vol. II.

By the soldiers of the Continental Line, encamped along the Hudson River, the news of the cessation of hostilities (announced in general orders from headquarters) was received with almost extravagant demonstrations of joy. All were anxious to return to their homes and their former occupations and callings; but there were to be months of weary delay before actual peace should be declared and all the worn-out soldiers permitted to return to the walks of civil life. Many were discharged during the following Summer and Autumn, but the whole army was not disbanded till early in November, 1783.

The following certificates, relating to soldiers from Wyoming Valley in service on the Hudson in April, 1783, and now printed for the first time, are copies of originals which, in November, 1879, were in the possession of Mr. M. M. Jones, Secretary of the Historical Society at Utica, New York.

April 17, 1783.

"This certifies that the underwritten names belong to the First Connecticut regiment, and enlisted during the War.

"Mason F. Alden, <i>Serg't.</i>	Elisha Garrett, <i>Private</i>
Thomas Neal, "	Ambrose Gaylord, "
Asahel Hide, <i>Corp'l</i>	Rufus Bennett, "
Benjn. Clark, "	Ira Stevens, "
Elisha Mattison, "	John Oakley, "
Daniel Denton, "	David Brown, "
John Swift, <i>Private</i>	Amos Ormsby, "
Isaac Smith, "	William Smith, "
Elisha Satterlee, "	Israel Harding, "
William Loomis, "	John Halstead, "
Oliver Bennett, "	Asa Smith, "
Benjamin Cole, "	Obadiah Walker, "
Gideon Church, "	Abiel Farnam, "
William McClure, "	John Platner, "

[Signed] "E. ELLS, Capt. 1st Conn. Regt.

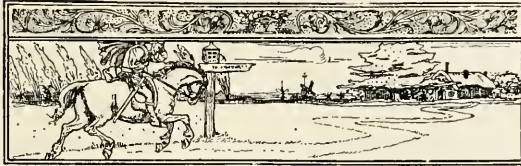
"The above mentioned soldiers are now in service, and belong to Westmoreland upon the Susquehanna River. [name of place illegible] 17 Apl. 1783,

[Signed] "JOHN P. WYLLYS, Major,  
and commanding 1st Conn. Regt."

"This certifies that the underwritten names belong to Susquehanna, and were enlisted during the war, and are now in actual service in the 2d Connecticut Regiment.

"John Ryon, <i>Serg't.</i>	Certified per
Ebenezer Bostwick, "	"HEMAN SWIFT, Colo.
John Jackson, <i>Private</i>	2d Connt. Regt."
William Jackways, "	
Philetus Swift, "	





## CHAPTER XXIII

THE PENNSYLVANIA COMMISSIONERS REACH WILKES-BARRÉ—MUCH TESTIMONY TAKEN AS TO THE RIGHT OF SOIL—COMPROMISE SUGGESTIONS REFUSED—COMMISSION DEPARTS AFTER ELECTING PARTISAN OFFICE HOLDERS—SOLDIERS QUARTERED UPON THE INHABITANTS AND ENCOURAGED TO OPPRESS SETTLERS—SECOND PENNAMITE-YANKEE WAR BEGUN—DISASTROUS FLOOD AT WYOMING

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“There's some ill planet reigns;  
I must be patient, till the heavens look  
With an aspect more favorable.”

*A Winter's Tale. Act 11, Scene 1.*

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“But strong of limb  
And swift of foot misfortune is, and, far  
Outstripping all, comes first to every land,  
And there wreaks evil on mankind  
Which prayers do afterward redress.”

*Homer's Iliad.*

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“See how the noble river's swelling tide,  
Augmented by the mountains melting snows,  
Breaks from its banks, and o'er the region flows.”

*Blackmore.*

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Returning now to Wilkes-Barré we find that the Pennsylvania Commissioners, Joseph and William Montgomery and Moses McClean (see [†] note, page 1316), with their assistants, arrived here on Tuesday, April 15, 1783, bringing to the inhabitants their first news of the proclamation of King George and the resolve of Congress with respect to the ending of the Revolutionary War.

Concerning the coming of the Commissioners, Col. John Franklin wrote\*, some twelve years later, as follows:

“The settlers having had previous notice had appointed a Committee [Judge John Jenkins, Sr., Col. Nathan Denison, Lieut Obadiah Gore and Lieut Samuel Shippard] to transact the business in behalf of the whole [people]. Immediately after the arrival of the Commissioners they requested a meeting of the inhabitants, which was complied with. The Commissioners stated the business of their mission, the Resolves of the Assembly were read, and they informed the people that they should proceed according to their instructions from the Assembly; and particularly informed the people that after they had made their report to the Assembly—which would be in

\*About the year 1794 or '95 Col. Franklin wrote a very full and extended “Brief” of The Susquehanna Company's case. It has never been printed, and is now in the possession of The Wyoming Historical and Geological Society. It comprises 106 pages, in the handwriting of Colonel Franklin, and contains extracts from the records of Connecticut and The Susquehanna Company, and a brief statement of the doings at Wyoming from 1762 to 1787. This MS. was prepared by Colonel Franklin for the information of the Hon. William Lewis, of Philadelphia, one of the counsel for the defendant in the notable case of Vanhorne's lessee vs. Dorrance tried in April, 1795 and more fully referred to, hereinafter.

August next coming—an Act would be passed authorizing and directing the choice of Justices of the Peace; and that the settlers would have the privilege of electing their own Justices, according to the laws and Constitution of Pennsylvania. It was proposed to the Commissioners to transact the business of their mission with the Committee of Settlers in writing, which was agreed to."

Contemporaneously with the coming of the Commissioners, there arrived at Wilkes-Barré a committee representing the Pennsylvania land-claimers, or Pennamites, among whom the Yankee settlers recognized some of their oldest and bitterest antagonists. The chairman of this Pennamite committee was Capt. Alexander Patterson\*, of Northampton County. Miner says ("History

\*ALEXANDER PATTERSON, whose name is frequently mentioned in these pages, appeared for the first time as a participant in Wyoming affairs during the months of January, February and March, 1769, as narrated on pages 475 and 476, Vol. I. He was a native of Ireland, where he was born about 1738, of Scotch-Irish ancestry. He came to Pennsylvania prior to 1763, and settled in Northampton County. According to his "Petition to the Pennsylvania Legislature", referred to on pages 626, 703, 868 and 1064, Vol. II, "as early as the year 1763 he commanded a post on the frontier against the Indians; and in the memorable campaign of 1764 to Oswego, Niagara and Detroit, he was an active officer. In 1769 he was solicited by John Penn (the Proprietary of Pennsylvania) and Chief Justice Allen, to take an active part against the Connecticut intruders, who were pursuing an unfounded claim. In the month of February, in the same year, he proceeded with John Jennings, Sheriff of Northampton, and others, and brought to Easton goal the first forty of the intruders, who had attempted to seat themselves at Wyoming. They were liberated upon their parole, promising to give no further trouble to Pennsylvania. They, however, with many others, returned the March following and pitched at Lackawanna, ten miles above Wyoming [Wilkes-Barre], from whence he, with others, again brought them off, at a distance of seventy-five miles."

From that time until the breaking out of the War of the Revolution Alexander Patterson was active in supporting the claims and furthering the interests of the Pennsylvania land-claimers to and in the Wyoming lands; and, as hereinafter noted, various tracts of those lands were either leased or warranted to him by the Proprietaries or their representatives. Among them was a large tract in the Manor of Stoke, that lay within the limits of either the township of Wilkes-Barré or Hanover. Also a large tract at Bear Creek, including the "mill pond."

By resolution of Congress in September, 1776, the 12th Pennsylvania Regiment of Foot, for the Continental service, was authorized to be raised in the counties of Northampton and Northumberland. William Cook of Northumberland (see page 818, Vol. II), who was a delegate to the Convention (July 15—September 28, 1776) to formulate and adopt a Constitution for the State of Pennsylvania, was chosen and commissioned Colonel of this regiment; and on October 16, 1776, Alexander Patterson was appointed by the Pennsylvania Council of Safety one of the Captains of the regiment, and was duly commissioned as such. (Dr. Andrew Ledlie, of Easton, Pennsylvania, whose name is several times mentioned in these pages, was Surgeon of this regiment from January 1, 1777 to June 30, 1779.)

The greater part of the 12th Regiment was recruited in the valley of the West Branch of the Susquehanna, and December 18, 1776, the regiment left Sunbury in boats for Middletown on the Susquehanna, and thence across country, through the counties of Lancaster and Chester, for the battle-fields of New Jersey. Being composed of good riflemen and scouts, it was detailed on picket and skirmish duty. It, with the 3d, 6th and 9th Pennsylvania Regiments, was in the brigade commanded by Brig. Gen. Thomas Conway.

The "12th" was engaged in various skirmishes in New Jersey in April, May and June, 1777. One of them occurred at Bonham Town, April 1st, and was described in a letter from there of that date published in the *Pennsylvania Evening Post* (Philadelphia) of April 22, 1777, as follows: "A detachment under the command of Capt. Alexander Patterson of the Pennsylvania 12th Regiment, commanded by Colonel Cook, attacked the picket-guard of the enemy at two o'clock this morning, about 400 yards from Bonham Town, and, after a short but obstinate engagement, the whole of the guard—twenty-five in number—were killed and taken prisoners. Lieutenant Frazier of the 75th Regiment was killed on the spot. The enemy, though advantageously posted, did not attempt to support their guards, but retired with precipitation to their works. Our officers and soldiers behaved with the greatest coolness and courage on this occasion. Their conduct would do honor to the best disciplined troops."

In the battle of the Brandywine (September 11, 1777) the "12th" was engaged under Sullivan at Birmingham Meeting-house, losing heavily. At the battle of Germantown (October 4, 1777) Conway's brigade led the attack on the left wing of the British, being in front of the troops that composed the right wing of the American army, and losing heavily.

The "12th" wintered with the rest of the army at Valley Forge, and at the battle of Monmouth (June 28, 1778) the remnant of it was nearly destroyed. Meanwhile, early in April, 1778, the Pennsylvania Assembly had appointed a committee to confer upon the best means of reducing three of the Pennsylvania regiments, and finally it was ordered that the "12th" should be incorporated with the "3d"—which arrangement went into effect July 1, 1778.

Some time in the Spring of 1778 Captain Patterson was detailed on recruiting service, and at Easton, Pennsylvania, under the date of April 22, 1778, he wrote to the Supreme Executive Council of Pennsylvania as follows: "I beg leave to transmit to you an account of my bad success in the recruiting service. I have used every means in my power to engage men for the service, and have spent a great deal of money in traveling through the County [of Northampton] to little purpose. I have only enlisted eight men, five of whom I have sent to camp. *The other three are deserted!* I have no hopes of doing any good for my country in this service; therefore would beg your Honours, if it be your pleasure, to order me to camp, where perhaps I may be of some [good]." ("Pennsylvania Archives," Old Series, VI: 432.)

Upon the consolidation of the 3d and 12th regiments, July 1, 1778, Captain Patterson became supernumerary, and about that time was detailed to the Quartermaster General's department and assigned to duty in Northampton County, with headquarters at Brinker's Mills, later known as Sullivan's Stores, and still later as Saylorsburg. (See pages 1167 and 1169, Vol. II.)

In his "Petition to the Pennsylvania Legislature", previously mentioned, Captain Patterson gives a brief narrative of his services in the army. He states that he "had often had the honor of commanding the 12th Regiment by reason of the indisposition of the Colonel and incapacity of other field officers. After the battle of Trenton (December 26, 1776) he was stationed during the remainder of the Winter and Spring on the most advanced post of the American army, and was in several fights and skirmishes. He had general thanks on the public parade for signal address in the battle of Brandywine. In Germantown he lost his Lieutenant and many brave soldiers; and at Whitemarsh his superior knowledge in discipline was esteemed by General Conway—who possessed a greater knowledge of tactics than any man in America." Captain Patterson does not state in his "Petition" the date of his discharge from the Continental military service; but it was probably in the latter part of 1779 or early in 1780 (when the reduction of the army was begun), inasmuch as, when he applied in April, 1818, for a United States pension, "his application was allowed for *three years'* service as a Captain in the Pennsylvania troops in the Revolutionary War."

At Easton, Pennsylvania, in August, 1782, Capt. Alexander Patterson, Capt. Philip Shrawder (see [\*] note on page 1321), John Dick (whose name appears several times in earlier chapters of this History), William Moore Smith and several other Free Masons petitioned the Grand Lodge of Ancient York Masons of Pennsylvania for a warrant for a Lodge to be held at Easton. The Rev. Dr. William Smith (see note, page 872, Vol. II), at that time Grand Secretary of the Grand Lodge of Pennsylvania, recommended the petitioners "in the warmest manner, both as men and Masons." William Moore Smith was the son of the Rev. Dr. Smith, and it was provided that he was to be Master of the new Lodge, which was to be No. 38", and Captain Patterson was to be its Senior Warden. (See "Old Masonic Lodges of Pennsylvania", II, 141.)

In 1783 Captain Patterson became a member of the Pennsylvania Branch of the Society of the Cincinnati. Almost immediately upon the promulgation of the Decree of Trenton Captain Patterson came to the front as one of the most active and aggressive leaders in the ranks of the Pennamite land-claimers; and he continued at the

forefront of these assailants of the characters, persons and homes of the Wyoming settlers up to and beyond the close of the Second Penamite-Yankee War—as the reader will learn from a perusal of the subsequent pages of this chapter.

The prize—the rich and wide-extended acres of Wyoming—for which the Penamites and Yankees were contending, was a very valuable one. Moreover, Captain Patterson was, undoubtedly, a plain-spoken man of much physical courage and bravery; and so, as he belonged to that straightforward and, at times, cold-hearted race, the Scotch-Irish, it was to be expected that, in his unbounded zeal for the Penamite cause, and because of his acquired rights in Wyoming lands under Pennsylvania title, he would say and do many things calculated to embitter, in overflowing measure, his Yankee adversaries. It is certain that they abominated him to a degree equal to his detestation and despisement of them.

That Captain Patterson was held in high regard by some of the leading citizens of Pennsylvania and New Jersey who were his contemporaries, is evidenced by a letter addressed to the Hon. Thomas Mifflin, Governor of Pennsylvania, under the date of October 22, 1798, and reading as follows: "The subscribers understanding that there will probably be a vacancy in the office of Paymaster of Northampton County, and that Alexander Patterson, Esq., designs to solicit the appointment to the said office in the event of the vacancy thereof, beg leave to recommend him to his Excellency the Governor for the said appointment.

"To a Chief Magistrate who unites in his own person the talents and the experience of a General and Statesman, and in a country whose liberty has been achieved by the martial prowess of its citizens, and whose Independence must be preserved by a combination of the military with the civil virtues, we deem it no slight recommendation of a candidate for an office—even in the civil department—that he served with courage and reputation in the Revolutionary War.

"The emoluments of public offices cannot be more honorably appropriated than to the comfort and support of the old soldier in the evening of his days; and, independently of his service in the army of the United States, Mr. Patterson's sacrifices on the part of this State, in the most hazardous periods of the Wyoming controversy, under the orders of the Supreme Executive Council, seem to give him a peculiar claim to remuneration from the Government of Pennsylvania. When to these considerations of former usefulness are superadded his undeviating attachment to the General and State Constitutions, his unvarying zeal for the true interests of his country, the actual respectability and integrity of his character, and his fitness and ability to execute the duties of the office he solicits—with advantage to the public—we venture to express our opinion that he applies with the strongest claims to the confidence and patronage of the Executive.

[Signed] "Francis Murray, George Campbell, J. M. Nesbitt, Charles Stewart, Isaac Smith, Aaron Dunham, Mark Thomson, Thomas Simnickson, Samuel Miles, John Ewing."

Notwithstanding the high praise bestowed upon him by the signers of the foregoing document, Captain Patterson failed to receive the appointment he sought.

From the published "Journal of the House of Representatives of Pennsylvania for 1803-'04", page 187, we glean the following: "Tuesday, January 10, 1804—Mr. Coolbaugh presented a petition signed by Alexander Patterson, containing a lengthy narrative of the rise and progress of the Wyoming controversy, and the many atrocities committed by the Connecticut intruders, and praying the attention of the Legislature to the numerous and important services rendered to the State by the petitioner, and an equitable compensation for such services; and said petition was read and referred (with sundry documents) to the committee appointed the 12th ultimo on the subject of the Wyoming Controversy."

The petition thus mentioned was the one referred to on pages 626, 703, 868, 1064, etc., hereinbefore.

On January 16, 1804, Mr. Maclay (see note on page 759, Vol. II) from the Committee on the Wyoming Controversy, aforementioned, reported to the House, in behalf of the committee, with respect to Captain Patterson's petition, as follows: "That they have examined the same with attention, and are fully satisfied with respect to the meritorious conduct of the said Alexander Patterson, not only with regard to the United States, but in a particular manner as the same respects the State of Pennsylvania; and have also considered the circumstances of his private affairs, which call for immediate relief and support. They therefore offer the following: 'Resolved, That a committee be appointed to bring in a Bill granting to Alexander Patterson an annuity of ——— dollars for life, payable half-yearly. \* \* \* Said annuity to commence January 1, 1804.' This report was duly adopted, and referred to a committee; and upon the report of this committee, the Legislature passed and the Governor approved, February 10, 1804, an Act granting to Captain Patterson "a pension of \$400., and an annuity of \$100. to be paid semi-annually during his life, for services rendered."

Col John Franklin and John Jenkins, Jr., were the Representatives from Luzerne County at this session of the Legislature, and upon the return home of Colonel Franklin he wrote, and had published in *The Luzerne Federalist* (Wilkes Barré) of April 21, 1804, the following "Communication":

"At the late session of the Legislature of this State a petition was presented by Alexander Patterson, stating the services which he professes to have rendered the State in destroying the settlements of the Connecticut claimants at Wyoming, previous to and during the War, and praying a compensation therefor. In this petition he pretends to give a general history of the proceedings of both parties before the Decree of Trenton. The Legislature, in their wisdom, have thought proper to grant him a gratuity of \$400., and a pension of \$100. a year during life.

"The dirty pages of blackguardism, falsehood and scurrility would be searched in vain for a mate to the petition of Patterson; and if our Legislature had felt one spark of that manly pride which the Representatives of Pennsylvania ought to feel, they would have thrown it under the table as an insult upon the House. The petition has been published [an 8vo pamphlet, printed by Robert Bailey, South Queen Street, Lancaster, Pennsylvania], and, it is said, by the order and at the expense of the Committee of Landholders. The general character of the gentlemen who compose that committee forbids the idea. They would not disgrace themselves by sending into the world so indecent a production, even if they knew it would entirely destroy the Connecticut claims. It is hoped the committee will free themselves from this disgraceful imputation."

Captain Patterson's "Petition" was printed in full in *The Luzerne Federalist* (Wilkes-Barré) May 26, 1804. In the *Federalist* of June 30, 1804, there was printed a communication from Colonel Franklin, over the *nom de plume* "Plain Truth", in which Captain Patterson and his "Petition" were severely assailed; and from time to time in subsequent issues of the *Federalist*, up till February, 1805, there were printed other "Plain Truth" articles, in which Captain Patterson was handled without gloves, and his doubts in and near Wilkes-Barré during the years 1783 and '84 were fully and freely ventilated. These articles caused considerable annoyance to Captain Patterson and his friends, and they replied, hotly and indignantly, through the columns of other newspapers, to some of "Plain Truth's" attacks. The following paragraphs are from one of those replies, published in *The American Eagle* (Easton, Pennsylvania) September 1, 1804:

"In the perspicacious and rapid depravity of the times, and among other predominant evils, we are constrained to observe that certain evicious, churlish, assuming and paltry malignants are perpetually endeavoring to stigmatize and load with obloquy all the ancient Revolutionary characters. These black detecting ingrates sicken at the idea of such vast superior merit, and vomit their bitterness against, and endeavor to lessen illustrious achievements, such as they never had nor will have virtue, capacity or courage to imitate or perform. Among these herds are the fair-weather, chimney-corner, defamatory, gin-shop Jacks, with certain infamous place-men, confederated with the Connecticut intrusive vagrants at Wyoming, who, in *The Luzerne Federalist*—that vehicle of filth, and bag-end of all information—under the direction of that perfidious scapellaw, John Franklin, continue to insinuate that our old veteran, Alexander Patterson, was not a conspicuous character in the army of the United States in the eventful but glorious establishment of our Independence."

"His public character, summed up in his fidelity, enterprise and dignified opposition to that abandoned den of miscreants, the Connecticut intruders, which alone has endeared him to all men of respectability, and inspired the gratitude of his country. The honorary law passed in his favor February 10, 1804, announces that he, as a Captain in the army of the United States, rendered essential service to this State in the Revolutionary War. This grateful acknowledgment will ever remain on record, an indeleble testimony to his worth and a refutation of groveling calumny."

Surely the editors and publishers of some of the newspapers printed in Pennsylvania in 1804 believed in the doctrine of give and take.

Caustic and unbiased readers of the "Petition" of Captain Patterson must admit that it served him as a medium through which he poured out a vitriolic torrent of epithet and abuse upon the heads of the Connecticut settlers at Wyoming. He refers to them as "a set of abandoned desperadoes, excluded from society in every part of the Union, and whose practise has long been to bully the State and pillage its citizens." In another paragraph he describes them

of Wyoming", page 318) that the coming of the Commissioners and the committee of land-claimers caused "a moment of intense, of painful, anxiety."

The land-claimers lost no time in formally bringing themselves to the attention of the Commissioners—which they did by means of the following letter\*:

"Wyoming, 17th April, 1783.

"Gentlemen,

"The Committee appointed to Represent the Claimants under the State of Pennsylvania, beg leave to address you and bid you welcome to Wyoming, as the Representatives of the Honorable Assembly of this State. Your appointment and appearance here will we hope answer the good Purposes intended in the attainment whereof we assure that every proper Endeavour shall be on our part so far as our Interest or personal influence extends. We wish as much as Possible to bury in Oblivion the Treatment our Associates and fellow Citizens have received on those Lands, on which we first entered peaceably and quietly under the Lawful Authority of this Government. But cannot help Observing that some of the fairest Characters and most worthy Citizens have lost their lives, by men who forced us and others from our Possessions, even without the pretention of authority from any Government Whatever; and for years have bid defiance to the laws & Powers of Pennsylvania.

"We find by the list of injured Purchasers, that we are Called to Represent the Widows and Orphans of Many brave men who have fallen in the Common cause of their Country, as well as ourselves, and others, who have impowered us to Appear for them. Our Grait and only aim is to set forth facts that are incontestably True; To Wit; that we were in quiet and Peaceable Possession of those Lands before the intruders from Connecticut came here; that they took Possession by force, Plundered us of our property and Effects, and Compelled us to abandon our Settlement fairly Purchased from the lawful owners.

"But we trust the day is now Come, or near at hand, when civil Government will be restored and the laws Executed, so as to protect us and our Associates from any further insults; That the State of which we deem it an Honour to be called Citizens will extend its Wholesome Laws to this quarter, and that in future we shall enjoy the Blessings of Civil Government, and Re-possess the Property Wrested from us by lawless Force.

"The unanimous and impartial decision of the Court, which lately decided upon the Jurisdiction and Preemption of this Country, Opens the way for a fair and full enquiry into the Justice of our Claims as individuals, the foundation of which will doubtless be laid before you by the Proper Officers. We have only to assure you that we shall patiently wate your deliberations, and pursue the steps that your prudence shall point out for Recovering of our Rights, as we deem it our duty to be directed by your Opinions, and to Recommend them as a present Law here. We must beg your Honours will be Patient in hearing the Complaints of our Constitutents, which we shall lay before you from time to time. By this mode we shall fully inform you of the situation of the sufferers and your Wisdom will lead to the most Effectual Measures of Certain Redress.

"We are, in behalf of the Claimants under Pennsylvania, now assembled at Wyoming and by order of the Committee.

[Signed] "ALEX. PATTERSON, "Chairman."

"To the Honorable the Commissioners, appointed by the General Assembly of Penna. for certain purposes. Now at Wyoming."

as "the most infamous set of wretches ever collected in any part of the terraqueous globe!" He refers to Connecticut as a "seditious State, which extended her blue-laws to the Susquehanna, and poured in there her jailbirds."

One of the most striking paragraphs in this "Petition" is the following: "Your petitioner begs the honorable Legislature to believe that he is not actuated by caprice in giving *epithets of infamy* to the Connecticut claimants, for it is a fact of notoriety that by far the greatest part of them were *cropt or branded*—that being the insignia of punishment in the penal laws of that inventive State. Such were and are the people improperly cherished by the Government of Pennsylvania, to the ruin of her faithful, brave, legitimate citizens."

The concluding paragraph of the "Petition" reads as follows: "Your petitioner conceives that few persons have rendered more beneficial services to the State. He prays that the Legislature, now that he is old, will make such provision for him as may render the residue of his days comfortable. It will be no more than honestly compensating him out of his own earnings. \* \* \* He was three months waylaid by the Yankee desperadoes, who avowed their purpose of assassinating him. They set fire to the house, in the night, over his head; murdered Capt. Samuel Read in the bed with him, and cruelly wounded Capt. Andrew Henderson. He was twice severely wounded by them." (For further extracts from Captain Patterson's "Petition" the reader is referred to pages 626, 703, 868 and 1064, hereinafter, and various pages hereinafter.)

The following extracts are from the "Journal of the Pennsylvania Legislature." "December 16, 1807—Mr. Barnett presented a petition, accompanied with documents, from Alexander Patterson of Lower Smithfield, Northampton County, praying, for a variety of reasons therein stated, for additional relief to that already granted him. Said petition and documents were read and referred to the Committee on Claims. \* \* \* January 19, 1808—Mr. Ogle, from the Committee on Claims, to whom was referred the petition of Alexander Patterson, made report, which was read, as follows: "That there was a law passed in favor of the petitioner in the year of our Lord, 1804, granting him the sum of \$400., and also an annuity of \$100. a year during his life; which appears to be an ample reward for the services he renderd his country. Therefore we offer the following: *Resolved*, That the petitioner have leave to withdraw his petition." On motion, said report was read a second time, considered, and adopted."

Alexander Patterson was married about 1764 to Margaret Patterson (born 1748), a niece of William Patterson, of Baltimore, Maryland, and they became the parents of two children, only one of whom—William A. Patterson—grew to maturity. Captain Patterson died at Easton, Pennsylvania, April 11, 1822, after a lingering illness, and January 7, 1823, the Legislature of Pennsylvania passed an Act for the relief of his widow Margaret. She died in the borough of Easton January 4, 1837, in the eighty-ninth year of her age.

William A. Patterson, mentioned above, was born in Northampton County, Pennsylvania, in 1767. He was married to Elizabeth Giltner, horn at Heidelberg (now Cherryville,) Pennsylvania, in 1781, and they became the parents of four sons and three daughters. Three of the sons died without issue. The fourth son was Michael Patterson, horn at Easton, Pennsylvania, March 11, 1804; died at Westham Locks, Virginia, April 17, 1877; married November 29, 1832, to Frances Wright, who was born at Northampton, Massachusetts, February 24, 1813, and died at Tecumseh, Michigan, September 26, 1860. The three daughters of William A. and Elizabeth (Giltner) Patterson were Margaret, who married John Sminck; Mary, who married Jacob Reese; Martha, who married John Opdyke. William A. Patterson died January 19, 1815, and his widow Elizabeth died at Easton February 8, 1851.

\*See, "Pennsylvania Archives", Old Series, X; 30.



Immediately on the receipt of this communication, on April 18th, Joseph Montgomery, Chairman of the Commissioners, wrote to Alexander Patterson, in part as follows\*:

"The Commissioners \* \* beg leave to return you their sincere thanks for the Polite Welcome you give them, as the Representatives of this State, to Wyoming. The sentiments you express of using your endeavours and Personal Influence to promote the ends of our Mission in this County, *viz.*, the Peace and Happiness of its Inhabitants, by burying in Oblivion the former ill treatment you, your associates, or fellow citizens might have received, are perfectly agreeable to us. "Allow us to assure you that, as our duty dictates, so our inclination will prompt us to hear with patience and pleasure what you may think proper to offer on this subject, and afterwards to determine with Candour and Impartiality on such Measures as may have a tendency to establish Justice, Peace, and the regular exercise of Good Government in this part of Pennsylvania."

At Wilkes-Barré, on April 19, 1783, Messrs. Jenkins, Denison, Gore and Ship-pard, the Committee of Yankee settlers, wrote to the Commissioners as follows†:

"We are happy to find that the Legislative body of the State have condescended to treat our late petition, lying before them, with that coolness and candour as to appoint Commissioners to come and make full inquiry into our cases, and make report to the House. And as we shall think it our duty straitly, strictly and truly to adhere to our petition, we shall think ourselves happy to give every true information to any inquiries that shall be thought necessary further to be made respecting our settlements, etc."

The same day Chairman Montgomery replied to this letter as follows‡:

"As it is our duty, so we will with pleasure pay attention to every piece of necessary information with respect to your settlements at this place. Although it cannot be supposed that Pennsylvania will—nor can she, consistent with her Constitution—by any *ex-post-facto* law deprive her citizens of any part of their property legally obtained; yet, willing to do everything in her power to promote the Peace and Happiness of her citizens, [she] wishes to be informed fully of your case, that if your peaceable demeanour and ready submission to Government render you the proper objects of clemency and generosity, she may be prepared to extend them to you.

"Therefore, we wish you to communicate to us, as speedily as possible, *the names and numbers of those who first settled at Wyoming*, who are now alive, and by whom those that are dead are represented; the names and numbers of *those now actual settlers here*, the quantity of land they respectively occupy, and the time they last came and settled at this place."

On Sunday, April 20th, John Jenkins, in behalf of the Committee of Yankee Settlers, wrote to the Commissioners in part as follows§:

"It is with pleasure we observe in yours of the 19th your readiness to attend to every piece of necessary information we shall be able to give in respect to our settlement in this place. How far the State can or will, by virtue of any *ex-post-facto* law, undertake to deprive any of the citizens of this State of any part of their property legally obtained by any of the claimants under their different claims, we shall not undertake to say or determine, as we suppose that, in general, Common Law is to determine in such cases. Yet we are happy to hear that this State is willing to do everything in their power to promote the peace and happiness of her citizens.

"We take notice that, if our peaceable demeanor and ready submission to Government render us proper objects of clemency and generosity, we may probably expect to be made the happy partakers of such generous gratuities as they, in their abundant goodness, shall be pleased to bestow. \* \* As to our peaceable demeanor and ready submission to Government, our petition now before the Honorable the Legislature of this State suggests to them that we are under their jurisdiction and protection, from which we have no disposition to recede. However, we would request to have a tender regard paid to the new and extraordinary circumstances in which we stand with regard to law matters. We have made continuance of our actions commenced, with a view to have them taken up under the jurisdiction of Pennsylvania, agreeable to our aforesaid petition, and have neglected to pay any attention to the appointment of Representatives or Government officers, under the Connecticut jurisdiction; which facts evidence our intentions better than protestations.

"With regard to the next requisition, the calamities of war have so put it out of our power to give you that concise account we could wish at present, as most of our papers and records were thereby destroyed. But the Susquehanna Purchase was made in the year 1754 \* \* by upwards of 1400 adventurers, who were joint tenants in common, one with another. \* \* In the year 1762, one hundred and nineteen of the aforesaid proprietors were here to possess themselves of the said lands, in behalf of themselves and fellows; of which number John Jenkins, William Buck, etc., are contained in a *list herewith exhibited, marked 'No. 1.'* In October, 1763, we were dispossessed by the savages with the loss of many lives and much property.

"In the beginning of the year 1769 we again resumed our possessions and improvements (which we had made before with great labour and expense) with the number of about 400, being partly of the aforesaid 119, or their representatives, whose names, according to our best recollection, are *herewith annexed, and marked 'No. 2.'* \* \* From that [time] our numbers were in-

\*See "Pennsylvania Archives", Old Series, X: 31. †See Miner's "History of Wyoming", page 318. ‡See *ibid.*, page 319, §See the "Trumbull Papers", mentioned on page 29, Vol. I, for the original draft of this letter.

creasing \* \* \* until the fatal 3d day of July, 1778, when great numbers of our friends and most valuable inhabitants were slain by the savages and those of a more savage nature, and the whole country laid waste, our houses and buildings consumed by fire, our household goods and large stocks of cattle, horses, sheep and hogs, with our farming and other utensils, destroyed and carried off by the enemy, and we, in a most savage and inhuman manner, drove out into the country in a state of desperation and distress—a scene which must astonish all human nature to describe, and we are not able to paint it. Our old men, women, widows and children were dispersed into all parts of the country, destitute of bread, clothing, or anything to subsist on.

"But a large number of the yet remaining and living inhabitants, being fired with a fervent zeal for the cause of their country, were determined, instead of throwing themselves on the leniency of their friends and fellow-citizens of the world, to surmount all danger, collected themselves together, and, on or about the 4th day of August then next, resolved to come into this place, with the assistance of the company of brave Continental troops raised here and then commanded by Capt. Simon Spalding; retook the country, drove off the savages, regained some trifling part of our effects, and the possession of our lands, being our all.

"Since which we have, by many hard and hazardous skirmishes, attended with the loss of many lives and considerable of the effects acquired by our industry, held the same to this time; which has afforded great comfort to the widow and the fatherless children, the destitute and the naked—not only to those at present improving here, but, by the people who improve here paying rent for the lands that belong to the widow and fatherless (that are dispersed in the wide world), they are greatly relieved and comforted. The most, or all, of this, has been done at our expense and charge, and been a safeguard to the frontiers of our good neighbours and friends with whom we wish to live in peace.

"We herewith transmit a list of the names of part of the first settlers, in 1762 and '63, as far as we can at present recollect. Also a list of the widows and orphans."

With respect to the "lists" referred to in the foregoing letter, Col. John Franklin, in his "Brief" (mentioned in the note on page 1325), makes the following statement: "The Committee of Settlers returned a list of the first settlers, as far as could be recollected; a list of the then present settlers, and the number of the widows and fatherless. The number of widows was 144, and of the fatherless children, 565—whose husbands and fathers had fell as a sacrifice in defense of the cause of America."

A contemporaneous copy of the list of "first settlers" referred to by the Committee and Colonel Franklin, as above, was discovered among the "Trumbull Papers" a few years ago by the present writer, and is fully described on page 403, Vol. I. of this work.\* At the same time early copies, or duplicates, of two other lists were discovered among the "Trumbull Papers" (Vol. VIII, document 290), the originals, or duplicates, of which were undoubtedly the other lists referred to in the communication of the Committee of Settlers and in Colonel Franklin's "Brief." These two last mentioned lists follow, being now printed for the first time.

"A Catalogue of those that were killed in the Battle of 3d of July, 1778, and left Families, with the Number of Children†. Those marked x are now present.

Col. Dorrance.....	x 8	Lieut. Asa Stevens.....	x 8
Major Garret.....	10	Lieut. Waterman.....	4
Capt. Durkee.....	x 4	Lieut. Shoemaker.....	x 3
Capt. Ransom.....	x 8	Lieut. Gaylord.....	3
Capt. Bedlock [Bidlack].....	x 4	Lieut. Steward [Stewart].....	x 1
Capt. Buck.....	1	Lieut. Atherton.....	
Capt. Whittlesey.....	3	Ensign Asa Gore.....	x 1
Capt. McKerican.....		Silas Gore.....	3
Capt. Geers.....	6	Wm. White.....	x 4
Capt. Steward [Stewart].....	x 10	Jeremiah Bickford.....	
Capt. Wigton.....	x 4	Titus Hinman.....	6
Lieut. Wells.....	9	Anderson Dana.....	8
Lieut. Pierce.....	x 2	Darius Spafford.....	1
Lieut. Ross.....	5	Peter Wheeler.....	3

\*See page 403 was printed the writer has learned that Elkanah and Rodolphus Fuller, whose names appear in the list of settlers of 1762, were brothers—sons of Samuel Fuller of Preston and Mansfield, Connecticut.

†Unquestionably the makers of this "Catalogue" either drew on their imaginations or indulged in some wild guess-work when they set down "the number of children"—at least in several instances. For example: It has been well ascertained that Major Garrett was the father of only four children; Capt. Samuel Ransom was survived by nine children; Capt. Lazarus Stewart was the father of only seven children; Jonathan Slocum was survived by ten children (including Francis, who, in 1783, was held in captivity by the Indians); Charles Gaylord had only one child; Nathaniel Johnson was survived by two sons and one daughter—Oliver, Charles and Anna—so we have been informed by a descendant.

Jona. Weeks.....	5	Eaton Jones.....	
Philip Weeks.....	x 3	Lemuel Fitch.....	
Silas Benedict.....	4	Benj. Leach.....	1
Jabez Beers.....	2	Danl. St. John.....	2
Joseph Ogden.....	3	David Goss.....	1
No. of children.....	136	Japhet Utley.....	4
John Williams.....	4	Amos York.....	6
Joseph Crookes.....	1	Jos. Blanchard.....	x 6
Abel Palmer.....	7	John Gardner.....	4
Jos. Staples.....	5	Harding.....	3
Jabez Darling.....	4	Harding.....	2
Aaron Start.....	8	James Headsall.....	4
Wm. Dunn.....	6	Miner Robins.....	1
John Brown.....	4		116
Henry Pencil.....	x 6	"Killed by Salvages:	
Francis Leopard.....	2	Nathan Wade.....	
Noah Pettebone.....	2	"The following* belonged to the Conti-	
James Hopkins.....	2	nental service, & left widows, &c.:	
Elisha Richards.....	7	David Walker.....	x 5
Gilbert Danthorn [Denton].....	x 6	Ezekiel Hamilton.....	3
Danl. Lawrence.....	6	Constant Matthewson.....	1
John Cartwright.....		Nathl. Johnson.....	5
Wm. Parker.....	1	Charles Gaylord.....	6
Wm. Woodringer.....	6	Ebenr. Roberts.....	2
Ichad. Tuttle.....	3	Robert Spencer.....	5
Rufus Williams.....	x 3	Baker.....	4
Nicholas Manvil.....	6	John Vangorder.....	x 2
Parker Wilson.....	3	Asabel Jearoms.....	6
David Bixby.....	2	Seth Marvin.....	2
Jos. Shaw.....	6	Peter Ousterhout.....	2
Jno. Van Wye.....	5	Saml. Bellamy.....	4
Stephen Fuller.....	1	Michael Rood.....	3
Jno. Finch.....	6	Wm. Davidson.....	1
Dan'l Finch.....	7	Nathl. Fry.....	x 3
Constant Searls.....	8	Joseph Dewey.....	3
Elipt. Follet.....	6	Jesse Coleman.....	2
Jno. Murphy.....	x 3	Jeremiah Coleman.....	1
Thos. Foren.....	4	Saml. Roberts.....	6
Henry Bush.....	x 3	Saml. Williams.....	8
George Downing.....	6		74
James Locke.....	2	"The following died of sickness since the	
Wm. Crookes.....	1	commenct. of the War & left Families	
Benj. Hatch.....	1	whose dependence is on their interest to	
	145	these lands.	
Elias Roberts.....	7	Benj. Cele.....	x 2
Timothy Rose.....	4	Elisha Swift.....	6
Isaac Campbell.....	10	Wm. Kellogg.....	7
John Franklin.....	7	Winchett Matterson.....	9
Jenks Coser [Corey?].....	3	Benedict Satterlee.....	5
Cyprian Hibbard.....	2	Jonathan Hunstock [Hunlock].....	x 3
Elijah Inman.....	x 2	David Marvin.....	2
Nathl. Howard.....	1	Ezekiel Pierce.....	1
"N. B.—Killed by the Salvages in Skirmishes:		Joshua Bennet.....	x 8
Jonathan Slocum.....	x 7	Gad Marshall.....	7
John Perkins.....	2	Jacob Sly.....	4
John Jemerson [Jameson].....	x 3	Wm. Smith.....	x 7
Asa Chapman.....	x 4	Uriah Marvin.....	2
Elihu Williams.....	2	Jonathan Pritchard.....	x 9
Asahel Buck.....	x 2	Thos. Sawyer.....	x 3
Jz. Abbott.....	8	Saml. Roberts.....	6
Edward Lester.....	x 4	Obadiah Gore.....	x 2
Timothy Keyes.....	5	John Hurlbut.....	x 6
Samuel Jackson.....	x 6	John Comstock.....	x 8
Asa Upson.....	x 3		

"This copy is signed in behalf of the Comtee.

[Signed]

'JOHN JENKINS,  
'NATHAN DENISON, } Committee."  
'OBADH. GORE,  
'SAM'L SHIFFARD, }

"Attest:

"Wm. Sherman."†

\*Of the twenty-one names appearing in this list of Continental soldiers only twelve are found in existing Army rolls. This list, therefore, is the only known authentic record showing that David Walker, Ezekiel Hamilton, Nathaniel Johnson, ——— Baker, Samuel Bellamy, Michael Rood, Joseph Dewey, Samuel Roberts and Sammel Williams served their country in the Continental Army.

†A son of the Hon. Roger Sherman of Connecticut.

"A list of settlers\* who are actually settlers now Present and claimers of the land.

"Wm. Avery	Henry Elliott	Benjamin Jones
Solomon Avery	Frederick Eveland	John Jenkins
Joel Abbott	John Earl	Benjamin Jenkins
Sam'l Ayres	Richard Fitzgerald	John Jenkins, Jr.
Prince Alden	Jonathan Fitch	Joseph Kinne
Prince Alden, Jr.	Stephen Fuller	Abner Kelsey
Asel Atherton	John Fuller	Abner Kelsey, Jr.
James Atherton	Hugh Forseman	Nathan Kingsley
James Atherton, Jr.	Jabez Fish	Lawrence Kinne
Col. Zebn. Butler	Solomon French	Joseph Leonard
Benj. Bailey	John Franklin	Nathaniel Landon
Thos. Baldwin	James Frisbie	Elisha Lefingwell
Lord Butler	Roasel Franklin	Lawrence Myers
Moses Brown	Jonathan Forsythe	Thomas McClure
Asa Bennet	Samuel Gore	William Miller
Isaac Bennet	Obadiah Gore	Ebenezer Marcy
Charles Bennet	Cornelius Gale	Robert McDowel
Wm. Buck	Willard Green	John McMillan
Oliver Bigelow	John Garnsay	Thomas Neill
Thos. Brown	Daniel Gore	James Nesbitt
Ishmael Bennet	Solomon Goss	William Nelson
Elisha Bennet	Nathaniel Goss	Phineas Nash
Richard Barnum	Philip Goss	Asel Nash
Ishmael Bennet, Jr.	Benjamin Gardner	James Nobles
Caleb Bates	Stephen Gardner	Jedidiah Nobles
James Brown	William Gardner	John Nobles
John Budd	Lemuel Gustine	John O'Neal
David Brown	Justus Gaylord	John Phillips
Charles Bowen	Reuben Herrington	Thomas Park
James Bidlack	Joseph Hageman	Abraham Pike
Isaac Benjamin	John Hageman	Josiah Pell
Nathan Bullock	Matthias Hollenback	Daniel Peirce
Asel Burnham	John Hollenback	Abel Peirce
Isaac Baldwin	John Hyde	Phineas Peirce
Henry Burney	Elijah Harris	Giles Purman
John Blanchard	Robert Hopkins	William Ross
Elijah Buck	Samuel Hover	Thomas Reed
Matthew Billings	Richard Halstead	Josiah Rogers
Thos. Bennet	Abraham Harding	Jonah Roger's
Solomon Bennet	Henry Harding	Henry Richards
Richard Brockway	Thomas Harding	Samuel Ransom
Ebenezer Beeman	Benjamin Harvey	Geo. Palmer Ransom
Chester Bingham	Elisha Harvey	John Roberts
Andrew Blanchard	Thomas Heath	Robert Roth
Nathan Beach	Timothy Hopkins	William Stark
Nathan Cary	John Heath	William Slocum
John Cary	William Heberd	Wm. Hooker Smith
Barnabas Cary	Ebenezer Heberd	Simon Spalding
Preserved Cooley	Christopher Hurlbut	James Sutton
Manasseh Cady	John Hurlbut, [Jr.]	Joseph Sprague
Nathl. Cook	Samuel Hallet	Josiah Stanburrrough
Reuben Cook	John Hammond	Giles Slocum
James Cole	Lebbens Hammond	Jabez Sill
Benj. Cole	Josiah Hammond	John Paul Schott
Jonathan Corey	Isaac Hammond	Samuel Shippard
Elias Church	Isaac Hammond, Jr.	William Stewart
Peleg Comstock	Peter Harager	George Stewart
Sam'l Cummings	Andrew Harager	John Smith
Jedidiah Cummings	George Harager	James Smith
Col. Nathan Denison	Daniel Ingersoll	John Scott
----- Dudley	Elijah Inman	David Sanford
Elisha Drake	Rev. Jacob Johnson	Obadiah Scott
Robert Davenport	Sabin Johnson	Solomon Squire
Stephen Davenport	Instus Jones	Caleb Spencer
John Dorrance	Thomas Joslyn	Edward Spencer
Amos Draper	William Jackson	Daniel Sherwood
James Dodson	Joshua Jewell	William Stage
John Dodson, Jr.	Turner Johnson	Uriah Stevens
Richard Didson	Crocker Jones	Thomas Stoddard
Joseph Elliott	Robert Jameson	Benjamin Smith

\*It will be noticed that no woman's name appears in this list; and, so far as can be ascertained, the name of no man under twenty-one years of age appears.

Oliver Smith	Joseph Tyler	Richard Westbrook
Oliver Smith, Jr.	Benjamin Tuttle	William Williams
Jacob Smith	Lebbens Tubbs	Nathaniel Williams
Peter Smith	Samuel Tubbs	Jabez Winship
Frederick Shove	Samuel Treadway	Jonathan Woodworth or Woodward
Jacob Smither	Isaac Underwood	Walter Watrous
William Trucks	James Whitney	Asher Williams
Job Tripp	Eleazar West	Abel Yarrington
Ephraim Tyler	Caleb Whitford	Robert Young
Joseph Thomas	Richard Woodcock	William Young
Parshal Terry	William Warner	John Young."
Jonathan Terry	Nathan Waller	[Total, 246.]
	Abraham Westbrook	

At Wilkes-Barré, under the date of April 22, 1783, Alexander Patterson, in behalf of the Committee of land-claimers, sent to the Commissioners the following letter\*:

"The Committee are honoured by your answer to their address. The Assurance you are pleased to give them of attention to the rights of the Citizens of this State, calls for their Grateful Acknowledgments, and so perfectly harmonizes with the Sentiments of the Committee That we are instructed to Commit ourselves wholly to your Direction in future; and in doing this are Confident that our rights are in the Hands of those who will have a watchful eye over them.

"We are Sorry to Observe so much of the Old leaven Remaining in the Sentiments of the People of Connecticut & Expressed in their last Conference with your Honours. Their Humanity would, it seems, permit us and our Associates to Gow any where over the wide world, no matter where, Provided they may enjoy our Lands. They Cannot Conveniently spare us one foot for the Support of our Families. We think this an ungrateful return to the good People of this State, and so far short of the Expectations of the Legislature whose Humanity and Pity Consigned to Oblivion all Past Offences by a Law for the Purpose; And whose wisdom pointed out the only way of information to the House of Assembly of the Real dispositions of the Contending Parties. We beg leave only to Suggest to your honours that we have reason to think the Obedience to the laws of this state by many of those people will not be durable—Unless such Pledges are taken by your Honours as cannot admit of any evasion or denial hereafter. If that Assurance be once given, and the Pretended Claim under Connecticut Relinquished in writing Publickly, Planely and unequivically, we wish them Afterwards every Indulgence that your Honours may Judge Generous in us, and worthy of the Approbation of the Assembly of Pennsylvania, and all the World.

"We propose to give them leave, with Covenants of Warrant, for holding their Possessions one year from the first day of March next, at the end of which they shall deliver up full Possession of the whole. They shall occupy half the Lands, Mow half the Meadows, Dwell in the Houses they now Possess, and Cultivate their present Gardens; and if they have any opportunity of disposing of their Hutts, Barns or other Buildings, they shall do it, and remove them off at any time between the present day and the first of May, 1784. The other Moiety or half of the Cleared Lands and Meadows to be possessed by us and our Associates, and no Impediment be thrown in our way to enjoy. The Revd. Mr. Johnson to have the full use of all the grounds he Tilled for two years, ending the first of May, 1785. The Widows of all those whose Husbands were killed by the Savages to have a further indulgence of one year after 1st May, 1784, for half their possessions, & a square in the Town to be set apart for their use, to which they may remove their houses; and at the end of the term sell them to the best advantage for their own use.

"We think a refusal of these terms hardly possible; but if Stubbornness and Disaffection to the laws of this State are yet to continue, we trust your Honours will be convinced that on our parts we have not had in view merely our own private interest, but that our offer will appear Just and Charitable before God and Man."

Having duly considered the foregoing communication, the Commissioners transmitted a copy of it, accompanied by the following letter†, to the Committee of Settlers the same day.

"We herewith transmit to you a copy of an address of the committee representing the land-holders under this State handed to us this morning containing terms on which they declare themselves willing to compromise the dispute now unhappily subsisting between you and them and which it is our duty to endeavour to have adjusted and settled in an amicable manner.

"Therefore, we wish you, with all calmness and despatch, to consider of and duly weigh the said proposals, and to furnish us with a clear and explicit answer to the same, which will enable us to transact the business committed to us by the General Assembly with more precision, and to take such measures as may effectually answer the ends of our mission. We have only further to add, that should we be so happy as to find that these terms are agreed to, and ratified by the contending parties, we shall think it our duty to recommend your distressed situation to the notice of the Legislature of this State."

On April 23d, John Jenkins, in behalf of the Committee of Settlers, wrote signed and delivered to the Commissioners, the following communication‡:

\*See "Pennsylvania Archives", Old Series, X- 32.

†See Miner's "History of Wyoming", page 322.

‡See "Pennsylvania Archives", Old Series, X- 33.

"We duly Recd. yours of the 22nd inst., inclosing the address and Proposals of the Landholders of this State by their Committee; and altho we must Confess that their Elegant manner of Address is far beyond us, yet we hope our Plain Country way of Communicating our Ideals will be forgiven. But we cannot help taking Notice, that in their Address they Complain of a proposal that was made by us before your Honors being Very ungrateful, which to the best of our Remembrance was, that it had been intimated by some, that it was Probable this State would out of Courtesy bestow some thing in the land way on the Settlers and Claimers of the Lands here under Connecticut. They were only Ask'd that if that was Granted out of Courtesy, whether they would not Exchange and Suffer us to enjoy our Peaceable Possession here by way of Compromise. Their answer was that they were able to Apply for Lands as well as we.

"We are Extremely sorry to entertain the Idea that in a Compromise we or they should, instead of looking at the designed and desired Object, be forming Mountains out of Mole Hills. We do not think the lawful defence of what we Esteem to be Our own can with any Justice be Termed a disaffection to Government. We would add, the Petition we laid in before the Legislative body of this State we was in hopes would be Considered of, as we find it is; and if that is Granted, or any other Satisfactory Measure Can be come into by way of Compromise, we would first take all Lenitive Measures; and if nothing is Effected by this Method of Treating, we must have recourse to the Ninth Article of confederation as that is the only way Pointed out for the Tryal of those Lands Claimed under different States. Altho we mean to pay due Obedience to the Constitutional laws of Pennsyla., yet we do not mean to become Abject Slaves, as the Committee of Landholders Suggest in their Address to your Honors.

"The proposals made by the landholders under Pennsyla., by their Committee, through you as Mediators between us, seem to Appear to our View to be far from even retaining their own Ideas, or rather Contracted from those presented before your Honors. \* \* \* What their Claims are we know not, only they say they are under Pennsylvania. We Expect they are made Acquainted with ours. \* \* \* We cannot, as we are Joint tenants with a much Greater body of Joint Proprietors than is here, without their Joint Consent give up our Claims to those Lands in dispute. Nor yet do we think that the proposals by them made would tend to peace. And as they are so far from what we should Call Reasonable, that in short we Cannot Comply with any part of their Proposals—without doing the Greatest Injustice to our Joint Claimants, ourselves, the Widows and Orphans. And as we seem to be very far devided in our Ideas, are sorry to say we have no Expectation of Coming to any Amicable Compromise. Yet we would wish for their Patience, to see if the Legislative body of this State cannot devise some Measures in their Wisdom for the Mutual Benefit of the Whole. If they shall not be able, we would on our part wish that a Happy End might be put to the dispute by a Speedy Tryal agreeable to the IXth Article of Confederation, which will fully satisfy us, and we will fully comply with."

A copy of the foregoing letter was transmitted to the Pennamite Committee, by the Commissioners, who, at the same time (on April 23d), wrote to the Committee of Settlers as follows\*:

"We are now possessed of your answer to the proposals of the Committee of Landholders under Pennsylvania. We are sorry that there does not appear any prospect of accommodation between you. Therefore, we must beg the favour of you to notify your people to meet with us to-morrow morning [Thursday, April 24, 1783] at eight o'clock, when we shall take the liberty to lay the whole proceedings before them, and take our leave of them and you. We shall be glad to have a friendly interview with you this afternoon at four o'clock."

In the morning of April 24th, the Rev. Jacob Johnson (see page 744, Vol. II), who had been particularly mentioned by the Pennamite Committee in their letter of April 22d, to the Commissioners, wrote and delivered to the committee the following letter†:

"I thank you for your distinguished Favor shewed to me, the widows, &c., in a proposal of Indulgence—permitting us to reside in our present Possessions and Improvements for the present & succeeding Year. Altho I cannot consistently accept the offer—having chosen a Committee for that purpose, who are not disposed to accept of or comply with your proposals—however, I will, for myself, as an Individual, make you a proposal agreeable to that Royal President‡ [described in the Second Book of] Samuel, 9th, 16th & 19th Chapters. If that don't suit you and no Compromise can be made, or Tryal be had, according to the law of the States, I will say as Mephibosheth, Jonathan's son (who was lame in both his feet), said to King David, Samuel, 19, 30§: 'Yea, let him take all.' So I say to you Gentlemen, if there be no resource—neither by our Petition to the Assembly of the State of Pennsylvania, or otherwise—let the Landholders take all.

"I have only this to add for my Consolation and you Gentlemen's serious Consideration, viz.: That however the Cause may be determined, for or against me (in this present uncertain state of things), there is an Inheritance in the Heavens—sure & certain, that fadeth not away—reserved for me and all that love the Saviour Jesus Christ's appearing.

"It is my Serious Opinion, if we proceed to a Compromise according to the Will of heaven, that the lands (as to the Right of soil) be equally divided between the two Parties claiming; and

\*See Miner's "History of Wyoming", page 327.

†See "Pennsylvania Archives", Old Series, X: 34.

‡King David.

§1 Samuel, XIX: 30—"And Mephibosheth said unto the king, Yea, let him take all, forasmuch as my lord the king is come again in peace unto his own house."

I am fully satisfied this Opinion of mine may be proved even to a demonstration out of the Sacred Oracles. I would wish you Gentlemen would turn your thoughts and enquiries to those 3 Chapters above referred to, and see if my Opinion is not well grounded; & if so, I doubt not but we can compromise in Love and Peace, and save the Cost and Trouble of a Tryal at Law."

About the same time in the morning of April 24th that the Pennamite committee received the foregoing communication from the Rev. Jacob Johnson, Alexander Patterson delivered to the Commissioners a letter, written and signed by himself as chairman of his committee, and reading as follows\*:

"By the Reply of the Committee of Connecticut to our Proposals (a Copy of which we were favoured with by you), we find those Gentlemen have thrown off the Mask at last, and in their own Plain Country way tell you they are Sorry to say they have no Expectation of Coming to any Amicable Compromise. They might have added with equal Truth that they never Intended to do any thing but what dire Necessity obliged them. The forming mountains out of Mole Hills never Originated in the minds of the Peaceable Citizens of Pennsylvania. Unhappy for our quiet that it entered into the Restless imagination of the Susquehannah Adventurers. Their designed & desired Object is to hold by force the Lands which we have fairly purchased and possessed in quiet, under the lawful Authority of this State.

"It Cannot be Possible that Ideas of holding our Property, otherways than by force, could enter the minds of even the least informed of them. Petitions may be wrote and Committees Appointed to talk with you and us, to Lull the State, but actions speak louder than words, and proofs as Clear as demonstrations is in our power to Shew their insults to this State and Contempt of its laws. They try to pervert the meaning of words and the offer generous to an Extreme. They Reply that they mean not to become Abject Slaves, as the Committee of Landholders Suggest in their address to your Honours. To Refute this we only have to appeal to you for the Rectitude of our measures and endeavours to do good. That we required a full explisite and unequivocal disclaim of their Right to our Lands is True, for we can rely no longer on Promises made only to amuse us. Fatal Experience has Convinced us that we have been too Credulous. Whether they know our Claims or not is of little Avail. Your Honors know them well. They have been laid before you. We are not acquainted with theirs, and the Judgement of the Greatest Court in the United States assures us that their rights are not to be understood any more than the Application of the Ninth Article of the Confederation in the Case between them and us.

"We leave the Explanation of Joint Tenants and Joint Proprietors to those Gentlemen learned in the Law Jointly and Severally to form their Ideas from, and Parcell it out amongst the Joint Claimants in Grants of six miles Square to the South seas. We shall, however, follow the advice of those Gentlemen in every Prudent Act, and patiently wait for the decision of our Assembly; and have to lament that the Generosity of this State, and your Zealous Endeavours to Accomplish the laudable ends of your Mission, have been fruitless in this Instance. Be Assured, Gentlemen, that our Constituents and ourselves are Impressed with the Highest sense of your good intentions to Promote Peace, Order and good Government in this Country, and we flatter ourselves that through your means & Just representations of our Situations, we shall obtain such Speedy Redress as the Wisdom of the Legislature shall think adequate to our wants, and the laws of the State be extended and Supported so as to protect the innocent and Punish the Transgressor of every Denomination; in the Ready Execution of which we beg your honors will assure the Legislature that we shall behave like faithful Citizens. Please to accept our warmest Wishes for a safe Journey home to each of you."

Governor Hoyt, in his "Brief of a Title in the Seventeen Townships," hereinbefore referred to, states, with reference to the proceedings at Wilkes-Barré by and with the Commissioners: "The Commissioners, against the spirit of their instructions, alarmed the settlers and closed the door to 'conciliation' by the declaration that Pennsylvania would not and could not deprive *her citizens of their property*. The Landholders reached the climax, when they put forward their unfeeling 'compromise' that the settlers might remain one year; the widows of those who had fallen by the savages, a year longer.

"The Connecticut settlers placed themselves in a position of contending for other claims than their own, when they refused the offer—ungenerous as it was—on the ground that 'we cannot, as we are joint-tenants with a much greater body of joint-proprietors than are here, without their consent give up our claims to those lands in dispute.' The impediments, all the way through, arose from blending the case of those who settled before the Decree [of Trenton] with non-residents and others who came afterwards under The Susquehanna Company. In point of justice the cases were absolutely different."

\*See "Pennsylvania Archives", Old Series, X: 35.

The Commissioners set out from Wilkes-Barré on their homeward journey on Friday, April 25th, having accomplished very little of consequence. However, the most important (and, to the Yankee settlers, the most obnoxious) matter of business which was transacted by the Commissioners during their brief stay here is not referred to in any manner in the foregoing correspondence. Concerning this matter we glean the following information from the "Plain Truth" articles written by Col. John Franklin and published in *The Luzerne Federalist* at Wilkes-Barré in the Summer of 1804—as hereinbefore mentioned.

Colonel Franklin states, first, "that at about the time of the meeting of the Commissioners a number of persons from different parts of the State [of Pennsylvania], and from the States of New Jersey and New York, calling themselves Pennsylvania land-holders, assembled at Wilkes-Barré and appointed a committee of which Alexander Patterson was Chairman. \* \*

"On the 22d of April", continues Franklin, "the day on which the benevolent offers (as they are termed by Patterson) were made to the Committee of Settlers, the Commissioners, departing from the business of their mission, undertook to create and establish new townships by a subdivision of the township of Wyoming\* into two additional townships, to wit: All that part of the said township of Wyoming, from the mouth of Shickshinny Creek, thence up the same to the head thereof, and from thence by a north-west line to the northern boundary of the State of Pennsylvania to the East Branch of the Susquehanna, and thence down the same to the place of beginning, to be thenceforth known and called by the name of *Shawanese Township*.

"One other division; beginning at the mouth of Shickshinny Creek aforesaid, thence extending across the East Branch of the Susquehanna by a south-east line to the line of Northampton County, thence northerly, by the line of said county, to the northern boundary by the State [of Pennsylvania], thence west, by the said boundry, to the East Branch of the Susquehanna, and thence down [the said river]—and including the same—to the place of beginning; to be thereafter known and called by the name of *Stoke Township*."

By this arrangement the Connecticut townships of Wilkes-Barré, Hanover and Pittston were comprehended within the bounds of Stoke Township; and it will be seen, by a reference to page 725, Vol. II, that, by the erection of these townships of Shawanese and Stoke, the Pennsylvania township of Wyoming was reduced in extent to only a small portion of its original territory, to wit: the country lying along the Susquehanna River between Shickshinny Creek and the main branch of Fishing Creek.

Quoting further from Colonel Franklin we have the following: "The Commissioners, on the same 22d day of April, did also proceed to erect the said townships of Shawanese and Stoke into two distinct districts for the purpose of electing Justices of the Peace; and on the 23d day of April a number of persons from New Jersey and from different counties of Pennsylvania—not inhabitants or freeholders of the new districts of Shawanese and Stoke—having convened at the house of Mr. John Hollenback (an innkeeper in Wilkes-Barré), and the place where the said Commissioners lodged, over a bottle of whisky held an election for Justices of the Peace for two new districts."

Miner records ("History of Wyoming," page 328) that David Mead, Robert Martin, John Chambers and Col. Nathan Denison were chosen for the north-

\*Wyoming Township, in the county of Northumberland—fully described on page 725, Vol. II.



western district, and Alexander Patterson, John Seely, Luke Brodhead and Henry Shoemaker for the south-eastern district. "The inhabitants" (that is, the Yankee settlers), says Miner, "were equally unconscious of the division of the townships and of the election of magistrates—Colonel Denison's name being used without his knowledge. None of the others [elected] were, or had been for years, inhabitants of Westmoreland. David Mead, formerly an active Connecticut partisan, and the surveyor of Wilkes-Barré Township\*, had resided during the war at Northumberland. \* \* \* No proceeding could possibly have been more illegal, arbitrary and unjust."

In the *Luzerne Federalist* of August 11, 1804, Colonel Franklin stated: "It was said that notice of the proposed election was posted up at the place of election on the same day—some two hours before—the election took place. In this manner the settlers were imposed on, notwithstanding it was the express direction of the Legislature that, after the Commissioners should make their report, an Act should be passed for extending to the inhabitants the advantages of civil government, and particularly for authorizing and directing the choice of Justices of the Peace."

The election was conducted by John Van Campen, Esq., under the directions of the Commissioners. Colonel Franklin (in *The Luzerne Federalist*, August 11, 1804) says: "It is a fact well known that John Van Campen was at that time and ever has been, a resident and inhabitant of the county of Northampton, yet the election was notified and conducted by him. He might as well have held an election in any other county in the State, or in the State of New Jersey. David Mead and Robert Martin were at that time residing at or near [the town of] Northumberland, and, although inhabitants of the county, they were neither of them inhabitants of the district for which they were elected. Alexander Patterson, if entitled to a residence in any part of God's world, it was in Northampton County. John Chambers, John Seely, Luke Brodhead and Henry Shoemaker were inhabitants of the same County, and they were entitled neither to elect nor to be elected in the county of Northumberland. Nathan Denison was the only person elected who was an inhabitant of either of the districts for which the election was held."

At Philadelphia, under the date of May 5, 1783, Secretary Armstrong, of the Supreme Executive Council, wrote to Captain Robinson at Wilkes-Barré in part as follows†:

"Your letter of March 14 was received by Council. \* \* Among other steps which have been thought necessary for the defence of the Wyoming settlement, a further supply of ammunition is now forwarded. It consists of two boxes of muskets, cartridges, and 300 flints. As one expedient to quiet that restless, discontented spirit which seems still to exist among the Connecticut claimants, Council have thought proper to send you a few additional copies of the late proclamation upon that subject. You will find some means to spread them abroad among the people, and, as far as your influence will go, to second their operation by securing Peace and promoting Justice."

To this communication Captain Robinson replied in part as follows‡, under date of June 8, 1783, at Northumberland, Pa.—addressing his reply to President John Dickinson, at Philadelphia:

"The Instructions of Council Dated may 5th, I Recd. this 4th June, Inst, on my way from Wyoming to this town, the Amunition Mentioned was then on its way to Wyoming. Hitherto, Every Measure has been Taken to preserve a friendly Intercourse Between the Soldiery & the Inhabitants, & I have the Pleasure to Inform your Excellencie that the Measures I Have Made Use of Has had the Desired Effect.

\*See page 515, Vol. I, and page 652, third paragraph. For a sketch of David Mead see hereinafter.

†See "Pennsylvania Archives", Old Series, XI: 432.

‡See "Pennsylvania Archives", Old Series, X: 48.

"With Respect to the Inhabitants, there are a great Many Wrangling Disputes Chiefly owing to a pefering as well as Letigious Spirit which Seems very Natural to some of them.

"In all such Cases they have Immediate recourse to us as there are no Civel Officer in the place, and many of them thought To avail themselves of the Opportunity, Imajining no Law was to take Hold of them; they Proceeded to take and Make use of their Neighbours Property at Pleasure And even to Disposess others.

"Upon which I Immediately Interposed, Choosing such as I thought freeist of that Letigious Disposition & who best knew the affairs of the Place for Information, and have so Far Prevailed in that Respect as to preserve (by their own Accounts) a beter Regulation than has ever been Among them before.

"But Notwithstanding their Seeming Compliance There is Still a refractory Spirit among them, though they Wish to keep up a good appearance—of these affairs I am well aware and am Very Careful to keep them at A proper Distance.

"And Your Excellency may be assured that no Endavour Shall be wanting on my part to keep Good order Among them Till Civel Authority takes place, and I have no Doubt of proceeding therein. From Some Encouragement they Have Received from the Assembly of York State, a party have been Chosen to View some Land Assigned them for a settlement; Which Party is now Returned, But I am not able to Learn the Intentions of the people on the Report of their Commissioners."

As previously stated (see page 1322), Benjamin Harvey visited Hartford, Connecticut, early in May, 1783, in the performance of certain duties in behalf of the Connecticut settlers at Wyoming. Having delivered to the proper persons the "memorial of the inhabitants of Westmoreland" addressed to the Connecticut Assembly, Mr. Harvey began his homeward journey some days later, bearing with him a document which had been delivered to him by the Secretary of State of Connecticut, and which read as follows:\*

"At a General Assembly of the Governor and Company of the State of Connecticut, holden at Hartford on the second Thursday of May, 1783—

"Resolved by This Assembly That Eliphalet Dyer, Esqr., Col. Jesse Root and Nathaniel Wales, Esqr., be and they are hereby appointed a Committee to Consider what measures may be proper to be taken by this State to obtain relief for the people settled on the lands west of Delaware River under the Claim of this State and for Quieting their possessions—

"And whether some redress cannot be obtained against the judgment given by the Commissioners in the Case between this State and the State of Pensylvania—And also what is proper to be done to secure to this State the benefit of the lands Contained in our antient Charter west of the Susquehanna purchase so called, and make report to this assembly at their next session.

"A true Copy of Record. Examind.

[Signed] "By GEORGE WYLLYS, Secrety."

Mr. Harvey also brought to Wyoming a copy of the official record of some of the proceedings which took place at a meeting of The Susquehanna Company, "legally warned and held at Hartford, May 21, 1783"—Eleazar Talcott, Esq., being Moderator and Samuel Gray, Esq., being Clerk of the meeting. The record in question reads as follows†:

"Colonel Talcott, General Parsons and Samuel Gray are appointed a Committee to lay in a Memorial to the General Assembly, now Sitting at Hartford, in behalf of The Susquehanna Company, that said Assembly would desire Doctor Johnson and Colonel Root, Agents for this State, to give said Assembly an account of the trial of the Cause between this State and the State of Pensylvania at the Court holden at Trenton in November, 1782.

"Voted, That this Company are determined to pursue their just Claims to the lands Contained in our Decd from the Indian Native proprietors of the Susquehanna lands, and make application to the Hon. Continental Congress for a proper Court or Commission to hear and determine the same according to the 9th Article of the Confederation of the United States; and that they will use all lawful means in their power to maintain the present settlers in their possessions until the Congress appoint a Court, and that Court determine the right of Soil between this Company and Pensylvania.

"And that the Standing Committee, or any three of them, be desired to warn a Meeting of The Susquehanna Company to meet at Hartford as soon as it is Convenient, giving three weeks' notice in the public papers of the time and place of said meeting to choose an agent or agents to represent said Company at said Congress and Court and to make all necessary preparation therefore. And the proprietors are desired to be present at said meeting by themselves or their agents."

\*The original paper was preserved by Benjamin Harvey, and is now in the possession of the writer of this. To the action of the Connecticut Assembly therein recited, no reference is made by either Chapman, Stone or Miner in their respective histories of Wyoming, or by Governor Hoyt in his "Brief", or by Colonel Wright in his "Historical Sketches of Plymouth"—although he makes mention of Benjamin Harvey's mission to Connecticut.

†See "Pennsylvania Archives", Second Series, XVIII: 104.

The information brought to Wyoming by Mr. Harvey greatly encouraged the Connecticut settlers here in the belief that ere long something would be accomplished in their behalf by the State of Connecticut and by The Susquehanna Company.

In order that the reader may have a clearer and more complete understanding with respect to some of the conditions which existed at and near Wilkes-Barré in 1783, we will at this point introduce some interesting extracts from the journal of Dr. Johann David Schöpf, a German traveler who spent a few days in Wyoming, in August, 1783.

Dr. Schöpf\* came to America in the Summer of 1777, as Surgeon-in-chief of the Ansbach troops, who, with the troops from Brunswick, Hesse-Cassel, and other petty German States and Principalities, composed the mercenaries—commonly spoken of as "Hessians"—in the employ of the British Government in its warfare against the American States. The Doctor was with the Ansbach troops at Yorktown, in October, 1781, and was among those who capitulated to the Americans at that time. He was released on parole, and subsequently set out on a tour of observation of certain parts of the country. On his journey to Wilkes-Barré he was accompanied by an Englishman, a Mr. Hairs. They traveled on horseback. Here follow the extracts from the Doctor's journal—which is referred to more fully in the note below.

"Left Philadelphia August 6, 1783, intending to visit Bethlehem and thence proceed to the mountains. From Bethlehem we went to Heller's†, a lonesome tavern at the foot of the Blue, or Kittatinny, Mountains. Already a good many settlers, especially Germans, have come to live here, in a narrow but pleasant valley. \* \* \* It was Sunday, and we found assembled at the tavern (according to the traditional German custom) a numerous company of German farmers of the neighborhood, who were making good cheer with their cider and cider-oil. Cider-oil is a pretty strong drink. It consists of the combustible spirits of cider mixed again, in various proportions, with cider of the best grade. \* \* \* Beyond Heller's a mile to the north, is a natural mountain-pass, from three-quarters of a mile to a mile wide—the so-called Wind Gap. \* \* \* Through the Wind Gap to Eckardt's house, some three or four miles from Heller's. Then to Brinker's Mill, three and a-half miles from Eckardt's. \* \* \* Three more miles to Dieter's, who settled here in 1773. He was at that time quite alone, and had around him many Indians, who at first caused him great uneasiness. \* \* \*

"We staid this night at Sebitz's‡, whose house is the last, absolutely, on the road to Wyoming, a distance reckoned at 37½ miles from here. Sebitz, therefore, regards the 'Great Swamp' as his best friend, because all travelers, coming or going, are compelled to stop with him. The entertainment in taverns of this stamp, in lonesome and remote spots throughout America, consists generally of bacon, ham and eggs, fresh or dried venison, coffee, tea, butter, milk, cheese, rum, corn whisky or brandy, and cider—and everything clean. Sebitz, a German Anabaptist, settled here some nine years ago, and two or three neighbors about the same time. For fear of the Indians all his neighbors left him during the war. He alone had the courage to stay, notwithstanding a whole family was murdered a mile from the house. Often he was surrounded by Indians, who simply lurked around waiting for somebody to open the door of the house and come outside (for it is not their way to enter a house forcibly), and they shot down his horses and cattle. To be sure he had with him a militia guard, because this place was looked upon as an outpost; but they lived all together behind closed and barricaded doors, in continued fear of death. \* \* \*

"We met a troop of carpenters here who were likewise on the way to Wyoming, to rebuild a mill that had been burned down by the Indians. We were very glad of their company, because we had 37½ miles to go, through a wilderness, the road bad and several streams to cross, and must ride that distance if we were to avoid spending the night in the woods. We got early upon the road (on August 12), but did not reach our destination until after sunset.

"That part of the mountains beyond the Kittatinny and between the Delaware River and the North, or East, Branch of the Susquehanna, is noted on several maps as 'St. Anthony's Wilderness.'§ The region is better known by the name of the *Great Swamp*, which designation applies

\*JOHANN DAVID SCHÖFF was born March 8, 1752, in the principality of Bayreuth. He pursued a course in medicine and natural sciences at the University of Erlangen, Bavaria—receiving his degree in 1776. He returned to Europe from America in 1784, and later became President of the United Medical Colleges of Ansbach and Bayreuth. This office he held until his death, which occurred September 10, 1800. The journal of his travels in this country—which he had kept with great care—was published at Erlangen in 1788, under the title: "*Reise Durch Einige der Mittlern und Südlichen Vereinigten Nord Amerikanischen Staaten, \* \* \* in den Jahren 1783 und 1784.*" This was edited and translated into English, a few years ago by A. J. Morrison, and was published at Philadelphia in 1911, by William Campbell. †See page 1172, Vol. II.

‡This was undoubtedly the locality generally known as "Learn's", and fully described on pages 1167 and 1172, Vol. II. Captain Shrawder (see note page 1322) refers to this place in 1782 as "Zawitz". In October, 1787, Col. Timothy Pickering writing to his wife from there refers to it as "Zawits (that is, Savage's)."

§See maps on pages 188 and 191, Vol. I.

in strictness only to a part. The entrance to this uncopied waste is, at one point, through a gap in the Pocono Mountain, pretty high but not steep. Then Pocono Creek is passed, and the road lies up that stream six miles to White Oak Run—a frightful and narrow path over stumps and stones. Then follow uplands, with a few smaller hills. The whole way the road is grown up on both sides in bushes, notwithstanding that fire has often passed over and left standing great numbers of fine tree-trunks, half burnt. These fires in the woods spread at times accidentally from the camp-fires of travelers; and again the woods are purposely burned by hunters who post themselves behind the wind and wait for the game frightened out by the fire and smoke.

"Further on we got into the veritable Great Swamp, so called, which extends only fifteen miles across, but no one knows how far it lies to the north and to the south. Really, the whole of this region is not what is commonly called swamp, several mountains and valleys being included under the name. The road\* cut through is nowhere more than six feet wide, and is full of everything which can make trouble for the traveler. On both sides the forest is so thick that the trees almost touch, and by their height and their matted branches making a deep shade which is cold and fearful even at noon of the clearest day. All beneath is grown up in green and impenetrable bush. Everywhere lie fallen trees, or those half-fallen—despite their weight, not reaching the ground. Thousands of rotten and rotting trunks cover the ground and make every step uncertain, while between lies a fat bed of the richest mould, that sucks up, like a sponge, all the moisture, and so becomes swampy almost everywhere.

"One can with difficulty, penetrate this growth, even a little way, and not be in danger of coming too near this or that sort of snake, lying hidden from the sharpest eye in the waste of stones, leaves and roots. \* \* \* A particularly deep and narrow valley in this great swamp is the '*Shades of Death*.' Its steep mountain sides are distinguished by a great number of the tallest and slimmest pines, with white spruce and hemlock; and these are mixed below with a profuse and beautiful growth of rhododendrons and kalmias.† \* \* \* Our fellow-travelers were of the opinion that all these hills and valleys would never be used for anything, because they thought cultivation would be impossible or certainly too troublesome. \* \* \*

"The numerous streams which traverse the region, and in the Spring and Fall become greatly swollen, will later offer a profitable trade in timber and masts, for these trees would make ship and other timber. But the people here already are all the time dreaming of mines and sudden wealth; and many of our German countrymen still help to keep strange hopes alive. The farmers about Heller's mostly Germans have brought with them their stories of kobolds and mountain-sprites; they still hear the hill homunculus working and knocking, see the tell-tale flames but, unluckily, can never find the spot.

"Without wasting time on the road now near being swamped and again almost breaking our necks we hastened forward as fast as our horses could go and all the more because we were threatened by storm clouds. We stayed half an hour at Locust Hill and in the evening half an hour at Bullock's place—our friends sharing with us their store of provisions, without which we and our horses should have had a hungry day's journey, for besides grass and water there was nothing to eat. We were pretty thoroughly wetted in the swamp, and coming over the last hill were obliged to stop in black darkness on account of a thunder-storm—reaching Wyoming [Wilkes-Barré] after eight o'clock, tired, wet and hungry.

"Wyoming—the settlement of this name, the chief place of which is really *Wilksbury*—lies in an extraordinary fertile valley west of the Blue Mountains and on the Eastern Branch of the Susquehanna. Some twenty years ago a few New Englanders came hither, followed shortly after by people from anywhere, so that in a brief space ninety families had come in who would or could not live elsewhere. Fear of the law drove some of them, and the goodness of the land tempted others, to settle in this remote wilderness, cut off from the inhabited parts by rugged and pathless mountains; but their numbers rapidly increasing, the country was soon changed to a region of beautiful open fields. \* \* \*

"Thus it has happened that the first settlements at Wyoming were made by New Englanders; and these have kept their hold there in matters of government. Pennsylvania on the other hand shows by its grant that the Wyoming region with other districts in dispute lies in the midst of Pennsylvania's original territory as fixed by England. These claims and assertions on the one side and the other have been the cause of many difficulties. Pennsylvania as well as Connecticut sold and made over lands there, so that of the landowners of Wyoming, one held his land under the one State and another under the other.

"With such dispositions animosities were inevitable, and thus, even before the outbreak of the Revolution there was a continual private war between the Pennsylvania and New England parties in Wyoming. People fought over the right to the land. If a Pennsylvanian came with a deed to so much land, he must first see if it was already taken up by a New Englander. If so, he must attempt to gain possession by force; failing, he reserved his right for the time, and chose an unsettled place in the neighborhood, from which after a few years, and improvement begun, he might very probably be dispossessed by another New Englander coming with a Connecticut deed. The New Englanders were always the stronger party.

"In the early seventies bloody fights took place between the colonists, when several lives were lost. Since the Peace these discussions have been again renewed, and both States recently laid their claims before the Congress. A committee decided for Pennsylvania. The New England party is altogether dissatisfied with this judgment, because in this case they must lose their gains—Pennsylvania having long since granted to its own subjects much of the land in dispute. \* \* \*

\*This was what was known as the "Sullivan Road" See page 1176, Vol. II.

†*Kalmia latifolia*, or mountain laurel—peculiarly a Pennsylvania shrub. Its common name is spoonwood, which no doubt, was given to it because the Indians made it into spoons. The grain of the wood is fine, and will take a very high polish.

The orders of Congress are not regarded here if not pleasing or if unsupported by force. So far the outbreak of further hostilities has been controlled by the little garrison which the State of Pennsylvania maintains here against the Indians, until a treaty with these nations is drawn up.

"Wyoming, according to the New England claim, lies in Westmoreland County; but in Pennsylvania it forms part of Northumberland County. The colony consists of Wilksbury [Wilkes-Barré], the chief place, and a few smaller villages, as Nanticoke, Hanover, Abraham's [Plains], Jacob's Plains and Shawanese, in all of which there are probably 400 families. Wilksbury had a court-house\* once, where the laws were administered after the manner of Connecticut, whence the Justices were sent. But during the disturbances of the war they lived some years in complete anarchy, without law, magistrates, taxes or priests. 'We act on our sense of honor, and depend pretty much on that', said the miller of the place; 'nothing can be gained by law and nobody punished. Our only rule is, trust or distrust!'

"Since a garrison was placed here, however, the commanding officer has at the same time acted as a Justice, without any recourse to military law. The inhabitants hear his opinion and adjust their dealings thereby, if that seems good to them. But the people of Wyoming, with all their freedom, and living on the most productive lands; are pauper-poor. The war was something of a set-back, but their sloth is still more so. They live in miserable block-houses, are badly clothed, farm carelessly, and love easeful days. Last Winter (1782-'83) most of them sent all their corn and wheat over the mountains, turned it into cider and brandy (for they have not yet planted orchards themselves), so as to drink and dance away the tedium; and so, in the Spring, they had neither seedcorn nor bread, living meanwhile on milk and blackberries, or by hunting—and many of them on less—in expectation of the harvest, which has turned out well; and now they are preparing for fresh quickenings. With all their negligence they had before the war a fine store of cattle, hogs, hemp, flax, etc., the superfluity of which being sold brought them what they need ed. Of their mills, one was burnt by the Indians, and there was no water for the other. They must, therefore, send their corn fifty miles over the mountains; or, whoever could not do this, was obliged to pound it in wooden troughs, after the fashion of the Indians.

"Of what religious faith they are, no man knows. An old Anabaptist† lives among them, and preaches to whomsoever has a mind to hear. We came a day too late to see the solemn baptism of a young girl twenty years old, who was baptised in the Susquehanna. \* \* \*

"At one place in this region, near the river, there comes to the surface a vein of ore thick as a man's leg, blackish and micaceous, which from its look might be lead-ore. For a long time this was thought to be silver, until experiments were made at Philadelphia, showing that there was no ground for the belief, but not determining what the ore was. Beyond the river there are said to be ores at one or two places, which have been found on experiment really to contain silver. These localities, I am told, were once pointed out to certain persons by the Indians and are at present known to a few, who speak of them mysteriously. It appears, also, that a long time ago Europeans may have worked there; at least the first New Englanders who came hither said that they found remains there of horse-trappings and smelting tools. \* \* \*

"Several miles down the river I had myself taken to a place where an outcrop of saltpetre is scraped from the cliffs, which, with the addition of lye, is made into good saltpetre. At the beginning of the war many hundred-weight of saltpetre was prepared here and farther up the river. \* \* \* Taking a turn to Nanticoke we passed by the ruins of a primitive iron-foundry. Much bog-ore is found thereabouts, which is probably what was used; besides, there is iron-stone in the neighboring mountain. The reopening of this works will mean a considerable gain to the region, since the distance and the bad roads over which the iron needed here must be fetched, vastly heightens the cost to the farmer. \* \* \*

"After a stay of five days, delayed by the weather, we left this country Monday, August 18, 1783, in the afternoon, and made seven miles to Long Meadows [Bullock's place], where we spent the night in a half-ruined cabin and on the bare earth. We found a small boy there, whose parents were intending to settle there, but they had been several days absent looking for provisions, and had quite carelessly left the youngster by himself in the woods. He was extremely happy when we gave him some bread and meat. Very early we left our dreary quarters, but were several hours delayed when we came to Bear Creek. Since our passing that way a family had appeared, and within the few days had made their block-house nearly ready. \* \* \* Farther on, in that half of the road lying through this wilderness, we happened on still a third family, who likewise had just come to settle there. These people expected to make a temporary support by selling brandy to travelers, until they had gradually brought enough land under cultivation to supply their needs. \* \* \* All these poor families chose this region because there they can at no outlay have the use of land taken up by nobody else.

"Going back we followed the road we had come, as the only passable one through this comfortless region, and about sunset reached White Oak Run. The last eight miles we had to go a-foot, for there was now thick darkness among the high, close-standing trees, obscuring the friendly light of the moon, which shone clear, but not for us. It would have been neck-breaking work to keep on horseback. At nine o'clock we arrived at Sebitz's house, tired and wet. \* \* \* From Sebitz's to Heller's the road is for the most part down grade, through a multitude of sandstones. The Pocono Creek is again crossed several times. It winds through very pleasing low grounds. Near Brinker's Mill there is a rarity—a beautiful prospect of the Delaware Water Gap to the left, and in front (over a lower ridge of hills), the range of the Blue, or Kittatinny, Mountains, running straight away. Quite at the top of a hill, between Brinker's and Eckhardt's we came upon a little lake, in which there should be fish. There is also such a clear little separate lake to be found on a higher hill near Sebitz's, and another on Locust Hill."

\*Reference is here made to Fort Wilkes-Barré, mentioned on page 887, Vol. II.

†Undoubtedly the Rev. James Finn, who at that time resided in the upper end of Pittston Township.

The severity of Dr. Schöpff's comments upon the habits of life and the characteristics of the New Englanders in Wyoming was undoubtedly prompted by groundless and unjust tales told to him by the Pennamites and their adherents, who, at the time of his visit to Wilkes-Barré, were very much in evidence in the settlement, and were probably met by him at every turn.

The following extracts from a letter\* written by Capt. Philip Shrawder (previously mentioned) to the Hon. Stephen Balliet give a brief account of some of the conditions existing at Wilkes-Barré in the Summer of 1783.

"Mr. Weitzel's† Issuing Commissary left Wyoming the 29th or 30th of June [1783]. He had nothing but a little flour on hand then. He therefore spoke before his departure to one Abel Yarrington, an inhabitant of Wyoming, to procure provisions until Mr. Weitzel would send him up again with a fresh supply, which would be very shortly. Yarrington tried to purchase [provisions], but got none for want of money. In this dilemma he came to me.

"The President's orders of March, 1783,‡ commanded me to maintain the Wyoming post, and when I came to Philadelphia in May following I represented to Council that the soldiers were unruly and claimed their discharges, as they heard and saw those of the Continental Army return home. General Irvine and some other members [of the Council] desired me then to try to keep the men together. I therefore looked upon myself as in duty bound to exert myself in procuring provisions, and purchased them on my own account; but as my troublesome and precarious situation would not permit me to leave my post to purchase to the best advantage, I had to pay a high price for them. I had to get superfine flour, for want of other, in Northampton County, and paid £20 for the transportation of two loads.

"In August [1783] I went to Sunbury to urge Mr. [John] Weitzel to forward provisions with the greatest expedition to Wyoming, and showed him my account of purchases. He then informed me that there was at that time a boat on the way up with some flour for the Garrison, but as my purchases came high he said he would have nothing to do with the contractorship. So circumstanced I felt much perplexed, and knew not what to do; but meeting Frederick Antes, Esq., of Northumberland, he kindly advanced me a sum of money, and on my return to Wyoming I despatched Lieutenant Erb to Philadelphia, acquainting His Excellency, the President, with my situation. I then received £300 from the Council."

At an adjourned meeting of the Pennsylvania Assembly held at Philadelphia, August 19, 1783, the Commissioners, who had investigated affairs at Wyoming in the preceding April, made their report, which read in part as follows§:

"You will observe [in the accompanying papers submitted] the peaceable disposition of the settlers at Wyoming, and their readiness to submit to the Jurisdiction of this State, except only in the instance of their possessions, which they refuse to deliver up, notwithstanding the generous offer of the citizens of this State.

"Convinced of the policy and propriety of taking the most immediate measures of introducing civil government into that part of the country, we have agreed upon a plan relative thereto which we herewith submit for your concurrence and approbation; lists of the early settlers and greatest sufferers at that place we also lay before you, as also a state of their civil policy under the Government of Connecticut. A few negro and mulatto slaves¶ we find are in their possession.

"We offer the following resolutions: (1) That the law passed at the last session of this House, prohibiting ejections being brought against the people from Connecticut settled at Wyoming, be repealed. (2) That all that part of the State generally known by the name of Wyoming be divided into two townships [here follows a description of their metes and bounds, as printed on page 1336], and that the Supreme Executive Council be requested to commission immediately four of the persons elected by the freeholders of said Districts on April 23 last to serve as magistrates—two in each District, or Township. (3) That these two Townships form one District for the purpose of voting for Assemblymen, Sheriffs, etc., and that the place of holding such elections be at the town of Pennsbury.\* (4) That in consideration of the great sufferings of the settlers from Connecticut at Wyoming and the noble defence they have made against the Common Enemy, a Reasonable compensation in land within the Boundary of this State and upon Easy Terms shall be made to the Families of those who have fallen fighting in Defence of the Country; and to such others as actually have a Title from the Government of Connecticut to lands at or near Wyoming, and did actually reside on the ground when the Decree was given in favour of the State of Pennsylvania by the Continental Court at Trenton—Provided they immediately Relinquish all claim to the soil where they now inhabit, and enter into contracts

\*See "Pennsylvania Archives", Second Series, XVIII: 655.

†JOHN WEITZEL, of Sunbury, Pennsylvania. In 1783 he was "Contractor of provisions in Northumberland County", for the State Government.

‡See page 1317. §See "Pennsylvania Archives," Old Series, XII: 73.

¶Slavery had been abolished by law in Pennsylvania in the year 1780.

\*Without much doubt Pennsborough is here referred to. It was, in 1783, a small settlement on the West Branch of the Susquehanna in Northumberland County, about fourteen miles below the present city of Williamsport, twenty-four miles north of Sunbury, and fifty-one miles due west from Wilkes-Barré; although, by way of the river, it was distant about ninety miles from Wilkes-Barré. Ft. Muncy stood between Pennsborough and the mouth of Muncy Creek, and in 1783 there was a considerable population in that section of Northumberland County. Upon the erection of Lycoming County in 1795 Pennsborough was included within its bounds, and in 1827 the village was incorporated as the borough of Muncy.

to deliver up a full and quiet possession of their present Tenures to the rightful owners under Pennsylvania by the First day of April next. (5) That a law be passed under proper Restrictions to enable such of the above settlers at Wyoming as shall become Citizens of this State to retain their Negroes and Mulattoes, in servitude, and continue actions brought in their Court and Proceedings in their Register's office, and to remove them into the Court and Register's office for the County of Northumberland—there to be determined according to the Laws of the State."

This report, together with a letter from Captain Shrawder concerning affairs at Wyoming, which had been received by President Dickinson a few days previously, were referred to a committee. Under the date of September 2, 1783, the committee reported to the Assembly in part as follows\*:

"The Committee have examined the several papers committed to them with care & attention, and are fully satisfied of the laudable Zeal and industry used by your Commissioners to effect the purposes of their Mission, and likewise with the generous offers made by the Pennsylvania Land holders to the settlers at Wyoming. Your Committee are, however, sorry to find that the endeavours of your Commissioners and the offers of the proprietors of Lands at Wyoming have been rendered abortive by the interference of the State of Connecticut and the Susquehanna Company, so that our hopes of a friendly compromise seem now vanished. Your committee submit the following resolutions to the Honorable House.

"Resolved, That a Committee be appointed to prepare and bring in a Bill for repealing the Law of this State entitled 'An Act to prevent and stay suits from being brought against the inhabitants of Wyoming, during the time therein mentioned, passed March 13th, last, and for confirming the Township of Wyoming into three Distinct Townships, as laid out and divided by your Commissioners on the 22d day of April last past.

"Resolved, That as well to discover the moderation and Equitable disposition of this House as in consideration of the sufferings of the Settlers at Wyoming from the Common Enemy, a reasonable compensation in Lands within the Boundaries of this State upon easy Terms be made to the families of those who have fallen fighting against the Savages, and to such others as did actually reside on the Lands at Wyoming when the late Decree was given at Trenton.

"Resolved, That no such settler be intitled to the benefits of this Resolution unless upon demand made he gives up possession to the Claimant or Claimants under Pennsylvania."

At Philadelphia, under the date of September 5, 1783, President Dickinson wrote to Captains Robinson and Shrawder at Wilkes-Barré, in part as follows:†

"In consequence of a Conference with a committee of the General Assembly, it is judged proper that you should be reminded in a particular manner constantly to employ the utmost vigilance and alertness for the security of the Fort at Wyoming, and for maintaining the post where you are now stationed.

"It is expected that you will be in perfect preparation at every moment to resist any hostile attempt, whether openly or insidiously made. Among other attentions, it will be indispensably necessary for this purpose, that great care should be taken not to suffer the Soldiers, on any pretence whatever, to absent themselves from the Garrison, either in an indefensible situation, or beyond the reach of your immediate recall.

"It is thought absolutely necessary by Council, that a supply of two Months' provisions for both companies, calculating upon the compleat establishment of sixty privates to each company, be immediately conveyed into the Fort; so that the Garrison may not in any manner depend upon the provisions from without during that period.

"That a single moment may not be lost, the important charge of procuring this supply is principally committed to you; for tho', to guard against the expence of a double purchase, it may be highly necessary to consult Mr. Weitzel, and learn from him what stock of provisions he has now on hand, and what additional quantity he may engage to procure, yet it is intirely the sense of Council, that should he discover the least indifference in accepting the business, or delay in the execution of it, you will yourselves proceed to compleat his purchases, should they be deficient, and contract for their transportation. Money shall not be wanting to fulfill these engagements.

"It is also our desire that, as long as it may be necessary to keep up the Garrison, after the expiration of the two Months provided for by this order, it shall at no future time be left without a supply of one Month's provision in stock. This you will regard as a standing order."

Under the same date as the foregoing, President Dickinson wrote to John Weitzel, Esq., at Sunbury, Pennsylvania, in part as follows:

"It is the sense of Council that a stock of eight weeks' provisions for the complete companies of sixty privates each be immediately laid in for Wyoming, for the subsistence of that Garrison. To this purpose Council have written to Captains Robinson and Shrawder—with directions to consult you upon the subject."

September 9, 1783, the Assembly repealed the Act passed March 13, 1783, "to prevent and stay suits from being brought against the inhabitants of Wyoming" (see page 1320); confirmed the division of Wyoming into three Districts, or Townships, as made by the Commissioners; confirmed the election of Justices of the Peace held at Wyoming by direction of the Commissioners, and instructed

\*See "Pennsylvania Archives," Old Series, X: 552.

†See "Pennsylvania Archives," Old Series, X: 99.

the Supreme Executive Council to commission four of the persons so elected. The next day the Council met, and, in pursuance of the foregoing action, Alexander Patterson, John Seely, David Mead and Robert Martin\* were commissioned Justices of the Peace in and for the county of Northumberland. "Alexander Patterson appearing before the Council the same day, took the oath prescribed, and a *dedimus potestatem* was issued to Alexander Patterson and Samuel Hunter†, or either of them, to administer the oaths to the other Justices this day appointed."

At Fort Dickinson, Wilkes-Barré, under the date of September 17, 1783, Captain Shrawder sent to President Dickinson the following communication‡:

"In obedience to your Excellency's Orders I have the Honor to transmit a Return of the Companies, arms and ammunition. Your Excellency's Letter to Mr. Weitzel I have forwarded to Capt. Robinson who is at present in Northumberland, to be delivered by him; but as we received no supply since June last, it is not probable Mr. Weitzel can have a stock on Hand.

"I would beg Leave to inform your Excellency that to maintain this Post I have for better than two Months past extended my Credit as far as possible in purchasing Provisions for the Garrison and in order to be enabled to see the Troops supplied. I would beg your Excellency and the Honble. Board would be pleased to order £300 to be forwarded to me by Lieut. Erb, whom the utmost Necessity obliged me to send.

Return of Captain Robinson's and Captain Shrawder's Companies of Pennsylvania Rangers stationed at Wyoming, Sept. 17, 1783.

	Cap't's.	Lieut's.	Ensign.	Serjeants.	Corp's.	Drum & Fife.	Privates.	Volunteers.
Capt'n Robinson's Comp'y Fit for Duty,	1	1	1	1	2	2	25	
Sick,					2	2	8	
Capt'n Schrawder's Comp'y Fit for Duty,	1	1		2	2		20	1
Sick,							4	
Total.	2	2	1	5	6	2	57	1

One Box of Cartridges, 66 Muskets.

[Signed] PHIL. SHRAWDER, Capt'n. P. R.

Justice Patterson arrived at Wilkes-Barré about September 20, 1783, bearing his new commission, as well as documents accrediting him as agent for a very considerable number of Pennsylvanians claiming lands in Wyoming. Justices Seely and Mead soon followed Patterson, and it was not long until Wyoming "began to swarm with Pennsylvania land-claimants." Taking up his quarters in a house near Fort Dickinson, the first act of importance which the over-zealous Justice Patterson performed was the changing of the name of Wilkes-Barré to "LONDONDERRY"! Then, fully armed with legal and illegal powers, he forthwith began to exercise them§.

\*ROBERT MARTIN, who came to Pennsylvania in early manhood, is said to have been a native of New Jersey. He was the first settler where the town of Northumberland now stands, having built a house there as early as 1767. He kept an inn, which was a place of much resort. He became a man of some prominence and considerable influence, and in 1776 was a member of the Pennsylvania Provincial Conference. He was paymaster of the Pennsylvania militia in service in the campaign of 1776. He was a member of the State Convention to frame the constitution of 1776, and was a Representative in the State Legislature in 1778 and '79. Under the Pennsylvania Constitution of 1790 he held the office of Justice of the Peace for many years. Colonel Franklin, in his "Brief," mentioned herein before, says that "Robert Martin had too much humanity to act under his commission [of September, 1783] with the other new-fangled Justices."

†Mr. Martin died at Northumberland about the year 1813. He had two daughters—one married to Dr. James Davidson of New Jersey and later of Lycoming County, Pennsylvania, and the other married to Capt. Thomas Grant of Northumberland County, a brief sketch of whom will be found in a subsequent chapter.

‡See (f) note, page 1274.

§See "Pennsylvania Archives", Old Series, X: 104.

§Captain Patterson, in his "Petition", mentioned on page 626, Vol. 11, and page 1227, makes the following statement with respect to the work of the Pennsylvania Commissioners at Wyoming in April, 1783. "The Commissioners advised an election by the freeholders for Justices of the Peace in that hot-bed of sedition. The election was held, and your petitioner was elected a Justice, and a special Act was passed at the ensuing Legislature to confirm it. He attended the whole of the session in Philadelphia, and was commissioned the first magistrate for that refractory country [Wyoming]. He proceeded to Wyoming, having a warrant of attorney from the owners of the land to lease or dispose of it on easy and moderate terms. Sundry of the intruders came under lease, but the undue influence of Franklio, Butler, Denison, Core, Spalding and other evil-disposed persons, induced the lessees to forego their contracts.

"On your petitioner's arrival at Wyoming as a Justice he found numbers very obstinate, in crowds, with Butler, breathing defiance to Pennsylvania and her laws. He was not intimidated, but committed their Colonel Butler to Sunbury jail, at the distance of sixty-five miles, where he was held in £5,000 bail."



During the Spring and Summer of 1783, the independence of the United States was acknowledged by several of the principal European powers, and on the 3d of September of that year, the definitive treaty of peace between Great Britain and the United States was signed at Paris by the representatives of the two powers. As those were the days of stage-coaches and sailing vessels, and not of steamboats and telegraphs, several weeks elapsed before news of the signing of the treaty was disseminated in this country. Meanwhile there was abroad in the land a sincere belief that the long and burdensome war was actually ended, and that very soon the armies of the United States would be disbanded. About the middle of September, the authorities of Pennsylvania began to take steps tending toward the disbandment of the States' troops of the line, and on October 18th Congress issued a proclamation disbanding the Continental army. After November 3d the army was entirely discharged from service.

At Philadelphia, September 22, 1783, the Pennsylvania Assembly passed the following:

"Resolved, That the Supreme Executive Council are hereby empowered and required to take into the service of this State one Major, two Captains and four subalterns of the officers of the Pennsylvania Line, who are forthwith to be instructed to enlist two full companies of the soldiers who have served in the Pennsylvania Line, to serve such times as to the Supreme Executive Council, the succeeding Assembly, shall seem meet; and that one month's pay shall be advanced to the said officers and soldiers, who shall be armed and accoutered at the expense of the State." \* \* \*

Miner states ("History of Wyoming," page 330) that "this resolution was passed with closed doors, in secret session, and recorded on the secret journals of the House; and was regarded, when known, as a direct infraction of the Articles of Confederation."

The Supreme Executive Council met on September 25th, and without delay elected, and immediately commissioned, the following-named officers: James Moore\*, Major; James Chrystie† and Philip Shrawder‡, Captains; Blackall William Ball§, John Armstrong||, Samuel Read¶ and Andrew Henderson\*\*.

\*JAMES MOORE was a son—probably the second—of James Moore, Sr., and his wife Elizabeth (*Whitehill*) Moore, of Chester County, Pennsylvania. James Moore, Sr., was possessed of considerable property in Chester County, bordering on the manors of Springton and Brandywine. May 23, 1770, he was appointed by the Supreme Executive Council of Pennsylvania a Justice of the General Quarter Sessions of the Peace, and of the Court of Common Pleas of Chester County.

In company with Gen. Anthony Wayne, Thomas Hockley and others Judge Moore was chosen a member of the Committee of Public Safety of Chester County in December, 1774. He was made a Justice of the Peace March 31, 1777, but resigned the office in November, 1781, to take his seat as a Representative from Chester County in the General Assembly of Pennsylvania, to which office he was re-elected in 1784, '85, '86, '87 and '88. He was reappointed a Justice of the Peace in November, 1782, and December 13, 1783, he was, with Gen. Anthony Wayne, elected a member of the Pennsylvania Council of Censors. He was elected a judge of the Court of Common Pleas of Chester County in October, 1785, and August 17, 1791, was appointed an Associate Judge of the Supreme Court of Pennsylvania. He was a zealous patriot during the Revolutionary War, and was active in enlisting men for the Flying Camp and the Pennsylvania Line.

Judge Moore lived in a fine, large stone mansion, on the crest of a hill overlooking the Brandywine, near the present village of Glen Moore, Chester County. He died there March 31, 1802, and his wife died there June 25, 1815, aged 82 years.

In June, 1773, Judge Moore purchased the rights of eight or ten men, under Pennsylvania grants, to lands in the Wyoming region. In 1802 David Moore, a son of Judge Moore, claimed these lands.

James Moore, Jr., was born in Chester County about 1756. He received a preparatory training in classical and scientific studies, and then, it is believed, attended lectures for a short time at the College of Philadelphia. At the call to arms in 1775 he quickly responded, and, on the recommendation of the Committee of Public Safety, was commissioned January 5, 1776, Captain of the 7th Company in the 4th Pennsylvania Battalion, commanded by Col. (later Gen.) Anthony Wayne. In the Summer and early Autumn of 1776 certain companies of this battalion, including Captain Moore's were at Crown Point and Ticonderoga. The term of enlistment of the battalion expired January 5, 1777, but the officers and men remained in service until January 24, in order to allow troops to come in and take the battalion's place.

A large proportion of the men of the 4th Battalion reenlisted for three years in the 5th Pennsylvania Regiment, Continental Line, which was organized in January and February, 1777. Captain Moore was recommissioned Captain, and given command of a company in this regiment. In May, 1777, the "5th" joined the main army at Morristown, New Jersey, and on the 11th of the following September participated in the battle of Brandywine in Captain Moore's native County. He was promoted Major September 20, 1777, and transferred to the 1st Pennsylvania Regiment, Continental Line. The battle of Germantown soon followed, and then came Valley Forge, where the 1st Regiment spent the Winter of 1777-'78. At the battle of Monmouth, New Jersey, June 28, 1778, the 1st Regiment carried off the honors.

In September, 1780, the "1st" was in camp at New Bridge, near Hackensack, New Jersey, and later it went South with Washington's army and took part in the siege of Yorktown. After the surrender of Cornwallis (October, 1781) Major Moore went with his regiment to South Carolina. January 1, 1783, he was transferred to the 2d Pennsylvania Regiment, Continental Line. Early in the following July he was with his regiment at the barracks in Philadelphia, and soon thereafter was transferred to the First Pennsylvania Regiment, in which he held the rank of Major until his discharge from the service November 3, 1783. About that time he became an original member of the Pennsylvania Branch of the Society of the Cincinnati.

Major Moore was made a Free Mason prior to June, 1780, in which month he and forty-seven other Brethren of the Craft (among whom were Capt. James Chrystie, Lieut. Erkuries Beatty, who had been an officer in the Sullivan expedition, Col. Caleb North, Col. Walter Stewart, Col. Josiah Harmer, Col. Francis Johnson, Col. Adam Hubble, Capt. John Boyd, Lieut. Benjamin Lodge, who had been Geographer of the Sullivan Expedition, Col. Thomas Craig, mentioned on page 140, Col. Richard Butler and Maj. Thomas Church), all officers "in the Pennsylvania Line of the American Army", petitioned the Grand Lodge of Pennsylvania, Ancient York Masons, for a warrant for a Military, or Traveling, Lodge "to be styled Pennsylvania-Union Lodge." Major Moore was nominated by the petitioners to be Master of the proposed Lodge, Surgeon John Rogers to be Senior Warden, and Surgeon John Pratt to be Junior Warden. The petition was recommended and "countersigned" June 2, 1780, by Col. Thomas Procter, Worshipful Master of Military Lodge No. 19 (see page 1184, Vol. II), and July 20, 1780, the Grand Lodge granted to the Brethren named in the petition a warrant for a Lodge to be known as "Pennsylvania-Union Lodge, No. 29, A. Y. M., in the Pennsylvania Line." Soon thereafter the Lodge was duly constituted, and its officers were installed by Colonel Procter, who made his report to the Grand Lodge December 18, 1780.

Under the date of December 26, 1783, at Philadelphia, four members of Lodge No. 29, "in behalf of eighteen members of the Lodge (all that could be collected)", presented a petition to the Grand Lodge, in which appeared the following paragraph: "On the return of the warrant and Brethren to this place, a Lodge has never been called, and Major Moore, who was continued Master, has taken the warrant with him, and the jewels, books and papers belonging to the Lodge, to his command at Wyoming, where there is but one member [Captain James Chrystie] with him." \* \* \* December 27, 1783, the Grand Lodge voted "that all traveling warrants heretofore granted by this Grand Lodge be called in by the Grand Secretary." (See "Old Masonic Lodges of Pennsylvania", II: 66-77.)

(The following paragraphs are from a sketch of the life of Maj. James Moore by W. S. Long, M. D., published in *The Pennsylvania Magazine*, XII: 470.)

"After his experiences at Wyoming Major Moore went to Philadelphia and entered the drug business. He moved in fashionable circles in society, and exhibited a taste for high living and the expensive refinements, whether of art or pleasure, which in the end resulted unfortunately both for himself and his family. October 17, 1787, in Christ Church, he was married to Sarah, eldest daughter of Col. Sharp and Margaret Delany. [For further references to Colonel Delany, see the chapter on the same subject in this work.] She was one of the wedgelanders, and ably seconded the heat of his inclination for extravagant living. When they visited Judge and Mrs. Moore at their home near Springton Manor, Chester County, they rode in a handsome carriage drawn by fine horses, with everything to correspond in style, and were apt to astonish their neighbors, who lived in a plainer, though respectable provincial manner.

"As a business man he was unsuccessful. January 2, 1798, the partnership of Goldthwaite & Moore was dissolved, their store being at the corner of Second and Walnut Streets, and James Moore, Jr., advertised the stock for sale, as he proposed retiring from business. His father assisted him on several occasions—on the last one, parting with most of his land rather than permit his son's name to be dishonored.

"About 1800 Major Moore removed with his family to the neighborhood of Jamestown, Virginia, preferring the severing of family and social ties, and a life among strangers, to meeting in the walks of daily life those who had known him in more prosperous times. Only once—on the occasion of his son Sharp's visit to the home of his father's boyhood, about 1810—has the veil which hid his further career from us been lifted."

According to the "Decennial Register of the Pennsylvania Society of Sons of the Revolution", Philadelphia, 1898, Major Moore died in 1813.

[JAMES CHRISTIE was born near Edinburg, Scotland, in 1750, and came to Pennsylvania in 1775. Under a resolution of Congress passed December 9, 1775, the Second Pennsylvania Battalion was raised, and on January 3, 1776, Col. Arthur St. Clair was elected and commissioned by Congress to command this battalion. Two days later James Christie was commissioned First Lieutenant of Capt. Stephen Bayard's company of the 2d Battalion, and on the 11th of the following November he was commissioned Captain (to rank from August 9, 1776) and transferred to the command of the company in the same battalion which had been formerly commanded by Capt. William Butler, who had been promoted Major.

The Second Battalion was in service at Crown Point, Ticconderoga, and other points in the north-eastern corner of New York near the Canadian border, during the Summer, Autumn and early part of the Winter of 1776, leaving Ticconderoga for Philadelphia, Pennsylvania, January 24, 1777—their term of service having then expired.

The Third Pennsylvania Regiment, Continental Line, was formed in January and February, 1777, on the basis of the Second Battalion, Pennsylvania and was "arranged" in the Continental service March 12, 1777. Captain Christie was commissioned a Captain in this regiment, to rank from August 9, 1776. The Third Pennsylvania was in camp with the army near White Plains, New York, in July 1778, on or about the first of which month the Twelfth Pennsylvania Regiment, which had been reduced to a skeleton regiment by heavy losses, was incorporated with the "Third". Just about the time this consolidation took place Captain Christie and other officers of the "Third" were tried by court-martial. The findings of the court, promulgated in a General Order issued from the headquarters of the army at White Plains, under the date of August 1, 1778, are printed in "Pennsylvania in the War of the Revolution", II: 294, and they read in part as follows:

"At a Division General Court Martial, held at Peekskill July 16, 1778, \* \* \* Lieut. John Armstrong, of the 3d Pennsylvania Regiment, tried for behaving in a scandalous manner in beating a number of persons, breaking windows and being guilty of other abusive treatment. After due consideration, the Court was of opinion that Lieutenant Armstrong was guilty of beating Quartermaster Bradford, but think that the provocation was, in some degree, equal to the offense; that he was guilty of breaking cellar windows, and of other abusive treatment; but, upon the whole, cannot pronounce his behavior scandalous, though unjustifiable; and, notwithstanding his good character as an officer and soldier, he is sentenced to be reprimanded in General Orders.

"At the same Court Captains James Christy and Thomas Moore of said regiment was tried for said crime. The Court are of opinion that they are not guilty of behaving in a scandalous manner in beating a number of persons and breaking windows, but find them guilty of abusive treatment, and sentence them to be reprimanded by the commanding officer of the Brigade.

"The Commander-in-chief [General Washington] is sorry he has a reason to declare that Captains Christy and Moore and Lieutenant Armstrong were, through the whole of this affair, in circumstances that did them very little honor. He laments that they should suffer themselves so far to deviate from that line of delicacy and decorum which they owe to their own character, as to engage in riot and tumult of singular complexion; especially as it rather appears by their own defense that they left their regiment without leave."

It is stated in "Pennsylvania in the War of the Revolution", I: 466, that in September, 1780, on the discovery of Benedict Arnold's plot, at West Point, Captain Christy "was detailed specially by General Washington to visit all the [American] posts."

Under the "arrangement" of the Pennsylvania regiments in the Continental Line, January 1, 1781, Captain Christie continued in command of a company in the Third Regiment. January 17, 1781, the Third was reorganized under Col. Thomas Craig (see page 670, Vol. II), and, after recruiting at Easton, Pennsylvania, accompanied Gen. Anthony Wayne on his southern campaign—or, at least, the larger part of the regiment was detached for that purpose.

Prior to January 1, 1783, Captain Christie was transferred to the Second Pennsylvania Regiment, where he continued until his retirement from the service, June 3, 1783—about which time he was brevetted Major, and also became an original member of the Pennsylvania Branch of the Society of the Cincinnati.

As stated in the preceding foot-note Captain Christie was a charter, or warrant, member of Pennsylvania-Union Lodge, No. 29, Ancient York Masons of Pennsylvania. He was the father of Lieut. Col. James Chrystie of the 15th United States Infantry, who distinguished himself at Queenstown in the War of 1812. Both father and son were dead in 1824.

†See (\*) note, page 1321.

[BLACKALL WILLIAM BALL was commissioned October 16, 1776 (to rank from October 4), an Ensign in the 12th Pennsylvania Regiment, Continental Line, which was organized in the Autumn of 1776, as related on page 1329 May 20, 1777, he was promoted Second Lieutenant, and July 1, 1778, was transferred to the Third Pennsylvania Regiment, Continental Line. He was promoted First Lieutenant September 11, 1778. In the "arrangement" of the 3d Regiment January 1, 1781, he was continued as First Lieutenant, but prior to January 1, 1783, he was transferred to the First Pennsylvania. In 1783 he became an original member of the Pennsylvania Branch of the Society of the Cincinnati. Prior to September 23, 1783, he had retired from the military service. December 13, 1783, he was

Lieutenants. Major Moore was appointed to command the battalion, or corps of two companies that was to be organized, and under the date of September 26th the Council issued to him the following instructions\*:

"Agreeably to our Communications of yesterday, you will proceed immediately to enlist and embody two Companies of Infantry consisting of one Serjeant Major, one Quarter Master Serjeant, eight Serjeants, eight Corporals, Two Drummers, Two Fifers, and one hundred and twenty-six privates.

"In performing this service you will please to conform strictly to the following rules:

"*First*, To guard against imposition, every Recruit, before his attestation be signed, is to be carefully examined, lest he should have a rupture, fits, or some other disease which may render him incapable of performing the more active duties of the Soldier. All such are to be absolutely rejected, and those of the best Character, both as Soldiers and Men, to be selected.

"*Secondly*, When an unexceptionable Recruit shall be engaged, you are to take or send him to some Justice of the Peace, who, finding him to be sober, and having read to him the form of the enlistment receipt and attestation, is to cause such Recruit to sign the said enlistment and receipt, and then to administer to him the oath herewith inclosed; duplicates of which attestation, enlistment and receipt the Justice shall witness. Of these one copy is to be transmitted to this Board: The other you will retain in your own hands.

"*Thirdly*, The inclosed form of Enlistment receipt and attestation is to be invariably observed.

"*Fourthly*, As an encouragement to such Recruit immediately to enlist, you are authorized to offer on the part of the State the following Ration; One pound of flour, one pound of beef, or three quarters of a pound of Pork, & one gill of whiskey per man per Day; one quart of Salt & two quarts of Vinegar to every hundred rations; Eight pounds of Soap & three pounds of Candles to every seven hundred rations; one suit of Regimental Cloaths annually, consisting of one Regimental Coat, one woollen Vest, one pair of woollen Overalls, one blanket, two Shirts, two pair of Shoes, two pair of Socks, one Hat, and ten Watch Coats to each Company, and the following Monthly pay, to wit: Serjeant Major & Quarter Master Serjeant, each eight dollars; Serjeants, seven dollars; Corporals, five dollars; Drums and Fifes and Privates, four dollars.

"*Fifthly*, As an additional encouragement to the service, you are at Liberty to give any sum not exceeding four dollars for every sufficient stand of arms and accoutrements furnished by the Recruit whom you may engage.

"*Sixthly*, No furloughs to be given to any Recruit till the farther order of Council."

The oath of enlistment prescribed by the Council to be taken by the recruits, was in the following form†:

"I do swear to be true and faithful to the Commonwealth of Pennsylvania; that I will faithfully serve it in the corps of foot commanded by Maj. James Moore, for the space of two initiated into Lodge No. 22, Ancient York Masons, at Sunbury, Pennsylvania. He was still living in 1811, but when or where he died we are unable to state.

JOHN ARMSTRONG was a Sergeant in Capt. John Brady's company (enlisted along the West Branch of the Susquehanna in September and October, 1776), of the 12th Pennsylvania Regiment, previously mentioned. May 20, 1777, he was promoted Ensign, and December 11 of the same year was promoted Second Lieutenant. July 1, 1778, he was transferred to the 3d Pennsylvania Regiment, Continental Line, upon the consolidation of the "12th" with it. (See note "†" above, for reference to Lieutenant Armstrong's trial by Court martial in 1778.)

Lieutenant Armstrong was promoted First Lieutenant May 12, 1779, and upon the "arrangement" of the 3d Pennsylvania Regiment January 17, 1781, and again on January 1, 1783, he was continued as Lieutenant. Sometime later he was promoted Captain by brevet. He retired from the service in the Summer of 1783.

Under a resolution of Congress adopted June 3, 1784, the several States of the Union were required to furnish quotas of troops for service under the orders of Congress for the space of one year. About the middle of August, 1784, the Supreme Executive Council of Pennsylvania commissioned Lieut. Col. Josiah Harmar to raise and command a battalion of troops, in compliance with the call of Congress. Among those selected as commissioned officers for this "Continental Regiment" was John Armstrong, who, at Sunbury, August 24, 1784, wrote to President Dickinson as follows: "By a letter from Colonel Harmar I find your Excellency and Council have been pleased to honor me with an appointment in the Continental Regiment under his command. After acknowledgements to your Excellency and Council for their confidence, I beg leave to observe that I feel myself hurt in being only appointed Ensign after having served as Lieutenant in the Continental Army since September 11, 1777, and lately honored by Congress with a Captain's commission by brevet. While I accept my present appointment, I hope your Excellency and Council will give me that rank I held in the Continental Army."

At the beginning of December, 1784, Harmar's battalion was in camp near Fort Pitt (the present Pittsburgh, Pa.), and Ensign Armstrong was reported "sick, absent in Philadelphia." On December 5th, the battalion marched to Fort McIntosh as a guard to the Commissioners appointed to hold a treaty with certain western Indians. (January 1, 1785, Ensign Armstrong was present at Fort McIntosh, "sick.") April 1, 1785, he was "on command down the Ohio River, about eighty miles from Fort McIntosh." On the returns of July 1 and August 1, 1785, made out at Fort McIntosh, he was noted as being "on furlough."

\*SAMUEL READ was commissioned Ensign of the 5th Company in the "New Eleventh Pennsylvania Regiment" (referred to more at length in the notes on pages 1108 and 1179, Vol. II), and was with his regiment at Wyoming and on the Sullivan Expedition in the Summer of 1779. He was promoted Lieutenant October 2, 1780, and on or about January 17, 1781, was transferred to the 3d Pennsylvania Regiment, Continental Line. Under the "arrangement" of this regiment January 1, 1783, he was continued as Lieutenant. Prior to September 23, 1783, he was transferred to the First Pennsylvania Regiment, and continued as a Lieutenant thereof until the regiment was disbanded, November 3, 1783. He died at Wilkes-Barré in September, 1784, of wounds received during one of the Pennamite-Yankee conflicts.

\*\*ANDREW HENDERSON was appointed an Ensign in the Fourth Pennsylvania Regiment, Continental Line, at Wilkes-Barré, October 9, 1779, by order of General Sullivan, to rank from July 4, 1779, and was duly commissioned as such. He was promoted Lieutenant July 29, 1781, to rank from January 29, 1781. He was transferred as Lieutenant to the Second Pennsylvania Regiment, Continental Line, January 1, 1783, and continued as a Lieutenant of that regiment until its disbandment, November 3, 1783. About that time he became a member of the Pennsylvania Branch of the Society of the Cincinnati. In 1799 Lieutenant Henderson was residing in Huntingdon County, Pennsylvania, and was Prothonotary of the County.

\*See "Pennsylvania Archives", Old Series, X: 127.

†See "Pennsylvania Archives", Old Series, X: 128.

years from the date of this attestation, unless sooner discharged; and that I will be obedient to the orders of the Supreme Executive Council, the Legislature of the State, and the officers by them set over me, according to the Continental Articles of War, or such other Articles as some future Assembly of the State may establish for the government of the corps to which I belong. So help me God!"

At Philadelphia, September 27, 1783, John Armstrong, Jr., Secretary of the Supreme Executive Council, wrote to Capt. Philip Shrawder at Wilkes-Barré, in part as follows\*:

"You have been appointed to the command of one of the two companies to be raised for the further defense of this Commonwealth. The recruiting of this corps is specially committed to the commanding officer, Maj. James Moore of the Pennsylvania Line, whose orders you will hereafter obey. Council conceive it necessary that you should continue at the Post, and proceed to act in that line of diligence and industry which has already so well deserved their approbation. Many reasons make it prudent, if not necessary, that *this appointment should be concealed from the garrison*. Among others, it is to be feared that if they were acquainted with it they might relax in their obedience."

As noted on page 638, Vol. II, Col. Zebulon Butler returned from the army to Wilkes-Barré, August 20, 1783. Miner, referring to the condition of affairs in Wyoming about that time, states ("History of Wyoming," page 331):

"The licentious soldiery, freed from the restraints of discipline, which the presence of an enemy tends to enforce, and encouraged by the civil authority [that is, the newly-commissioned Pennsylvania Justices of the Peace], became extremely rude and oppressive. They took without leave whatever they fancied. Several persons had been arrested and brought before Captain Shrawder. Colonel Butler, indignant at the treatment the inhabitants suffered, expressed his opinions freely. It was enough. A writ was issued, and Colonel Butler was arrested on the 24th of September for high treason, as it was said. Surrounded by a guard of soldiers he was conveyed to the fort [Dickinson], and was treated with great indignity."

Colonel Franklin states that Colonel Butler was kept under guard in the fort for thirty-six hours, and then, "put under a guard of ruffian soldiers, in command of Ensign Chambers was sent on board of a canoe to Sunbury to be committed to gaol; and that he was thus sent without any civil officer, writ or mittimus." Col. John Henry Antes†, was at that time Sheriff of Northumberland County, and he not only refused to receive Colonel Butler into his custody, but directed him to return to Wilkes-Barré. A few days later Colonel Butler was again arrested, and was ordered to be committed to the jail at Sunbury. The original mittimus‡, issued in pursuance of this mandate of the Justices, is now in the possession of The Wyoming Historical and Geological Society, and reads as follows:

"Northumberland County, ss:

[L. S.]  
To the Sheriff, Under Sheriff or Gaoler. These are in the name of the Commonwealth of Pennsylvania to require and command you that you receive into your custody in the gaol of said County the body of Zebulon Butler, charged of Treason, and extremely dangerous, as appears to us the subscribers—Justices assigned to keep the peace for said County—from sundry deposi-

\*See *ibid.*, page 131.

†JOHN HENRY ANTES, commonly known as Henry Antes, was born near what is now Pottstown, Montgomery County, Pennsylvania, October 8, 1736. In early manhood he removed to the Susquehanna region and settled near the present town of Jersey Shore, in what later became Northumberland County, and is now Lycoming County, Pennsylvania. July 29, 1775, he was appointed a Justice of the Quarter Sessions of Northumberland County. In December, 1775, he is said to have commanded a company in the Plunket Expedition, a full account of which is given on page 859, *et seq.*, Vol. II. January 24, 1776, he was commissioned Captain of a company in the Pennsylvania Battalion of militia commanded by Col. James Potter. In May, 1777, he was commissioned by the Supreme Executive Council of Pennsylvania Lieut. Colonel of the 4th Battalion of Northumberland County militia. In 1779 he was "Conductor of Boats", with the rank of Colonel, on the staff of General Sullivan during the Sullivan Expedition—described in Chapter XVIII, Vol. II. In 1782 he was elected Sheriff of Northumberland County. He was re-elected in 1783 and again in 1784.

In 1778 Colonel Antes erected near his home, for the occupancy of his family and his neighbors, a rude stockade, which became known as Fort Antes. It was located on a high bluff overlooking the river, in what is now Nippenose Township, Lycoming County. Colonel Antes became a member of Lodge No. 22, Ancient York Masons, at Sunbury, Pa., February 8, 1781, and in 1784 was Senior Warden of the Lodge. He died at his home near the ruins of Fort Antes, May 13, 1820. "No name on the frontier shines with brighter luster than that of Henry Antes."

For further and more detailed particulars concerning the life of Henry Antes, see "Frontier Forts of Pennsylvania", I: 394, and Godcharles' "Free Masonry in Northumberland and Snyder Counties, Pennsylvania", I: 23.

‡A copy of the document was transmitted to the Supreme Executive Council by Alexander Patterson, and was received by that body December 1, 1783.

tions and informations before us. And that you safely keep said Zebulon Butler in said gaol, until he is discharged therefrom by law, &c.

"Given under our hands and seals October 9, 1783.

[Signed]

"ALEXANDER PATTERSON,  
"JOHN SEELY  
"DAVID MEAD."

Relative to his re-arrest, Colonel Butler wrote from Wilkes-Barré under the date of October 11, 1783, to Col. E. Dyer and Jesse Root, Esq., at Hartford, Connecticut, in part as follows:

"Yours of September 12 I received yesterday. I was a prisoner, sent to gaol about seventy miles, when the letter came. I was taken on a writ for treason against the State. The Sheriff gave me a writing to return or go where I chose, only to come again to court. Immediately on my arrival at home I was taken by an under Sheriff for the same thing, and the Sheriff is now waiting to take me away. \* \* \* The inhabitants are in the most distressed situation. Claimers for lands under Pennsylvania are demanding and taking part of their crops of corn, &c. The inhabitants are almost drove to despair. God knows what will be the event."

Once more, then, Colonel Butler was conveyed down the river to Sunbury, where, upon his arrival, he was bound over for his appearance at the next term of the Court of Oyer and Terminer—Messers. Shaw, Bonham and Espy becoming his sureties in the sum of £5,000. Returning to Wilkes-Barré, Colonel Butler was again, early in November, 1783, conveyed to Sunbury by a supposed process of law. The following, copied from originals now in the possession of The Wyoming Historical and Geological Society, will explain, in a measure, the why and wherefore of this third excursion to the county-seat of Northumberland County.

"Northumberland, Nov. 11, 1783.

"Sir:—Upon reconsideration of the note I have wrote you by Mr. John Mead,\* I do not wish you to consider it in any manner as a summons to come to Sunbury, and I hereby order John Mead, or any other messenger of mine who may have you in custody, immediately to enlarge you and suffer you to go home or elsewhere in the County of Northumberland until Court, or further orders from me. Witness my hand and seal the day and year above.

"To Col. Zebn. Butler.

[Signed] "HENRY ANTES, Sheriff.

"Northumberland, County, ss:—

"John Mead, being at this time the gaoler of the County aforesaid, saith, That on the 8th November, *inst.*, being sent up to Wyoming by Henry Antes, High Sheriff of the County, the said Sheriff delivered him a paper directing him to apprehend Col. Zebulon Butler and bring him to Sunbury gaol and to keep him safely, agreeably to a mittimus which the Sheriff acknowledged to be in his hands. This deponent accordingly apprehended the said Butler at Wyoming, and brought him down with him to Northumberland town, where he was met by the Sheriff, General Potter, William Shaw, Esq., William Bonham and Captain Robinson. The Sheriff then took the said Butler from him [the said Mead], desiring him to let said Butler go, and he [Antes] would clear him [Mead] for so doing. The Sheriff afterwards delivered a paper to this deponent, by way of indemnifying the deponent for letting said Butler go. It seems to be a copy of an original given by the Sheriff to said Butler, but was signed by the Sheriff himself.

[Signed] "JOHN MEAD"

"Sworn and subscribed this 13 November, 1783, before John Buyers and Chn. Gettig, Esqs."

On October 14, 1783, an election was held in Northumberland County for one member of the Supreme Executive Council of the State, two Representatives to the General Assembly, and a High Sheriff in and for the County. The voting took place at Pennsbury (see page 1342), and thither journeyed Capt. Simon Spalding and twenty-three other Yankee settlers of Wyoming to cast their ballots. After taking the oath of allegiance to Pennsylvania they were permitted to vote, but their ballots were placed in boxes separate from those in which the ballots of the other voters were deposited—the reason for this being that there was some question in the minds of the election officers as to the validity of these ballots, because those who cast them *had not resided a year in Pennsylvania*. The Constitution of the State required a year's residence in the State as one of the necessary qualifications to vote at elections; and up to the Decree of Trenton, Wyoming had been under the jurisdiction of Connecticut.

\*A younger brother of David Mead.

When the returns of this election were made to the General Assembly, that body rejected the ballots of the twenty-four Wyoming voters, whereupon twenty members of the Assembly protested against such action, assigning, among other reasons, the following\*:

"We whose names are hereto subscribed, considering the security of elections the only safeguard of public liberty and the peace of the State, do protest against the determination of the House on the Northumberland election, for the following reasons:

"We conceive the twenty-four votes set aside as illegal were given by legal voters, inasmuch as the persons giving them were in fact in the Government (though not in the territory) of Connecticut, which exercised full jurisdiction over them until the Decree at Trenton.

"We observe that, allowing it to be Connecticut (as was contended) until the Decree at Trenton, then they may be deemed persons coming from another State, who, producing certificates of their having taken the oath to this State, became by law entitled to vote. This, it was fully proved, they had done. \* \* \*

"We cannot but lament the fatal policy by which, instead of conciliating these people and adopting them as our subjects and citizens and endearing them to us in political bands, we are straining the laws against them; \* \* \* which in our judgment has a strong tendency to revive the dispute (which they may yet do under the Articles of Confederation) and drive them back to the jurisdiction of Connecticut, which will be more ready to receive them and renew the old claim when they find the actual settlers excluded from the common privileges of the citizens of this State."

At Philadelphia, under the date of October 18, 1783, President Dickinson wrote to Maj. James Moore, then in Philadelphia, as follows†:

"Council, fully confiding in your Integrity, Ability & Industry, commits to you the important charge, the Fort and Post at Wyoming, and wishes you and the other officers now in town [Philadelphia] to repair to that place as soon as possible with the men that are enlisted. We do not doubt but the utmost care will be taken that the troops behave themselves regularly, and that not the least injury be done to any of the citizens of the State.

"Upon your arrival there you will endeavor to complete the companies by enlisting such of the soldiers in the Garrison as may be approved, and agreeable to the instructions we have given, and who have no improper connection in the neighborhood. If a sufficient number of such men cannot be procured in the Garrison, we would desire that an officer may be sent down to this city to make up the complement. As you go by Harris' Ferry‡ you will take with you such of the military stores at that place as may be necessary.

"Peculiar circumstances strongly point out the propriety of desiring you, in a very particular manner, constantly to employ the utmost vigilance and alertness for the security of the fort and the maintenance of the station. It is expected that you will be in perfect preparation at every moment to resist any hostile attempt, whether openly or insidiously made. Among other attentions it will be indispensably necessary for this purpose that great care should be taken not to suffer the soldiers, on any pretense whatever, to absent themselves from the Garrison, either in an indefensible situation, or beyond the reach of your immediate recall.

"It is our desire that as long as it may be necessary to keep up the Garrison it shall at no time be left without a supply of one month's provisions in stock for the complete establishment of the two companies. We should be glad to have a return of all the military stores, and early, frequent and exact intelligence of your proceedings and of every circumstance that may concern the interest of the State.

"On your arrival at Wyoming you will please to muster and inspect the troops now there, making exact returns to us. You will then express to the officers and soldiers§ the grateful sense we entertain of their services, and discharge them."

Under the date of October 20, 1783, at "Londonderry" (Wilkes-Barré) Alexander Patterson wrote to President Dickinson as follows:

"Since Mr. Mead and I wrote you last (the purport of which was informing you of the measures taken to have in confinement that flagrant offender, Col. Zebulon Butler, who has threatened the dissolution of the citizens of this State and its laws), notwithstanding Colonel Butler was committed from under the hands and seals of three Justices of Peace for treason, he has found security, and is sent back to this place to the terror of the good citizens in this neighborhood. The Sheriff has not done his duty, nor do I believe he intends it—being a party man, among which I am sorry to see so little principles of humanity and honour, men who wish for popularity at the expense of the property, and perhaps blood, of their fellow-citizens.

"Strange as it may appear, it is absolutely true that the banditti at Wyoming have been solicited for their votes at the election||, caressed and patronized in their villainy, and encouraged in their claims to land which they now withhold, in violation of all law, from men who have

\*See Miner's "History of Wyoming," Page 341.

†See "Pennsylvania Archives", Old Series, X: 132.

‡Now Harrisburg, Pennsylvania.

§The officers and men of Captain Sbrawder's and Captain Robinson's companies of "Pennsylvania Rangers."

||The election held at Pennsylvania.

distinguished themselves and taken a very decided part in the late Revolution. Sure I am that it would be an act of justice not to commissionate [as Sheriff] Antes\*—the other person on the return I do not know, but *worse* he cannot be.

"Pardon this freedom. Nothing but a wish for the peace of the citizens would have induced me to have said so much upon this head. I have wrote the Chief Justice concerning Butler, and have prevailed upon the bearer hereof, Capt. John Dick† to carry these despatches. He will return to this place, and may be depended on. I am very uneasy having heard nothing of Major Moore. I wish he was here. I hope your Excellency will think it right to order the troops forward as soon as possible."

Of the two military companies which were to be stationed at Wilkes-Barré by direction of the State Government, Captain Chrystie enlisted his men at and near Philadelphia, while Captain Shrawder enlisted his from the "Rangers" of his former command and that of Captain Robinson, who were discharged from the service of the State upon the arrival of Major Moore. at Wilkes-Barré early in November, 1783. Captain Chrystie, in command of his company, set out from Philadelphia for Wyoming, October 19, 1783. On October 22d, Easton was reached, when and where Captain Chrystie wrote to President Dickinson as follows‡:

"I have arrived here this morning at 9 o'Clock, the Detachment in good order, only two of the soldiers which I shall take the liberty to discharge as unfit for service. The one has fits & the other is in such a situation from his own faults that he will be on the Doctor's list during the term of his enlistment.

"Your Excellency will see the reason for the waggons being allowed for six days. The two first days owing to the badness of the weather we got no further than Flower Town about twelve miles from Phila. & he is allowed two days to return. I expect to have everything ready to march this evening & will set out to morrow morning."

Captain Chrystie and his men arrived at Wilkes-Barré (or "Londonderry", as they called it, in view of the rebaptism of the town by Alexander Patterson) on Wednesday, October 29, 1783. Owing to the lack of proper quarters at Fort Dickinson, Chrystie's men were, according to Colonel Franklin§, "turned in upon the inhabitants, ten soldiers with a family, in some small houses. Some families were dispossessed for the reception of the troops, there being at the same time convenient public buildings, which had been built [for barracks, etc.] in the time of the war, sufficient to have accommodated the whole of them without molesting a single family. Alexander Patterson was particularly active in this business of oppressing the inhabitants to accommodate the troops."

Miner says ("History of Wyoming," page 332) that Col. Zebulon Butler—who lived within a few hundred feet of the fort—"was particularly distinguished (?) by having twenty [soldiers] billeted upon him. The houses being small, hastily erected after the conflagration of the savages, the people poor, and the soldiers insolent, their sufferings were exceedingly severe—too great for human nature patiently to endure. But, seeing it was the purpose to drive them to some act of desperation, the injuries and insults were borne with forbearance and fortitude." Sheldon Reynolds, Esq., in "The Frontier Forts of Pennsylvania," I: 465, says: "The soldiery, having no enemy to engage, either Indian, Tory or British, became rude, licentious and insolent, and were used almost exclusively for the oppression of the Connecticut settlers, in the hope of driving them to acts of violence which could be construed into resistance to the State Government."

Miner making further reference to occurrences which took place in Wyoming almost immediately upon the arrival of Captain Chrystie's soldiers, says

\*Col. John Henry Antes, mentioned on page 1348.

†A resident of Northampton County, at or near Easton. His name is mentioned on pages 626, 653, 652, 633, 814, of volume II.

‡See "Pennsylvania Archives", Old Series, X: 135.

§"Plain Truth" article in *The Luzerne Federalist*, October 21, 1804.

("History of Wyoming," page 332): "His strength being now equal to any probable emergency, Justice Patterson proceeded to adopt measures of greater energy. October 31st, [1783], the settlement of Shawnee\* was invaded by the military, headed by the Justice in person, and eleven respectable citizens were arrested and sent under guard to the fort. Among the prisoners was Maj. Prince Alden,† sixty-five years old, feeble from age and suffering from disease. Compassion yielded nothing to alleviate his sufferings.

"Capt. James Bidlack‡ was also arrested. He was between sixty and seventy. His son of the same name had fallen at the head of his company in the Indian battle; another son, Benjamin, had served in the army through the Revolutionary War. Mr. Bidlack himself had been taken by the savages, and suffered a tedious captivity in Canada. All this availed him nothing. Benjamin Harvey§, who had been a prisoner to the Indians, was also arrested. Samuel Ransom||, son of Captain Ransom, who fell in the massacre, was most rudely treated on being taken. 'Ah! ha!' cried Patterson, 'you are the jockey we want; away with him to the guard-house with old Harvey, another damned rascal!'

"Eleven in all were taken, and driven to the fort, where they were confined in a room with a mud floor, wet and comfortless, with no food and little fire. As they were sitting around the fire Captain Chrystie came in, ordered them to lie down on the ground, and bade the guard blow out the brains of any one who should attempt to rise. Even the staff of the aged Mr. Allen was taken from him. On demanding what was their offense, and if it was intended to starve them, Patterson tauntingly replied: 'Perhaps in two or three months we shall be at leisure, and you may be set at liberty.'

"At the intercession of D. Mead, Esq., three of the elder prisoners the next day were liberated; the remaining eight being kept in their loathsome prison—some a week, others ten days—and then dismissed without arraignment or trial. But the object had been accomplished; their several families had been turned out of their houses, and creatures of Patterson put in possession.

"It is scarcely possible to conceive the insolence of manner assumed by Justice Patterson. Meeting by accident with Capt. Caleb Bates¶, and learning his name, he demanded: 'Why have you not been to see me, Sir.' Captain Bates answered that he did not know him. 'Well, I will recommend myself to you, Sir—I am Esquire Patterson of Pennsylvania', and almost instantly ordered a Sergeant to take him [Bates] to the guard-house."

Col. John Franklin, who was in Wyoming Valley in 1783, and was thoroughly familiar with all the occurrences which took place here then, dealt with them at considerable length in his "Plain Truth" articles published in *The Luzerne Federalist* at Wilkes-Barré, in October and November, 1804. The following paragraphs have been taken from those articles.

"Robert McDowel\*\*, being sworn, deposed†† that in October last [1783] he was standing at the Wilkes-Barré Garrison; was taken by Elisha Courtright and taken before Esquire Seely. When deponent came there he was told that a complaint had been made against him by Ezekiel Schoonover and Lieut. [Moses] Van Campen that deponent had said that the authorities here had no authority to act. The constable took deponent to the fort by Seely's orders. Captain Shrawder told deponent that for his conduct the corporal should take care of him until he could

\*Plymouth. †See page 500, Vol. I. ‡See page 999, Vol. II. §See (§) note page 1260. ||See page 895, Vol. II

¶ CALB BATES, of Connecticut, was one of the grantees named in the Indian deed of 1754 (see page 271, Vol. I) to The Susquehanna Company. In August, 1757, he was living at Coventry, Kent County, Rhode Island. He came to Wyoming first in August, 1771, and in 1783 was living at Lackawanna, in Pittston Township, some ten miles from Wilkes-Barré.

\*\*See note, page 730, Vol. II.

††Before a Committee of the General Assembly of Pennsylvania at Wilkes-Barré in December, 1783, as more fully related on page 1358.



be sent to Sunbury. Deponent was sent by a corporal to Sunbury, to be committed by a mittimus from Seely. He [McDowel] got bail at Sunbury and returned home.

"After being at home a day or two Constable Courtright came to deponent and told him that Esquire Patterson wanted to see him. Deponent went to John Hollenback's [inn], went into the room where Patterson was and sat down. Patterson told deponent to stand up, which he did. Deponent was asked who was his bail at Northumberland. Patterson said, 'the authorities at Northumberland laugh at our authority here, therefore I will have you put in irons and will send you back again.' Upon which Patterson called the Sheriff a number of times, when the Under Sheriff, Simms, came. Says Patterson, 'I command you in the name of the United States to take this man and put him in irons, and take him down to Sunbury.'

"The Sheriff took deponent into custody. On their way to Yarrington's (at the Garrison) they met Captain Robinson, who told deponent to stay at Yarrington's until next morning, and he would try to settle the matter. He advised deponent to take a lease of his house, or of a piece of land, and said that would settle the whole—the old and new affair. Deponent declined taking a lease, and then walked to Hollenback's with Captain Robinson; stayed there some time with him and the Sheriff. After some conversation Captain Robinson and the Sheriff said to deponent, 'You may go home and not meddle yourself any more with the affair; you may go and stay at home in peace.' Deponent went home.

"Afterwards he was on his way from home to attend Court at Northumberland. He called at a public house in Salem; went in where there were a number of people drinking, and among them deponent saw Esquire Patterson, who, casting his eyes upon him said: 'So! So! McDowel, you are here. Will you sit in company with a tinker.' (Patterson was a tinker by occupation). Deponent said: 'A body will do anything at times.' At that Patterson said: 'You rascal, begone out of the house this minute', and at the same instant arose, and did not give deponent time to go out before he knocked off deponents hat, and then struck him twice on the side of his head, and then shoved him out of the house. Deponent went to Sunbury court, stayed there about three days, and then was discharged without any trial.

"James Logan\*, the Northampton mulatto and associate of Patterson, informed deponent that he had interceded with Esquires Patterson and Seely and the States' Attorney, who had discharged the deponent.

"Maj. Prince Alden, Sr., being sworn, deposed that on the 31st day of October, 1783, he went from his own house in Shawnee to the house of Preserved Cooley in company with James Logan, having some business with him, and had invited Logan to dine with him. When they came to Cooley's house they found Esquire Patterson, Esquire Seely, Lieutenant Ball, Lieutenant Erb, Ensign Chambers, and about twenty-five soldiers. Esquire Patterson came to the door and asked the deponent if he had any business there, and deponent replied that he had business with James Logan.

"They went into the house and drank some liquor, and as deponent and Logan stepped out of the door to go to their dinner Esquire Patterson ordered a Sergeant to take deponent under guard. Deponent asked what he had been guilty of, and said that he knew of no crime. Esquire Patterson said: 'Damn him, take him along!' Deponent begged the liberty of going home to dinner, as he had invited Logan to dine with him. By the mediation of Logan deponent got permission to go, and after dinner he returned. Esquire Patterson ordered him into the guard-house: [in Plymouth], where he went and continued with about ten of the inhabitants; was kept there about an hour, when they were ordered out of the guard-house to the guard at the fort [Dickinson], about five miles. Deponent objected, said he had been in poor health for about two months, and was not able to walk so far, and desired that he might provide a horse for himself. Esquire Patterson answered, 'Damn him, let him go along!'

"After they marched off deponent's son overtook them with a horse and greatcoat. Deponent took the other sick man behind him on the horse, and then marched on to the guard-house. There they had but little fire and no fuel. The guard helped them to some fuel. They tarried there some time. The prisoners were talking civilly among themselves, when Captain Christie and Lieutenant Ball came in and told them not to say a word, and ordered them to lie down on the ground, which was a very unwholesome place. They immediately obeyed, and there they tarried until the next morning, at which time Esquire Patterson came to the guard-house. Deponent told Patterson he should be glad to know what their crimes were, and asked when they would come to their trial. Esquire Patterson answered: 'You may find that out by your learning.'

"Deponent was denied provisions and drink the night he was confined. He never suffered more in his life. The guard-house was so open that a man might have crept through between the logs. Deponent sent his son to Esquire Mead, and got permission to go to a private house, where he tarried three or four nights, and then went home without leave or license, and no crime alleged against him.

"Capt. James Bidlack, being sworn, deposed that he was taken at Shawnee by some of the soldiers by Esquire Patterson's orders; that he was drove in haste to the Garrison with other

\*Mentioned in the note on page 647, Vol. II. Colonel Franklin, in one of his "Plain Truth" articles, printed in *The Luzerne Federalist*, December 29, 1804, describes Logan as "a mulatto of African blood." As indicated in earlier pages he was active in behalf of the Pennamites in Wyoming affairs during the First Pennamite-Yankee War. In 1783-'84 he seems to have been acting at Wyoming as a sub- or deputy-sheriff under Pennsylvania authority. The writer of this has in his possession an original petition made to the Hon. John Penn, "Proprietary and Governor of Pennsylvania", dated at Philadelphia, November 26, 1773, and signed by James Logan, "of Lower Smithfield Township, Northampton County, Pennsylvania." It reads in part as follows:

Your petitioner, since the year 1769 till in the Summer of 1772, has been employed in the Proprietaries' service against the Connecticut People at Wajomick, and has, at the end of this expedition, rendered his account of particular services and disbursements to Mr. Secretary Tilghman, who paid him £19 in part thereof; but there is still upwards of £100 due thereon, for the receiving of which balance your petitioner is now the sixth time come to Philadelphia. \* \* \* That he has on all occasions shown his zeal for the Proprietaries' service, and readily ventured his life in the same whenever it was required of him." \* \* \*

prisoners; that they were confined in the guard-house, where he continued four nights and three days; that the first night was much as represented by Major Alden. The next day after their confinement Esquire Patterson came, and was asked by one of the prisoners how long they were to stay there and when they should have their trial. Esquire Patterson replied (as deponent thinks), 'in two or three months'. He (deponent) then asked what they should do for provisions. Esquire Patterson answered that he could find them only bread and water, and they must pay for it.

"Benjamin Harvey deposed that he was taken at his own house, at the lower end of Shawnee, by Lieutenant Ball, Lieutenant Erb, Ensign Chambers and Ezekiel Schoonover. (Here deponent described the rough treatment he met with.) When deponent came to Cooley's house (this being the place of rendezvous), there stood Esquire Patterson, who ordered deponent into the house, where he tarried a little while. Then Esquire Patterson ordered him into the guard-house with a file of men, where he tarried two hours. Then deponent and the other prisoners were ordered to march in a body to the Garrison at Wilkes-Barré, where they were put into a guard-house in the Garrison. Deponent was kept there eight days. He applied to Esquire Mead to know his crime. Mead sent for deponent and took him from the guard-house; said he did not know, but there might be a crime alleged against him. Then deponent entered into a recognizance in the sum of £30, for his appearance at Court.

"When Esquire Mead was going to Court, deponent saw him at Shawnee, at Cooley's. Deponent was dismissed, Mead telling him that he had not found anything against him. After deponent was taken prisoner a family was put into his house by Esquire Patterson's orders. The three officers who took deponent told him that Patterson ordered the family into the house.

"Samuel Ransom deposed that he was taken at Shawnee the last of October 1783, by Lieutenant Ball and Ezekiel Schoonover, and was roughly treated. When deponent came to Cooley's Esquire Patterson was there and asked deponent his name. Then says Patterson: 'Ah! ha! you are the jockey we want; away with him to the guard-house with old Harvey, another damned rascal.' Deponent was there two hours; was then taken to the Garrison with the other prisoners. Deponent was then sick, and had been sick three months. After marching a little way deponent and Major Alden had liberty to ride on a horse. They were roughly treated on the way, were often called damned rascals, and were threatened by the officers to be horsewhipped, etc.

"When they came to the Fort [Dickinson] they were conveyed into a guard-house which was open and cold, without any floor, and the ground very wet. They were kept there that night without any wood allowed them, or anything to eat or drink. The next day, about ten or eleven o'clock, Esquire Patterson came along. One of the prisoners says to him: 'Are you going to keep us here to starve, choke and freeze?' Esquire Patterson replied: 'Perhaps we shall be at leisure in about three months, and perhaps you may then be set at liberty.' Further, Patterson said they would be allowed bread and water.

"That about 11 or 12 o'clock the next day after they were confined, they received some flour for their support; and some time the next day after this they received the bread they gave the flour for. While they were in the guard-house Captain Chrystie came and ordered every man to lie flat on the ground, and ordered the sentinel, that if any man should raise his head, to blow out his brains. Deponent was confined five days and nights, and had no crime alleged nor any authority shown him as to why he was taken. When deponent was taken his family was turned out of his house by force, and kept out to the time of taking this testimony.

"It was proved by the testimony of James Mitchell, Abram Nesbitt and others that Samuel Ransom's family were turned out of their house while Patterson and his gang were present. Abram Nesbitt [twenty years of age], for speaking in favor of Mrs. Ransom, who was his sister, and endeavoring to assist her, was taken prisoner, bound with cords, and drove to the Garrison at Wilkes-Barré with the other prisoners, and confined in the guard-house twenty-four hours, and then turned out without any examination. He heard the order given to the prisoners to lie down, with orders to the sentinels to blow any prisoner through that should speak or make any rout.

"In the month of October, 1783, a man of the name of Woodcock—as ordinary a fellow as any to be found—called on Solomon Cole, a respectable inhabitant of Wilkes-Barré, and took him a prisoner, saying he had a writ from Esquire Patterson. Mr. Cole refused to go with him, and disputed his being a proper officer. Woodcock returned, but shortly came a second time and informed Mr. Cole that Esquire Patterson wanted to see him.

"He went to see Patterson; was going into the room where he was. 'Stop!' says the haughty magistrate, 'until I call for you.' He was soon after called in, when Patterson charged him of speaking slightly of his authority. Cole denied it. The wife of Woodcock (more ordinary, if possible, than her husband) was called and sworn by Patterson to give testimony. She swore that she had heard Cole tell a man that Patterson was no more fit for an Esquire than the Devil. The witness could not tell who the man was, nor the time she heard the expression; however, the evidence was sufficient, for the lordly judge pronounced sentence against Mr. Cole, saying to Woodcock (his Constable), 'take this fellow and put him in the stocks for two hours!' Cole was ordered to go to the stocks with Woodcock, but after leaving Patterson he refused to go into the stocks, and went home.

"In about half an hour Woodcock came again, with a Corporal and three soldiers. Mr. Cole was taken again before Patterson, and the guards were ordered to put him in the stocks for two hours. He was taken to the stocks, but the guards having more humanity than the Justice, refused to do the duty they were directed to do, saying that they were not Constables. Others were ordered to assist, but refused. Cole was then taken back to the guard-house, confined an hour and a-half, when Patterson came to the guard-house and, after some conversation on the subject of the accusation, Cole was told by Patterson that if he would behave as a good in-

habitant, he (Patterson) would use him as such, upon his paying three shillings. Cole accordingly paid the amount to Esquire Seely, by orders from Patterson, and was dismissed and returned home."

Colonel Franklin, in his "Brief," referred to in the note on page 1325, describes at some length the condition of affairs in Wyoming during the Autumn of 1783. He states, among other things:

"After the return of Colonel Butler [from Sunbury, where he had been under arrest, as hereinbefore related] the soldiers were removed from his house on the condition of his giving up the house—except a small room—to David Mead, Esq., for the reception of Mead's family—which Butler submitted to. Of two evils he chose the least. \* \* \* Landlords warrants were often issued by the Pennsylvania claimants; the property of the settlers taken and sold on pretense of rents due; warrants issued by the Justices in favor of the Pennsylvania claimants against the settlers on pretense of debt; the settlers dragged before the Justices and not allowed to make any defense or even to exhibit a just account; judgments rendered against them, and their property taken and sold by executions.

"Patterson and Seely were the most active in granting writs and judging causes of this kind. The Connecticut settlers were not allowed to convene together on any occasion. Any three found in company were immediately arrested as rioters! In a word—to enumerate the sufferings of the settlers under the administration of the Justices and the officers of the Garrison would fill a volume.

"The settlers, about November 1, 1783, stated their grievances in a letter directed to the Representatives to the General Assembly of Pennsylvania from Northumberland County, requesting that the same should be laid before the Assembly. But the Wyoming votes having been rejected\*, those to whom the letter was directed were excluded from their seats [in the Assembly] which were filled by others, the next highest on the election returns. The agent for the settlers (Mr. Hugh Foreman)† endeavored to have the letter stating the grievances taken up by the Assembly, but the same was rejected as not being brought forward in the proper mode. Mr. Foreman returned to Wyoming without any relief for the settlers. On his return a 'petition, address and remonstrance' was prepared and signed by upwards of sixty of the settlers (which they were obliged to do privately), dated November 18, 1783, and sent to the Assembly by their agent, Mr. [John] Franklin."

The above-mentioned petition, which appears to have been written by John Jenkins, Sr., and was signed by him, Col. Zebulon Butler and a number of others, "in behalf of themselves and the rest of the inhabitants of Wyoming," read in part as follows:

"Since the Decree of Trenton we have considered ourselves as citizens of Pennsylvania, and have at all times, by our peaceable demeanor and ready submission to Government, duly submitted ourselves to the laws of the State of Pennsylvania; and not only so, but as we were not made duly acquainted with the laws of the State, we have tamely submitted to every requisition of the executive and military authorities, although the same appeared to us in many instances to be unconstitutional and unlawful.

"We beg leave to observe that nothing special happened until the Resolve of the Assembly appointing Commissioners, in which we observed that, after the report of those Commissioners so appointed, we were to have a time and place appointed for the choosing of authority, holding elections, etc. But to our great surprise and grief it seems that there was a choice made (by those that call themselves *landholders*—some from one part of the State and some from other parts; some from New Jersey and elsewhere, and principally not inhabitants of this County) of a number of persons to be commissioned in authority, all without our knowledge, and before the report of the Commissioners or the appointment of a time and place for that purpose; and a return of those persons was, by some way or means to us unknown, made to the Honorable the General Assembly of the State, and the same have since been commissioned, which has produced the following facts, *viz.*:

"Some time in September, 1783, Col. Zebulon Butler was met at the ferry boat by a man that is called a Constable—but how he came by his authority we know not; however, this man, Brink by name, seized his (Butler's) horse by the bridle, told him he was his prisoner, took him into the fort and delivered him up to the martial department. He, the said Butler, was kept there twenty-four hours under guard; was then sent off under a strong guard of soldiers to Northumberland, without either civil officer or writ, and was not made acquainted with any crime for which he was taken. He has been taken three times since by different officers under pretenses of the same crime, and yet knows not what it is, although he got bail for his appearance at Court.

"Since this the property of sundry persons has been taken by force, under a pretense, and the persons that take it say [they take it] by the advice of the authorities; and upon application to the authorities no redress can be had. That persons taken for pretended crimes have been told by the Justices that if they would take a lease, they should be set at liberty; and have, in fact, been obliged to comply, or suffer in prison in a guard-house. Widows and fatherless children, in a sickly condition, [have been] turned out of their houses and sick beds and drove off in a tedious storm—and this said to be done by the advice of the authorities; and no redress could be obtained

\*See page 1350.

†See first paragraph, page 1115, Vol. II.

from the authorities, though application was made. Some were taken under pretense of some crime, and, when confined, their wives were told [by soldiers] that if they would submit to their carnal desires their husbands should be set at liberty. Some taken by a guard of armed soldiers, in presence of the Justices, and their wives and families turned out of doors. The possession of a grist-mill was taken away by force and given to another man, and although frequent application has been made to the Justices for redress, none can be had. \* \* \*

"That persons, when taken and brought before the Justices, have not been suffered to speak a word in their own defense, or to hear a witness, although [it was] requested. That writs are given out for sixpence against children fifteen years of age, although it was for one gill of whisky, and parents, guardians or masters never notified. \* \* \* That one of the inhabitants having business with Captain Schott, Esquire Patterson being present asked his name. He informed him and then said, 'Patterson, I do not know you.' [To which Patterson replied]: 'I am Alexander Patterson, Esq., of Pennsylvania, one of the magistrates of this place. God damn you, I will make you know me!' He then called a guard of soldiers, took the man to the guard-house, confined him for twenty-four hours, and then dismissed him without any ceremony—all which facts we conceive to be done without law or right, and merely to distress the poor distressed inhabitants of this place, and is an infringement on the rights, liberties and privileges of free citizens of this State.

"Therefore, we, as sincere friends to the rights, liberties and privileges of the United States, and citizens of this State, under our distressed circumstances gratefully request your Honorable body to take our distressed case under your wise and serious consideration, and in some way grant relief, as may appear most just and reasonable to your Honors; hoping that every unconstitutional and unlawful act may be redressed and removed into oblivion."

Relative to the foregoing petition, and to the condition of affairs in Wyoming in the Summer and Autumn of 1783, we find the following information in the journal of Christopher Hurlbut\*, extracts from which are printed in Peck's "Wyoming; Its History, Stirring Incidents and Romantic Adventures."

"All was peace that Summer [1783], and numbers of people moved in from Pennsylvania and New Jersey—mostly persons of no property or respectability. Toward Fall it appeared that a number of Pennsylvanians met secretly in the settlement and proceeded to elect Justices of the Peace; and in September the Assembly of Pennsylvania passed a law authorizing the President and Council to commission those persons so unlawfully elected, and they soon began to execute the laws by suing every Yankee that they could by any means bring a charge against, and very soon the most violent proceedings took place. Men were imprisoned by the aid of the military, and sundry persons whipped with gun-ros, and otherwise most shamefully abused. A number of respectable men were confined in an old house without a floor, and mud shoe deep. In cold weather, in the Winter, they were obliged to lie down in the mud on pain of being shot. If three Yankees were seen together they were sure to be imprisoned and otherwise abused.

"At last, as our situation was no longer to be borne, a number of us determined to draw up a petition to the Legislature, then in session, stating our usage and begging for protection. As not more than two of us dare be seen together, the difficulty was to confer together. Our object was effected by going around notifying a meeting in the evening; and, in order to prevent suspicion, the meeting was appointed within forty rods of the fort, where a number got together and darkened the windows, and then drew and signed a petition and engaged a man to carry it to Philadelphia."

At the time the aforementioned petition was prepared the State troops stationed at Fort Dickinson—as shown by an official "return"‡ made under the date of November 20, 1783, by Maj. James Moore, commanding the Garrison, aggregated 110 officers and men; Captain Chrystie's company, numbering fifty-six, and Captain Shrawder's numbering fifty-four.

As related on page 1338, the General Assembly of Connecticut, at its semi-annual session in May, 1783, appointed a committee to consider affairs at Wyoming, and report thereon at the next session of the Assembly. The report of this committee was "made, accepted and approved" at the regular semi-annual session of the Assembly held at New Haven, Connecticut, beginning on Thursday, October 9, 1783; and thereupon the following preamble and resolution were adopted by the Assembly.

"Whereas a large number of Inhabitants West of Delaware River, and within the Charter limits of this State, settled there under the Claim and Jurisdiction of the said State, having first, with the approbation of the General Assembly thereof, purchased the native right of soil, & for many years past have been incorporated and in the exercise of Government under the Laws of this State. And whereas, by a late decree of Commissioners appointed for settling a dispute

\*See page 1246.

†See page 1344.

‡See "Pennsylvania Archives", Second Series, X: 301.

relative to Jurisdiction between this State and the State of Pennsylvania, the tract of Land possessed by the sd. settlers is unexpectedly declared to be within the Jurisdiction of the Latter.

"The said settlers, as it is represented, notwithstanding their having acquired the native & possessing right as aforesaid, and corroborated their title by vast Labor & expence in reducing the said Lands from a wilderness state, and stood as a Barrier to Pennsylvania and other interior settlements, thro' a long distressing war, in which most of their males, capable of labor or defence have been slain. (Circumstances which entitled them to expect as well from the Justice as clemency of that great and opulent State the fullest Protection for their Persons, & to be forever quiet in their Possessions; and for which they lost no time in applying to its legislature by humble Petitions); yet, notwithstanding, to their great astonishment and distress, they find themselves left to the mercy of men, who, claiming under the Proprietary Title of that State, are prosecuting against them suits of Ejectment, and in some Cases entering into their Possessions & Labors by Force; Whereupon,

*Resolved by this Assembly*, That it will in their opinion be expedient for the said settlers as the only Remedy left them, to apply to the Hon'ble the Congress of the United States, for a Court to be instituted to try their right of soil and possession, pursuant to the 9th of the Articles of Confederation. That it will be the Duty of this State to countenance and patronize them in such application; and that the Delegates of the State, that shall be in Congress, be directed to give them all necessary aid therein—And that His Excellency the Governor be desired to address a full State of their Claims & sufferings to Congress, and solicit the Protection of tht. Honl. Body, in their Behalf, untill a final adjudication of the sd. Cause shall be had."

Later in the same session the following was adopted:\*

"This Assembly being informed, since the Trial had in December last between this State and the State of Pennsylvania, of some Evidence material to said Cause, then concealed and suppressed from the knowledge of this State or its agents, and that there is a probability of ascertaining other facts on which to ground a revision of said Cause—

*Resolved*, That Eliphalet Dyer, William Saml. Johnson & Jesse Root, Esquires, heretofore appointed, be & they are hereby continued Agents for this State in the matter aforesaid & that they pursue their Enquiries after Evidence, & make report to this or some future Assembly."

Certified copies of these Acts were delivered by Gov. Jonathan Trumbull to the Hon. Roger Sherman† (one of the Representatives in Congress from Connecticut), to be by him delivered to the Hon. John Dickinson, President of the Supreme Executive Council of Pennsylvania, together with the following letter‡ from Governor Trumbull, written at Lebanon, Connecticut, under the date of November 15, 1783.

"The enclosed Acts of the Legislature of this State, passed in October last, will show the disposition of this State towards their friends and Brethern who are settled on the territory of the Susquehanna, so long disputed between this State and that of Pennsylvania; whose sufferings and condition under your State, since the Decree of the late Board of Commissioners, appear— if truly represented to us—to be very singular and extraordinary, and have tended to excite the commiseration of their friends, as well as to produce a determination in the Legislature to give them all the aid and support in their power.

"Mr. Sherman, who does me the favor of conveying this to your Excellency, and who is going on to Congress (with whom he is instructed to give to these unhappy people all the aid in his power), being fully possessed of the subject, as well as of the views and determinations of the General Assembly of this State respecting the same, will, if you please, confer with you fully on the matter. \* \* \*

"The Decision in the Case of the disputed Territory between this State and that of Pennsylvania, was not only very unexpected to the Legislature of this State, but from some circumstances appears to them very singular indeed, and such as calls for their further prosecution and in which they hope to produce such Documents as shall obtain the further interposition of Congress. \* \* \*

"The Delegates from this State, who will attend in Congress this Winter, having been present in our General Assembly when the inclosed Resolutions were passed, are therefore fully possessed of the Subject; and as they are directed to agitate the Matter in Congress, it is unnecessary for me to enter into the details; leaving the subject therefore to their management and submitting it to the wise & judicious determination of Congress."

Early in December, 1783, the foregoing documents were delivered by Mr. Sherman to President Dickinson, at Philadelphia, and a few days later Col. John Franklin arrived there with the "petition, address and remonstrance" which had been signed by John Jenkins, Esq., Col. Zebulon Butler and other Yankee settlers at Wyoming. This document was presented to and read in the Assembly December 8, 1783, whereupon it was ordered to be laid on the table.

\*See "Pennsylvania Archives", Old Series, X: 116, 117.

†See page 839, Vol. II.

‡See "Pennsylvania Archives", Old Series, X: 147, 148.

The next day, it having been taken up and read the second time, the following\* was adopted:

"Resolved, That the Members from Northampton County, or a majority of them, be a committee to enquire into the charges contained in a petition from a number of the inhabitants of Wyoming in the County of Northumberland, and report to this House at their next meeting; and that the said petition, and other papers accompanying it, be put into their hands."

The Representatives from Northampton County at that time were Jacob Arndt, Col. Jacob Stroud†, Jonas Hartzel and Robert Brown, and at Philadelphia, on December 9th, they issued a notice to the effect that the committee, or a majority of its members, would be at the house of Capt. John Paul Schott "in the township of Stoke (Wilkes-Barré)", on December 29, 1783, in order to inquire into the charges set forth in the petition of the Wyoming inhabitants. Copies of this notice they sent to John Jenkins, Esq., Col. Zebulon Butler, Alexander Patterson and the military officers at Fort Dickinson, Wilkes-Barré.

At Fort Dickinson, under the date of December 29, 1783, Maj. James Moore wrote to President Dickinson as follows‡:

"By Mr. Shepard§ I do myself the pleasure to write your Excellency, and as he has for some time Past been an inhabitant of this Place, and Possessed of a great share of the Confidence of Connecticut claimants, we will be able to give your Excellency just information of their Proceedings and intentions.

"He is charged with the Petition|| I Hinted to you was in hands for the Hon'ble Assembly. It is signed by a few of the claimants, who disapprove of the measures lately adopted by many of the People here. They are anxious to have the Benefits of former Resolves of the Hon'ble House extended to them. How far they have complied with the intentions of the Assembly (altho at a late Hour) their Petition will evince.

"The committee of Assembly appointed to Enquire into the Unconstitutional Proceedings of the judicial officers of this Place are arrived, and will Proceed to business this day. I trust their conduct will appear very different from what it has been Represented.

"How far the Military force may be Necessary to support the authority of the state in this Place, Mr. Shepard will be able to inform you."

Three members—Messrs. Stroud, Hartzel and Brown—of the Committee of Inquiry of the Pennsylvania Assembly, arrived at Wilkes-Barré on Monday, December 29, 1783, as stated by Major Moore in the foregoing letter. They were accompanied, at their request, by Robert Martin, Esq., (see note, page 1344), of Northumberland, whose services they desired to make use of in the taking of testimony.

The committee immediately began its labors, which were continued for about ten days. The Connecticut settlers had previously appointed a committee to bring forward witnesses whose testimony would support their complaints. Testimony was produced on both sides of the case, but the Connecticut men were satisfied, when the work of the committee was completed, that the complaints

\*See "Pennsylvania Archives", Old Series, X: 557.

†For prior references to Colonel Stroud see Vol. II, pages 730, 850, 851, 1038, 1055 and 1148.

According to an article in *Pennsylvania Magazine*, IV: 368, Jacob Stroud was born January 15, 1735, at Amwell Hunterdon County, New Jersey, of English parentage, his father subsequently settling in Northampton County, Pennsylvania. Jacob remained on the paternal farm until the breaking out of the French and Indian War, when he enlisted as a private in the English army, and was at the storming and capture of Quebec under General Wolfe. Serving until the close of 1760 he returned home. Subsequently, in 1763, he accompanied Bouquet as a wagoner to Fort Pitt. In 1769 he acquired title to three parcels of land, aggregating about 300 acres, and including a frame grist-mill driven by fine waterpower at what is now Stroudsburg.

As noted on page 258, Vol. I, Dansbury was the original name of the settlement in and around which Jacob Stroud founded Stroudsburg in 1769. Fort Penn was built, during the early days of the Revolutionary War, on a hill near the eastern part of Stroudsburg, and it was the home of Colonel Stroud until his death.

Colonel Stroud was elected a member of the Convention of July 15, 1776, and in 1777 was appointed one of the commissioners to meet at New Haven, Connecticut, for the purpose of regulating the prices of commodities in the Colonies. From December, 1777, until the close of the Revolution, Colonel Stroud was in active service on the frontiers of Northampton County, watching the Indian marauders from the North. In 1781, and again in 1782 and 1783, he was elected a member of the Pennsylvania Assembly.

In July, 1787, a traveler journeying through that part of Northampton County which is now Monroe County, Pennsylvania, wrote as follows concerning Colonel Stroud: "He keeps a store and a tavern and runs a grist-mill and a saw-mill, and keeps several boats, besides cultivating a large farm. He has between 200 and 300 acres of wheat now growing, from which fine crops are about to be harvested. He has the most hands I ever saw employed at one place. Colonel Stroud's house is a very large house, and stands on the very spot where Fort Penn formerly stood."

Colonel Stroud was married April 6, 1761, to Elizabeth McDowel, mentioned in the note on page 730, Vol. II. He died July 14, 1806.

‡See *Ibid.*, 183. §Lieut. SAMUEL SHIPPARD, see (\*) page 1283. ||Mentioned on page 1361.

of the settlers under The Susquehanna Company had been fully supported by competent testimony. Colonel Franklin declared—in his "Brief," previously mentioned—"to the honour of this committee of Assembly, their inquiries were held with the strictest justice and impartiality." Christopher Hurlbut—in his journal, mentioned on page 1356—states: "The committee came to Wilkes-Barré, and by testimony we established all that we set forth in our petition, and much more. The committee returned and reported, but nothing was done to afford us redress."

The committee set out from Wilkes-Barré for Philadelphia on Friday, January 9, 1784, on which day, at Fort Dickinson, Major Moore wrote to President Dickinson in part as follows\*:

"How far the testimony adduced [before the committee of the Assembly] in support of the charges may appear to criminate the Civil and Military officers, in taking decisive Measures to diffuse & support the laws, we must leave the Hon'ble House to judge; but when they duly Consider the Testimony on Our part, evidently tending to discover that a dangerous insurrection was intended, I trust their Conduct will merit some applause.

"As I am not charged with even the shadow of an offence (the measures complained of being done Previous to my arrival), I conceive myself the more at liberty to appear in their Behalf.

"By what I can learn from the Committee that was here it appears to be the intention of the House to dismiss the Troops at this place. It is observed by those who wish the dissolution of the Corps that the expence is great, and that there is no Necessity for keeping it up, as the People claiming under Connecticut disclaim a conduct inconsistent with the true interests of the State."

"The expence in keeping up the corps for a few months, must be small, the men being already raised, clothed, and Provisions, agreeably to Contract, laid in for some months to Come. And should it be the intention of the Hon'ble the Assembly to invest the Proprietors under Penna. with the lands they have long since purchased, I must beg leave to Represent the Immediate Necessity of Troops being kept here to support the civil Jurisdiction, until the Owners Can be put in Possession of their property—and to prevent Insurrections and Quarrels, which are much to be dreaded in the Spring, about who shall Cultivate the land.

"Since the decision of the Commissioners at Trenton, and since the Garrison has been here, all the Pennsylvania landholders have been looking forward to the Happy Period that now offers of Giving them Quiet Possession of that Property which has, with equal injustice, been taken and kept from them this many years. They wish to avail themselves of the support of this Garrison, until they get Possession and Grow numerous. Should it be deemed too expensive to support the present number of officers and men allotted for this Garrison, let it be reduced to a Capt., 2 Subs., and 75 men. That will be a force, not sufficient to suppress Insurrections (should they be attempted), it will, at least, be sufficient to support the Garrison until succor can be Had. It will also Give the Highest Confidence to the Pennsylvania Land holders, who will generally take Measures for Obtaining Possession of their Property in the spring (While they Otherways Would Not), and remove the Great object of Controversy, and Put the land under such Cultivation as would add much to the advantage of the State.

"To facilitate the Improvement of this Country, and to alleviate the sufferings of Hundreds already born down with the oppression of those people, Might it Not be proper to recommend a Law making it Justifiable in the sheriff of the county, where an ample Title is produced, to put the Owner in Possession of his land without the slow and expensive process of the laws now in force, which many good citizens, from being so long debarred the use of their lands, are unable to support. A measure of this kind would most amply settle all disputes early in the Spring, when the troops might be dismissed and the country put under such improvement and cultivation as would enable the possessors to bear a proportion of the public debts.

"Alexander Patterson, Esq., has made me acquainted with a petition presented to your Excellency and Council by Abel Yarrington, respecting a house he formerly possessed in this Garrison, although he was ordered to remove to a house provided and put in repair by the troops for his reception before I arrived at this place. I must acknowledge it met with my warmest approbation, and I trust it will appear consistent with the verbal instructions not only delivered to me by Council, but those which Captain Shrawder had previously received. Those officers who directed his removal have made Esquire Patterson fully acquainted with their reasons. I must beg leave to refer you to his report.

"Inclosed your Excellency will find a monthly return of the Corps. The muster and pay-rolls and the inspection return for the month of December I shall have finished and forwarded as early as possible. The situation of the sick has made it necessary for me to apply to a physician† in the neighborhood; and as it will be attended with less expence to the State to furnish the medicines necessary in the cases that may appear, I have procured the inclosed list, which the physician says is necessary and immediately wanted."

\*See "Pennsylvania Archives", Old Series, X: 187, 189.

†DR. WILLIAM HOOKER SMITH of Wilkes-Barre. May 13, 1784. Dr. Smith was paid £27.14s. by the State. "In full for his account for medicine and attendance upon Major Moore's troops at Wyoming."—"Colonial Records of Pennsylvania" XIV: 61.

The "return" of Major Moore's corps, referred to in the foregoing letter, showed a total of ninety-one officers and men on duty at Fort Dickinson—Captain Chrystie being temporarily absent "on command," while two men had died and seven had deserted since the last return was made. Included in the total mentioned above were four subalterns, one sergeant major, one quartermaster sergeant, four sergeants, two drummers, two fifers, and six waiters to attend on the officers and the sick.

At Wilkes-Barré, under the date of November 11, 1783, a "petition, remonstrance and address, to the Honorable the Congress of the United States," had been drawn up and signed by Col. Zebulon Butler and a considerable number of the most prominent inhabitants of Wyoming who had settled here during the period that Connecticut exercised jurisdiction over this region. This document, which was presented to Congress (then sitting at Princeton, New Jersey), early in January, 1784, set forth, briefly, that the petitioners claimed "private right of soil, under the State of Connecticut and within the jurisdiction of the Commonwealth of Pennsylvania, in the territory westward of the Delaware River which was formerly in controversy between the said States of Pennsylvania and Connecticut; that they were being disturbed in their rights by persons claiming under Pennsylvania, and therefore prayed that a Court might be instituted, under the IXth Article of the Confederation of States, for determining the said right of soil."

The petition was referred to a committee composed of Thomas Jefferson and Arthur Lee of Virginia and Hugh Williamson of North Carolina, who, on January 23, 1784, made a report, in pursuance of which Congress adopted the following:\*

*"Resolved*, That a Court be instituted, according to the IXth Article of the Confederation, for determining the private right of soil within the said territory, so far as the same is by the said Article submitted to the determination of such a Court; that the fourth Monday in June next [1784] be assigned for the appearance of the parties, by their lawful agents, before Congress, or the Committee of States, wheresoever they shall be then sitting; that notice of the assignment of the said day be transmitted by the Secretary of Congress to the Governors of Pennsylvania and Connecticut, with a request that they take proper measures for having the same served on the parties interested under their States respectively."

Reference is made on page 1311 to a petition signed by certain Wyoming inhabitants which was presented to the Pennsylvania Assembly about the middle of January, 1783, and was formally referred to a committee of the House. Apparently nothing further resulted, for we find that a somewhat similar petition, signed by the same people, together with a considerable number of others, was carried down to Philadelphia from Wyoming by Lieut. Samuel Shippard† and presented to the Assembly, January 21, 1784; and having been read a second time on January 23d, was referred to a committee composed of Messrs. Jacob Rush, Moses McClean, Frederick Watts, Robert Brown and William Maclay. This committee reported to the House on January 29th, and the next day it was voted by the House, "by a considerable majority‡," that Samuel Shippard, Simon Spalding, Stephen Fuller and certain others named, who had signed the petition in question, were "within the description of persons entitled to a reasonable compensation in lands within the boundaries of this State, agreeable to a resolve of the Assembly" of September 2, 1783—as noted on page 1343.

Thereupon the House resolved that the Secretary of the Land Office be authorized to deliver to Samuel Shippard, Simon Spalding, Stephen Fuller, and

\*See "Journals of Congress", IV: 331. †See page 1358.

‡See "Pennsylvania Archives", Second Series, XVIII: 635.



each of the other persons named, certificates "importing that each of them is entitled to 300 acres of land, to be located anywhere within the purchased and unappropriated parts of the counties of Northampton and Northumberland."

With reference to the aforementioned Shippard petition and the action of the General Assembly thereon, Col. John Franklin made the following statement in one of his "Plain Truth" articles, published at Wilkes-Barré in September, 1801.

"A petition was started by Samuel Shippard, a New Jersey man, who never owned a foot of land at Wyoming under the Connecticut title. However, a meeting of the settlers was held at Wilkes-Barré to consult on the plan of Shippard's petition. It was unanimously rejected, [as] they had a petition then pending in Congress. Yet, by the industry of the said Shippard, aided by others *opposed to the claim of the settlers*, he procured near fifty names to his petition, mostly of foreigners who were not settlers at Wyoming at or before the Decree of Trenton.

"Among others in Shippard's petition were the names of Simon Spalding and Stephen Fuller, but it is well known that Simon Spalding was absent from Wyoming, in the eastern part of Connecticut, at the time the petition was in circulation in Wyoming. He has ever declared and still solemnly swears, that he never signed the petition, or even saw it. Stephen Fuller also declares that he never signed it. Daniel Whitney and Preserved Cooley were Pennsylvania claimants—or, at least, pretended to be—who were active in expelling the Connecticut settlers from Wyoming after the Trenton Decree. \* \* \*

"Samuel Shippard, in the character of an agent, went off with his petition to the Legislature some time about the last of the year 1783. The petition was presented to the Legislature, and a majority of the petitioners were rejected as not coming within the resolution proposing compensation. This was a speculating scheme. It was originated by persons opposed to the interest of the Connecticut claimants, for the purpose of defeating the petition of the settlers then pending at Congress. Certificates were issued [by the Land Office] and, as it was said, were delivered to Samuel Shippard for the persons concerned. Mr. Shippard left Philadelphia and returned to his place of residence in New Jersey, and *has not been at Wyoming from that day to this time [1801]*. A small part of the certificates were sent by Shippard to some of the persons concerned, at Wyoming. The others, it is supposed, he speculated upon to such use as suited himself."

On January 19th and 21, 1784, the Pennsylvania Assembly received messages from President Dickinson conveying information relative to the action taken by the General Assembly of Connecticut with respect to Wyoming affairs (see page 1357), and also information concerning the petition of Col. Zebulon Butler and others that had been presented to Congress, at Princeton. These messages were referred to a committee, and upon a partial report of this committee made January 29, 1784, the House adopted the following:\*

"It appears that the Government of our Sister State of Connecticut have not duly informed themselves of the resolutions and acts of this Commonwealth respecting the settlers at Wyoming;

"*Whereupon, Resolved*, That it be recommended to the President in Council to furnish the Governor and Assembly of the State of Connecticut with the proceedings of the Council and Assembly of this Commonwealth respecting the settlers at Wyoming since the judgment at Trenton.

"On the petition, remonstrance and address of Zebulon Butler, and others, to the Honorable the Congress of the United States, dated November 11, 1783, your Committee would observe that it contains representations different from what appears on the files of this House from some of the subscribers, and other matters, neither founded in fact, supported by justice or by the spirit of the Confederation. On which your Committee offer the following resolution: *Resolved*, That the absolute right of preemption of the soil and lands at Wyoming, claimed by Zebulon Butler and others, as well as the right of jurisdiction, is vested in this Commonwealth; and that a committee be appointed to draft instructions to our Delegates in Congress on those heads; setting forth, also, the humane proceedings and conduct of the State in protecting, and resolving to grant lands to, the actual settlers on the lands aforesaid at the time judgment was given respecting the claims of Connecticut."

Subsequently the aforementioned committee made a further report on the matters set forth in President Dickinson's messages, and thereupon, on February 14, 1784, the House adopted several resolutions, in part as follows:†

"*Resolved*, That the Delegates of this State be instructed to apply immediately to Congress for an explanation of their Act of the 23d of last month [January, 1784], it appearing to be uncertain whether the fourth Monday of June next is fixed for the purpose of appointing Commissioners, or Judges, to constitute a Court, or for the purpose of deciding how far the same is, by the IXth Article of the Confederation, submitted to the determination of such a Court.

\* \* \* That by the said Article of Confederation a Court is to be established for the trial of the

\*See "Pennsylvania Archives", Old Series, X: 559.

†See "Pennsylvania Archives", Old Series, X:559.

private right of soil only where it is *claimed under different grants of two or more States*; so that Zebulon Butler and the other claimants cannot be entitled to such a Court unless they come within the description aforesaid—which it is apprehended they do not. \* \* \*

"That two Agents be appointed by the Supreme Executive Council for managing, under their direction, the controversy concerning claims of private right of soil in the territory heretofore in dispute between this State and Connecticut. And that the said Agents be instructed to prepare themselves for maintaining the right of soil within the territory aforesaid, to be vested in Pennsylvania and persons claiming under Pennsylvania; for justifying the conduct of this State from the charges contained in the Act of Assembly of the State of Connecticut of the second Thursday of October last; and for opposing the attempt of the said State to obtain a revision of the cause lately determined at Trenton."

On February 16, 1784, President Dickinson wrote to the Pennsylvania Delegates in Congress, enclosing a copy of the foregoing resolutions, and stating:\*

"The attempts of Connecticut are very extraordinary, and *are to be opposed with the most persevering vigilance!* We wish you by all means to prevent any step being taken by Congress that may, in the smallest degree, lead towards a revision of the cause determined by the Court at Trenton. That business is complicated with such a variety of consideration and circumstances, arising from a multiplicity of sources, that it is incapable of being properly managed without diligent and long continued study and application to it.

"Mr. Wilson, by his professional knowledge, and laborious preparation for the late trial between this State and Connecticut, has acquired a thorough acquaintance with the whole transactions preceding your appointment. To you, Gentlemen, the subsequent [transactions] are well known. He is now nominated a Delegate, and will join you as soon as possible. With the mutual information and assistance which you will give each other, we do not question but that the designs of our opponents will be properly encountered. We shall be obliged to you if you will, by an early opportunity, send us a copy of any Remonstrance, Address or Petition to Congress by Zebulon Butler and his associates."

On the same date, President Dickinson wrote to the Hon. George Clinton, Governor of New York, in part as follows:

"This letter will be delivered to your Excellency by the Hon. Mr. Wilson, one of our Delegates, and Agents in the controversy for the territory of which the jurisdiction and pre-emption were, in December, 1782, adjudged unanimously by the Court at Trenton to be the right of this Commonwealth. We flattered ourselves that so truly respectable a determination would have put an end to all contests, and that the affair would have given us no further trouble than to settle private claims of soil upon equitable terms, which this State was resolved to do. But with regret we find that the Dispute is reviving in a variety of forms, and it becomes our duty to be prepared in the best manner we can for opposing attempts that threaten the Honor, the Peace and the Welfare of Pennsylvania. We therefore beg leave to request, and shall with just acknowledgments receive, any assistance which your State can afford to Mr. Wilson by access to your records and other Sources of information." \* \* \*

Early in January, 1784, Obadiah Gore and the other Wyoming inhabitants who, in March, 1783, had petitioned the Legislature of New York for a grant of land, and had been voted certain privileges (see pages 1314, 1315), arranged to renew their efforts and push their project to a satisfactory conclusion. Consequently Mr. Gore journeyed to the seat of the New York Government, where, on January 26, 1784, he presented the following petition to the Legislature.†

"To the Hon'ble the Legislature of the State of New York in Senate and Assembly met:  
"In Pursuance of a resolution of both branches of the Legislature passed the 21st day of March last, granting liberty to the Inhabitants of Wyoming to explore a Tract of Country of the waste and unappropriated lands of this State, to form a settlement, I have, with a number of said Inhabitants, surveyed and Designated six towns of six miles square—as laid down by a Sketch herewith Exhibited; and would point out a suitable Tract of land on the East side of the Cayuga Lake (at or near the Cayuga Town), to extend southerly by said Lake, to accommodate the rest of said Inhabitants.

"These are therefore to pray the Hon'ble the Legislature to grant and confirm the above described Land to said Inhabitants, on such Terms, Conditions and restrictions as shall seem meet, and your memorialist, as in Duty bound, shall ever pray, &c.

"Dated New York, January 26, 1784.

[Signed]

"OBADIAH GORE,

in behalf of said Inhabitants."

This petition was read in the Assembly on January 27th, and was duly referred to a committee composed of Messrs. Lansing, Rutgers and I. Smith, who, on February 23, 1784, reported in part as follows:

"That on examining the joint-resolution of March 21, 1783, it appears that O. Gore and partners were permitted to locate on any waste and unappropriated lands of the State, etc. That

\*See "Pennsylvania Archives", Old Series, X: 204.

†The original document was in the possession of M. M. Jones, Utica, N. Y. in March, 1880.

as by said resolution the faith of the State is pledged to O. Gore and partners, the Comtee. are of opinion that provision for that purpose ought to be made in the bill now before the House for the encouragement of the settlement of waste and unappropriated lands in the State.\*\*\*

At Fort Dickinson, Wilkes-Barré, under the date of February 1, 1784, Maj. James Moore wrote to President Dickinson, Philadelphia, in part as follows:†

"The Snow is so deep in this Country that our Communication with the City has been totally stop'd this sometime. Lieut. Armstrong is now willing to attempt the journey. Should he be able to perform it, he will deliver your Excellency this Letter with the several Inclosures. As Lieut. Armstrong goes to Philada. on Public Business, he wishes to know if he cannot obtain Pay for his expenses.

"In my accounts I have charged the State with 22 Commissions on all the moneys I have laid out, deducting my Month's Pay and Subsistence, which I trust your Excellency & Council will not disapprove. It is a small compensation for the trouble I have had. Wood is now the only article of expence I shall be exposed to during the Winter. The severity of the weather will require 200 cords; that quantity is already cut and set up by the troops, but so remote from the Garrison that I am obliged to allow four shillings a cord for cartage.

"Inclosed your Excellency will find a Copy of Martin Tidd's deposition, respecting the opinion and advice of Colo. Stroud to those people, when here on the Committee. This testimony is corroborated daily by Information from the Pena Settlers. Since the Committee left this [place] those who had relinquished their Claims in favour of the Pena Landholders are now attempting to regain possession; others who had engaged to deliver Quiet Possession in the Spring have determined otherwise, and from what I can learn every Person who has the least Pretensions to lands in this Country under the Connecticut claim, are expected with all their Connections in the Spring. Many of the Pena Settlers who had some time ago obtained Possession by consent, are now forbid cutting fire wood on their Land. These and many other Reasons which Lt. Armstrong will be able to Inform you, point out the necessity of Continuing a Military force in this place. Should the Garrison be Dismissed in the Present Situation of affairs, dangerous consequences are to be dreaded.

"Should Major Christie be in Philadelphia, Lieut. Armstrong will return Immediately to this place, but should Lt. Armstrong find Major Christie out of town, I have directed him to wait on Council for the two months pay agreeably to the Inclosed Muster & Pay rolls."

This communication was duly received by President Dickinson, and was "read and approved" in the Supreme Executive Council, February 6, 1784. The deposition of Martin Tidd, which accompanied Major Moore's letter, had been made before Esquire Mead, at Wilkes-Barré, January 30, 1784. It related to Col. Jacob Stroud, one of the Committee of inquiry from the Pennsylvania Assembly, and Tidd deposed that, while this committee was at Wilkes-Barré, he "heard Colonel Stroud tell Edward Spencer that all the people settled under Connecticut claims in Wyoming were fools for taking leases from the Pennsylvania landholders, as that was [equivalent to] relinquishing their claims; that those that had not taken leases should hold their possessions, and not give up by any means. The Pennsylvania landholders may try to alarm you," said Stroud, "but they cannot bring any ejections against you, or dispossess you, until you have a Continental Court called for the trial of the right of soil. \* \* \*

\*The House agreed to this report, and the Act "to encourage the settlement of waste and unappropriated lands" was passed by the House March 4, 1784, and by the Senate, April 3, 1784. March 1, 1788, the Legislature of New York adopted the following: "Whereas the Senate and Assembly in March, 1783, adopted a concurrent resolution: \* \* \* Whereas O. Gore and his several hundred associates have chosen lands between the Oswego and Susquehanna Rivers on the east and south-east, the boundary line between New York and Pennsylvania on the south, and the partition line between New York and Massachusetts, of the lands by them respectively ceded to each other, on the west: And Whereas the Indian title still remains to be extinguished; and whereas Lebbens Hammond and others, petitioners with Robert Conat—who were also of the original associates of O. Gore and John Fuller and others—are either already settled on the above lands, or are about to remove there; and whereas the State has expended \$1600. for exploring the land and conciliating the Indians—and further expenses will be incurred in purchasing the land from the Indians—

"Therefore, Resolved, That intruders shall be expelled and punished; that treaties be made with the Indians for the purchase of 160,000 acres of land; that 13,000 acres be reserved and granted to Lebbens Hammond, and others, on the payment of 3s. and 6d. per acre; and the residue so to be purchased be granted to Obadiah Gore and his associates at the rate of 1s. and 3d. per acre."

Under the aforementioned Act of March 4, 1784, Obadiah Gore, Matthias Hollenback, William Buck and Avery Gore bought 3,850 acres, Lot 142, Town of Chemung (later Big Flats, Chemung County, New York). The certificate of survey was dated November 5, 1788, and February 29, 1789. O. Gore paid £294, 14s. 7d. in three per cent. stock to the Treasurer, at 1s. and 6d. per acre. Another certificate of survey, for 7,680 acres, Lot 139 (Baldwin, Chemung County), was filed the same day for Samuel Gore, Aaron Dean, Thomas Poster, Jacob Snell, Lockwood Smith Timothy Tarring, Thomas Bennett and Tobias Wynkoop (of Gore's party), and was paid for February 10, 1792, with £576.

The emigrants from Wyoming under the "Gore project" settled mostly in the intervals of the Susquehanna in Tioga and Chemung Counties, New York, before the Indian title to the land had been extinguished. Big Flats, where Obadiah Gore and his partners bought their land, was already a settlement, Christian Miner, a Pennsylvanian, having established himself there in 1787, and being followed in 1788 by Caleb Gardner, Henry Starell and George Gardner, and in 1789 by Clark Witans—all from Pennsylvania.

†See "Pennsylvania Archives", Old Series, X: 197.

You will have a trial, and no one can dispossess you until that happens, and that Court cannot be called for this long time."\*

About the time that Major Moore wrote to President Dickinson the letter just set forth, the following document† was drawn up at Wilkes-Barré and signed by a number of the Yankee settlers living in the upper end of the township—in what is now Plains Township:

"To the Hon. the General Assembly of the Commonwealth of Pennsylvania at their present Session:

"A Petition for Redress of Grievances by the Inhabitants of Jacobs Plains, in Wyoming, representing the ill treatment they have received from one Daniel Whitney.

"Sometime in the month of April, 1783, this Daniel Whitney came into this Place, & informed the inhabitants that he had bought a certain tract of Land, lying in the said Jacobs Plains, from one Mr. [John Maxwell] Nesbitt of Philadelphia. And he the said Daniel Whitney further informed the inhabitants on said lands that he was to take possession of said lands, according to a certain bargain made between him and the said Mr. Nesbitt, by the 15th or 20th of last April; but finding a Proclamation and an Act of the General Assembly of Pennsylvania passed in March, 1783, prohibiting such a procedure, he the said Whitney told us it was not in his power to obtain possession agreeable to the said Proclamation and Act, neither could he until the next setting of the Assembly; and he hoped that the inhabitants of Jacobs Plains *would oppose him*, and thereby prevent his getting possession, so that he might come upon his bondsman.

"Upon these considerations he the said Daniel Whitney never warned any of the inhabitants of Jacobs Plains off said lands, or brought any writs of ejectment against any of the inhabitants of said lands. Yet some time in December last [1783] the said Daniel Whitney came into this place again and, without any ceremony, took all our hay, grain and creatures, *viz.*: Neat Cattle, Horses & hogs; and he the said Daniel Whitney, when asked by what authority he thus distressed the Inhabitants of Jacobs Plains, replied it was by a Landlord's warrant—altho he never produced any Landlord's Warrant, or any other Lord's Warrant, to justify his Conduct.

"And he the said Daniel Whitney did likewise proceed so far as to sell them at vandue, in seven Days, without so much as ever putting up any Advertisement; so that our Property was sold for little or Nothing in regard to the real value thereof. After some time we the Inhabitants of Jacobs Plains thought it expedient, yea! the only Alternative left us, to procure Writs of Replevin, and get back what we could; but alas! before we were able to obtain writs a great quantity of our grain was threshed out & conveyed away, so that we could not get that which was taken away by the said Daniel Whitney or by his orders. So that; if the said Daniel Whitney had carried his avaricious & inhuman Plan into Execution, there must have inevitably perished upward of forty Persons, chiefly women & children.

"These are *Facts*, Gentlemen, which we are able to support before the Impartial World; altho at the same time we think they are shocking to the feelings of Humanity, and we would not wish to dwell long upon them. But we would, with the utmost submission and Alacrity of Soul consign over our distressed situation to your Honors candid and impartial consideration; praying that your Honors would in your wisdom point out a Modus of Redress for our grievances; and we in duty bound shall ever pray, &c.

"N. B.—We would beg leave to represent to the Honorable House a few Instances of the procedure of the said Daniel Whitney in the taking of grain and cattle, & the appraisal of the same, in a few particulars, in order for a further illustration of the affair:—A barrack of wheat containing 100 bushels, belonging to Mr. Abraham Westbrook, appraised at £7, 10s., and sold for fifteen dollars; a barrack of wheat and rye containing 110 bushels, taken from Joshua Jewell, appraised at £5, and two stacks of oats containing 200 bushels, appraised at £5—& all sold for £8, 15s. A stack of wheat taken from Mr. Leonard Westbrook, containing forty bushels, appraised at £3—and many more such flagrant instances of cruelty we could produce, but for brevity's sake we omit.

"We, the subscribers, were originally proprietors under Connecticut.

[Signed]	"ABRAHAM WESTBROOK,	"JOSHUA JEWELL,
	"DANIEL GORE,	"GEORGE COOPER,
	"LEONARD WESTBROOK,	"JOHN SMITH
	"EPHRAIM TYLER,	"HENRY STARKE,
	"JOHN KENNEDY,	"PRICE COOPER,

"Alexander Patterson, in his "Petition" mentioned on page 626, Vol. II, and pages 1327, 1328, made the following statement concerning Colonel Stroud. "In this phrensy of the Legislature they sent Jonas Hartzel, Robert Brown and Jacob Stroud, Members from Northampton, to inquire into the conduct of the Pennsylvania officers, in consequence of a mock petition from the insurgents. Stroud had always been notoriously favorable to the intruders, and discovered great partiality in the investigation. Your petitioner, therefore, had him arraigned in the House the ensuing session, and substantiated by his colleagues the facts in this simple business. No blame did or could attach to the Pennsylvania officers, whose duty it was to rid the country of a most infamous set of wretches.

"Stroud having clandestinely furnished the intruders with public arms and ammunition, and having acknowledged a variance subsisting for fourteen years betwixt him and your petitioner, he was emphatically told by the Speaker of the House that he was an unfit person for a Commissioner in this instance. Your petitioner's duty demanding his attendance at Wyoming, further inquiry as to Stroud's guilt was postponed, or he would have been expelled with his usual infamy."

†The original is in the possession of the Historical Society of Pennsylvania, and it is now printed for the first time.

This document was taken to Philadelphia by Col. John Franklin, the agent of the Yankee settlers at Wyoming, and was duly presented to the Assembly, where it was "read the first time February 12, 1784." A few days later President Dickinson wrote to Maj. James Moore, at Wilkes-Barré, as follows:\*

"Having conferred with Alexander Patterson & David Mead, Esquires, & Captain Armstrong, concerning the Behaviour of the Settlers at Wyoming not claiming under this State, we think it proper to observe, that a very vigilant attention must be had to the Conduct of that People, and every Measure taken to guard against any hostile Enterprises.

"At the same time, it is the Intention & Desire of Government that if they behave peaceably & inoffensively, they are to be in all Respects treated kindly, as persons whom we wish to become affectionate & faithful Citizens of this Commonwealth."

On the same day President Dickinson wrote as follows to Alexander Patterson, David Mead, John Seely and Henry Shoemaker†, Esquires, Pennsylvania Justices of the Peace in and for Northumberland County, who were just at that time exercising their justicial functions at Wilkes-Barré.

"Having conferred with two of you concerning the Behaviour of the Settlers at Wyoming not claiming under this State, we judge it proper to observe, that as it is the Duty of persons in such offices as you hold, to render justice to all persons without Distinction as far as your Authority extends, and to preserve the Peace, the peculiar Situation of affairs in your neighborhood requires a particular attention to the Conduct of those who are disaffected to Pennsylvania, and that the earliest Intelligence should be communicated to us of any proceeding that threatens Injury to the Commonwealth.

"But, if the said Settlers behave peaceably and inoffensively, it is the Intention & Desire of Government that they should be in all Respects treated with kindness, as persons whom we wish to become affectionate and faithful Citizens of Pennsylvania."

The committee which had been sent to Wyoming by the Pennsylvania Assembly (see page 1358) to investigate affairs here, made its report to the House February 3, 1784; and the same having been read the first time was referred to a committee composed of Joseph Work, Henry Miller, James Johnston, Nicholas Lutz and John Carothers.

At that time Col. John Franklin was still in Philadelphia, authorized, as the agent of the Yankee settlers at Wyoming, to look after their interests so far as possible. Therefore, on February 23, 1784‡, he prepared and presented to the General Assembly the following petition§:

"To the Honorable the Representatives of the Freeman of the Commonwealth of Pennsylvania, in General Assembly met:—

"The petition and address of JOHN JENKINS, NATHAN DENISON, OBADIAH GORE, HUGH FORSEMAN and JOHN FRANKLIN, inhabitants of Wyoming, in behalf of themselves and others inhabitants of said place, most respectfully sheweth,

"That Whereas, upon a petition and remonstrance¶ from divers inhabitants of Wyoming, bearing date November 18, 1783, complaining of certain illegal proceedings had against them by Alexander Patterson, Esq., and others, your Honours, of your abundant goodness, by a resolution appointed a committee from your Honorable House to inquire into the charges contained in said petition.

"That timely notice being given to the said Alexander Patterson, Esq., and others concerned, as well as to the petitioners, an inquiry was held at Wyoming by your committee [for] near ten days. Witnesses [were] called for and fairly heard, and depositions [were] taken, as well on the part of those complained of, as on the part of the petitioners. Liberty of questioning the witnesses when under examination in support of the petition was granted to the defending party, and a fair and legal hearing of all such witnesses as they saw fit to make use of.

"That since the return of your committee from Wyoming we understand that sundry private letters, and a number of *ex parte* depositions taken since the inquiry aforesaid, have

\*See "Pennsylvania Archives", Old Series, X: 207.

†Mentioned on page 1337. He was an inhabitant of Northampton County, and in 1780 and '81 was Captain of a company of Northampton County militia ("Rangers") in the service of the United States. (See "Proceedings and Collections of The Wyoming Historical and Geological Society", X: 118.) February 7, 1784, he was commissioned by the Supreme Executive Council of Pennsylvania a Justice of the Peace in and for Northumberland County. He was dismissed from office by the Council December 24, 1784.

‡On this same day, at Philadelphia, Maj. James Chrystie filed with President Dickinson a paper reading as follows: "I am ordered by Major Moore, commanding at Fort Dickinson, to apply to the Supreme Executive Council for some money on account, for the discharge of debts necessarily contracted for the use of the Fort—for the laying in of 100 cords of wood, for the payment of trenching tools, and for hauling necessary for the repairing of the works. £101 will answer for the present."

§See Miner's "History of Wyoming", page 336.

¶See page 1355.

been presented to your House; reporting, or representing, to your Honours that the inhabitants of Wyoming who settled that territory under the Connecticut claim, do not manifest submission to the laws and authority of this State, but appear [to be] designing against the same, and that there is danger of ill consequences proceeding from the opposition of said inhabitants.

"Conscious that no opposition from us has been made to the laws and authority aforesaid, and that no such designs are existing, we humbly conceive that such reports must have originated through misinformation or mistake. We have the highest esteem for the Constitution of the Commonwealth of Pennsylvania, and are well satisfied with the laws of this state. We are under your jurisdiction and protection—are subjects and free citizens of the State of Pennsylvania. We have voluntarily taken and subscribed the oaths and affirmations of allegiance and fidelity, as directed by a supplement to an Act of the General Assembly of this State; and it is our will and pleasure to serve you in doing our duty as good and faithful subjects of this State, in supporting the rights, liberties and privileges of the same. We have to look up to your Honours for protection, for justice, equity and liberty, on which we depend.

"We have the greatest confidence that upon the examination of the depositions taken by your committee in their inquiry at Wyoming, your House will be satisfied that the charges contained in the aforesaid petition are fully supported, and that no opposition has been made on our part. That by our peaceable demeanor and ready submission to Government, we have duly submitted to every requisition, whether civil or military, and that the proceedings had against us—and which we complained of—were unconstitutional and unlawful, and that we had the greatest reason to appeal to your Honours for redress.

"Relying on the justice and impartiality of your Honorable House, we are assured that reports by private letters, and *ex parte* evidence, will not avail against legal and well-grounded testimony, either to condemn an innocent people, or screen the guilty from Justice. We humbly request to be protected and continued quiet and unmolested in our possessions—which is our all—until a legal decision shall be had thereon, with which we are ready to comply, and shall quietly resign to any claimant or claimants whose title shall be adjudged preferable to ours. We press your Honours to grant us protection and redress, and that the liberties and privileges, which subjects and free citizens of this State are entitled to, may not be denied to us. And your petitioners, as in duty bound, will ever pray.

[Signed] "JOHN FRANKLIN,

"Philadelphia, February 23, 1784.

"Agent for the inhabitants of Wyoming."

This petition having been read in the House the first time February 23, 1784, was referred to the committee which had in hand the report of the Assembly Committee of Inquiry into Wyoming affairs.

There were other petitions prepared at Wyoming about this time, some of which were presented to the Legislature, and others of which failed to reach that body—as we learn from one of Colonel Franklin's "Plain Truth" articles, printed in *The Luzerne Federalist*, (Wilkes-Barré) September 21, 1801. The following paragraphs have been extracted from the article in question:—

"The Legislature [of Pennsylvania] was in session from about the 13th of January, 1784, until some time in April, during which time several petitions, represented to be the petitions of the Connecticut settlers at Wyoming, were set on foot, circulated, and signed with several hundred names, and sent to Philadelphia. Some were presented to the Legislature; others, after they had reached Philadelphia, were prevented (by the agent [Colonel Franklin] of the settlers who then attended the Legislature) from being presented. In these petitions it was set forth that the petitioners expected *they had lost their lands by the decree at Trenton*, and praying for lands as a compensation for their sufferings by the calamities of war, etc.

"These petitions were first set on foot, not by Connecticut claimants—they had petitioned Congress—but by persons opposed to the Connecticut claimants and to the settlers under their claim. Some of the Justices of the Peace, who were Pennsylvania claimants, and had been forced upon the settlers, were particularly active in this business. Several of the petitions, if not all, were sent to Philadelphia by a Pennsylvania claimant. Dr. Joseph Sprague was the bearer of several of them.

"A very small number of the Connecticut fathers being unwary, and off their guard, were deceived, and, not knowing the contents of the petition, placed their names thereto. The whole number did not exceed twenty—several of whom were minors, widows and children. The names of several others who were absent were affixed without their knowledge or consent. Those settlers who did sign, found they had been deceived, and expressed it in a remonstrance and petition directed to the Legislature. The petitions were signed by many of those persons who, in May following, assisted the troops in driving off and expelling the settlers from Wyoming. They were signed with the names of persons belonging in other Counties and States. The names of children and even of infants, and the names of many yet unborn, were inserted." \* \* \*

At Philadelphia, under the date of March 6, 1784, President Dickinson wrote with great care a very full and detailed reply to the communication which he had received from Governor Trumbull of Connecticut, in December, 1783.

(See page 1357.) He began by expressing the hope that the Government of Connecticut, "upon being well informed" with respect to the proceedings on the part of Pennsylvania towards the Wyoming settlers, would "not persist in a conduct so extraordinary as that lately adopted." He then declared: "Whether this Hope be well founded or not, we shall enjoy the Satisfaction of having affectionately endeavoured to remove the prejudices of a sister State, & to prevent the Evils that must result from such a Revival of the late Controversy." He then continued, in part as follows\*:

"The Acts of the Legislature of Connecticut of October, 1783, and your Excellency's letter, contain two charges against this State: first, of suppression of evidence, & secondly, of cruelty towards the settlers of Wyoming. \* \* \* However severe these Charges are, they meet on our part with a Consciousness that they are not merited. As to the former, it is so indefinite that we cannot imagine to what Evidence it alludes. As to the latter, the inclosed Papers & some corresponding Circumstances will evince how much it was undeserved.

"It has been the constant Determination of this Government to treat with Benevolence & Generosity the Settlers at Wioming whose Cases were recommended by equitable Considerations; and we are persuaded that all who are described in the Resolutions of the second of last September would have had their Possessions immediately confirmed to them, if it could be done without a Violation of the Rights of Property in a Multitude of Instances—those Lands having been heretofore granted by Pennsylvania to many Individuals who insisted on their Titles, and pleaded the sanction of Laws.

"This Difficulty opposed itself to the kind Intentions of Government. In order to remove it Commissioners, who were Members of the Legislature, were appointed to repair to Wioming. Proposals of Accommodation were made, but not concluded. Several Papers were address to the Commissioners by the Claimants on each side. That from the settlers at Wioming, dated 23d April, 1783†, and signed on Behalf of the rest by John Jenkins, put an End to all further Expectation of Compromises, & the Commissioners soon after returned Home. \* \* \*

"Upon the Report of the Commissioners, our General Assembly formed their Resolutions of the second of September; and tho' their 'Hopes of a friendly Compromise seemed then vanished', yet still influenced by the same Equity that suggested the appointment of the Commissioners, & to encourage the Settlers to assent to Terms compatible with the legal Claim under Pennsylvania which had occasioned the before-mentioned Difficulty, they resolved that 'a reasonable Compensation in Lands within the Boundaries of this State, upon easy Terms, be made to the Families of those who have fallen fighting against the Savages, & to such others as actually did reside on the Lands at Wioming when the late Decree was given at Trenton.'

"The Good Faith & Liberality with which the present Assembly have adhered to this Engagement, will appear from the Resolutions of the 30th of last January§, by which three hundred Acres of Land are granted clear of purchase Money to each of the fifteen Settlers therein mentioned. \* \* \*

"It is also evident from the recited Declaration of 'the Settlers' at Wioming, that they are contending for other Claims than their own. Such Ideas have been successfully infused into their Minds, that their Contest extends to the Claims of 'a much greater Body of Joint proprietors than is there.'"

"Thus, by their own Acknowledgement, the Question does not relate to the persons expressly designated by your Legislature in these & several other words—'whose sufferings & Condition under Pennsylvania have excited the Commiseration of their Friends,' but to the Claims that may be made by that 'much greater Body of Joint proprietors.' \* \* \*

"It is too plain what the Consequences will be, when a considerable Body of Men who have fixed themselves in a State in Defiance of her Authority, making common Cause with 'a much greater Body' residing in another State, tempting bold & needy Adventurers from every Quarter to join them (which we aver to be their practice) and meditating hostile Enterprise against us (which we know to be their Design), are taught to expect from that other State (and a very respectable one) 'all the aid and support in her power,' and see her making every Exertion to acquire for them the Jurisdiction over the Lands where they have fixed themselves. \* \* \*

"We ardently wish that the Citizens of a State united to us by so many strong Ties, would be pleased to afford some further Consideration to the Arguments of the Advocates for these Measures, and, with a serious and conscientious Attention, to weigh how far such proceedings are reconcilable with the Maxims of Reason and Justice, the Laws of Nature and Nations, the true interests of the State, the uniform and solemn declarations of their own ancestors repeated in their legislative and executive Acts of Government from Generation to Generation (without a dissenting Voice), the unanimous Determination of the most dignified Judges chosen by themselves, upon a Trial long prepared for and deliberately entered into, or, in brief, with the Principles upon which the Peace and Repose of Mankind are established.

\* \* \* "If any violent actions have been committed by Individuals, they have proceeded from minds alarmed by apprehension of imminent Danger, or irritated by severe Injuries. We mean not to recriminate, but only to recall some past events into Remembrance; for, we are

\*See "Pennsylvania Archives", Old Series, X: 213.

†See page 1343.

‡See page 1334. §See page 1360.

assured, that the Citizens of your State will not impute any peculiar want of 'mercy' to the people of this, when they reflect that the Emigrants from Connecticut seized by violence the Lands which are now claimed—at a time, too, when Pennsylvania was actually invaded by a formidable Enemy—'entered by Force into the Possessions & Labors' of Pennsylvanians, plundered them of all their property, & drove them out of that part of the Country.

"And when they reflect, also, that, at the Commencement of those Disturbances, the Government of Pennsylvania, in the most friendly and strenuous manner, cautioned Connecticut, by sending an Agent of Distinction and an official Letter, against countenancing the attempt, as leading (to use the words of the Letter) into, 'an endless scene of Trouble and Confusion', that might be very generally 'prejudicial'.

"To conclude; let the whole series of transactions relating to the Intrusion upon these Lands be impartially considered, and we are perfectly convinced the People of this State will be regarded as much more trespassed against than trespassing. We shall not uselessly engage in the detail, nor in any Dispute upon the subject. Our sincere wishes are, that this unhappy affair may be closed in such a way as to cause as little Distress as possible to Individuals, and as little Detriment as possible to our Common Country."

Major Moore, in writing from Wilkes-Barré to President Dickinson, at the beginning of February, 1784, referred to the severity of the weather, and the unusual quantity of snow which had then for some time covered the face of the country in north-eastern Pennsylvania. (See page 1364.) The Winter of 1783-'84 was, unquestionably, noted for its severity, as we learn from the writings of various persons of that period. About the middle of January, 1784, snow fell in Wyoming Valley and the surrounding country to the depth of four feet, cutting off all communication between the State authorities at Philadelphia and the Pennamite garrison in Wilkes-Barré. The inmates of Fort Dickinson were compelled to keep close quarters, and for some time were unable to visit the nearby forests for fuel. The scattered inhabitants of the valley were barricaded in their dwellings, and could not call upon or be called upon by their neighbors.

In November, 1786, there was published in the *Columbian Magazine* an interesting article concerning a flood in the Susquehanna River in March, 1784, written by the noted Dr. Benjamin Rush of Philadelphia, Professor of Chemistry in the University of Pennsylvania. After commenting at some length on the extremely cold weather of the Winter of 1779-'80, Dr. Rush continued as follows:

"The Winter of 1783-'84 was uncommonly cold, insomuch that the mercury in Fahrenheit's thermometer stood several times at 5° below 0. The cold was as intense but not so steady as it was in the Winter [1779-'80] that has been described. The snows were frequent, and in many places from two to three feet deep, during the greatest part of the Winter. All the rivers in Pennsylvania were frozen so as to bear waggons and sleds with immense weights.

"The Winter of 1783-'84 differed materially from that of 1779-'80 in one particular, *viz.*: there was a thaw in the month of January, 1784, which came on suddenly and opened our rivers so as to set the ice a-driving—to use the phrase of the country. In the course of one night during the January thaw the wind shifted suddenly to the north-west, and the weather became intensely cold. The ice, which had floated the day before, was suddenly obstructed, and in the Susquehanna the obstructions were formed in those places where the water was most shallow, or where it had been accustomed to fall. \* \* \* The ice in many places, especially where there were falls, formed a kind of dam, of a most stupendous height.

"About the middle of March our weather moderated, and a thaw became general. The effects of it were remarkable in all our rivers, but in none so much as in the Susquehanna. \* \* \* Unfortunately the dams of ice did not give way all at once, nor those which lay nearest the mouth of the river first. While the upper dams were set afloat by the warm weather, the lower ones, which were the largest, and in which, of course, the ice was most impacted, remained fixed. In consequence of this the river rose in a few hours—in many places above thirty feet. Rolling upon its surface were large lumps of ice, from ten to forty cubic feet in size.

"The effects of this sudden inundation were terrible. Whole farms were laid under water. Barns, stables, horses, cattle, fences, mills of every kind, and, in one instance, a large stone house, 40 x 30 feet in size, were carried down the stream. Large trees were torn up by the roots; several small islands, covered with woods, were swept away, and not a vestige of them was left behind. On the barns which preserved their shape—in some instances, for many miles—were to be seen living fowls; and, in one dwelling-house, a candle was seen to burn for some time after the house

\*See the references thereto on pages 1225 and 1226, Vol. II.



was swept from its foundations. Where the shore was level the lumps of ice and the ruins of houses and barns were thrown a quarter of a mile from the ordinary height of the river.

"In some instances farms were ruined by the mould being swept from them by the cakes of ice, or by depositions of sand; while others were enriched by large depositions of mud. The damage, upon the whole, done to the State of Pennsylvania by this freshet, was very great. In most places it happened in the day time, or the consequences must have been fatal to many thousands."

Isaac A. Chapman of Wilkes-Barré, wrote his "Sketch of the History of Wyoming" (see page 19, Vol. I) in the year 1818. There were then living in Wyoming Valley many persons who were inhabitants of the valley in 1784 and earlier, and from them Mr. Chapman derived most of the information used by him in the writing of his history. Concerning the flood of 1784, Mr. Chapman wrote:

"About the middle of March the weather became suddenly warm, and on the 13th and 14th the rain fell in torrents, melting the deep snows throughout all the hills and valleys in the upper regions watered by the Susquehanna. The following day the ice in the river began to break up, and the streams rose with great rapidity. The ice first gave way at the different rapids, and, floating down in great masses, lodged against the frozen surface of the more gentle parts of the river, where it remained firm. In this manner several large dams were formed, which caused such an accumulation of water that the river overflowed all its banks, and one general inundation overspread the extensive plains of Wyoming.

"The inhabitants took refuge on the hills and surrounding heights, and saw their property exposed to the fury of the waters. At length the upper dam gave way, and huge masses of ice were scattered in every direction. The deluge bore down upon the dams below, which successively yielded to the insupportable burden, and the whole went off with the noise of contending storms. Houses, barns, stacks of hay and grain, cattle, sheep and swine were swept off in the general destruction, to be seen no more. The plain on which the village of Wilkesbarre is built was covered with heaps of ice, which continued a great portion of the following Summer."

Miner ("History of Wyoming," page 342), writing about the year 1843, and commenting upon Chapman's account of the 1784 flood said:

"To this admirable and graphic description it may not be uninteresting to add several instances of special adventure and loss. Abel Peirce\*, Esq., had his residence on Kingston flats, opposite Wilkesbarre. Suddenly in the night the family was aroused by a rushing sound and mighty convulsions, which shook the house, when the waters—a dam having broken above—flooded in upon the floor, giving them scarcely time to ascend for safety to an upper chamber, rescuing a few things from destruction.

"Huge masses of ice, one following another, struck against the side of the house, seeming to be rending it from its foundations, while the water had already risen nearly to the upper floor. A craft which they had secured the day before, tied to a tree close by the window, now afforded them the only ray of hope and shelter, as they were almost certain the building must be swept away. Passing through the chamber window into the boat, the family waited in intense anxiety the subsiding of the deluge and the break of morning. The waters suddenly fell, so that when light appeared aid arrived, and the family were saved; but their stock of cattle and horses were all lost in the deluge.

"In Fish's Eddy†, at the lower point of the town, forty head of cattle were seen floating at one time. But one life, so far as we can learn, was lost, namely, that of Asa‡ Jackson, in the upper part of Wilkesbarre (Jacob's Plains). He was the son of Mr. William Jackson, killed by the savages in 1778§. His fate was peculiar. Daniel Gore and Mr. Jackson were standing on the river bank observing the ice break up, when suddenly there came a rush of waters deluging the flats, and pouring in huge masses between them and the hill. Jackson sprang on a horse he had beside him and rode for life to reach the high lands, but, becoming entangled in the ice, he was borne away by the flood. Mr. Gore stood still; flight for him seemed impossible, when, providentially, a canoe of his own, broken from its moorings, floated near him, and he contrived by skill and care to reach the shore in safety."

The Rev. Dr. Peck, in his "Wyoming" (see page 20, Vol. I), gives an account of the flood of 1784, based on facts related to him in 1841 by Mrs. Martha (Bennet) Myers||, who, as a young woman of twenty-one years, had either witnessed or participated in some of the overwhelming and disheartening occurrences of March, 1784. Dr. Peck says:

"At about two o'clock P. M. Colonel Denison and Esquire Meyers came riding down the river on horseback. Seeing the three families [of Thomas Bennet, Solomon Bennet and—Stevens

\*See page 711, Vol. II.

†At the bend of the river, at the foot of Ross Street. See page 59, Vol. I.

‡Frederic, not Asa. See page 1371.

§See page 1106, Vol. II. ||See page 1241.

at what is now Forty Fort] apparently unapprised of their danger, one of them cried out, 'Bennet, what are you about? The ice will soon be upon you in mountains.' Mrs. [Thomas] Bennet had previously been urging her husband to take the family to the high bank across the creek. He, however, relied securely upon the tradition communicated to him from 'the oldest Indians,' that the water had 'never been over these flats.'

"After the warning given by Colonel Denison and Esquire Myers, however, the old gentleman gave up his policy of inaction, and 'began to stir about.' The big canoe was loaded, and went off carrying the old people and the children. The boys drove the cattle to Swetland's Hill, taking along the wagon and horses. They barely escaped, the water rising so rapidly that it came into the wagon-box just before they reached the hill. Martha [Bennet] staid at the house and assisted in loading the canoe, which Solomon Bennet and Uriah Stevens ran back and forth between the house and the bank.

"As they were engaged in packing up, the ice above gave way with a tremendous roar Martha cried out, 'Boys, we are gone!' She says, 'In an instant we were in the canoe—I could not tell how—and were lifted up among the tops of the trees, and surrounded by cakes of strong ice. The boys rowed, and I pulled by the limbs of the trees, but in spite of all we could do we were driven down stream rapidly. It was now dark, and our people, with lighted torches, came along the bank in the greatest anxiety of mind, frequently calling out, 'Where are you.' As we were swept along by the terrible current, and unable to make much headway in consequence of the obstructions occasioned by the ice, we saw the lights following along the bank, and occasionally heard our friends shout out, 'Keep up good courage, you will soon reach the shore.'

"We struggled for life, and at eleven or twelve o'clock at night we reached the shore. Uriah Stevens sprang upon a log which lay by the shore, and thence upon the ground. I followed him, but the moment I struck the log it rolled, and I was plunged into the water. I was fortunate enough to rise within reach of the young man, and he pulled me out. Solomon, in the canoe, was then driven out among the ice, and it was an hour or more before he reached the shore."

At Fort Dickinson, Wilkes-Barré, under the date of March 20, 1784 (five days after the great flood), Maj. James Moore wrote to President Dickinson, at Philadelphia, in part as follows\*:

"The people in this Country have suffered Exceedingly by the late fresh; not less than 150 Houses have been carried away. The Grain is Principally lost, and a very considerable part of the Cattle drowned. The Water was thirty feet above Low Water Mark. \* \* \* The water was so High in the Garrison that some of the ammunition was injured."

It will be recalled that the garrison, or Fort Dickinson, stood on the River Common, near the foot of Northampton Street.

At "Wyoming, on Susquehanna, March 24, 1784," the following letter was written and forwarded to Col. John Franklin, then in Philadelphia as the agent of the Wyoming Yankees:—

"The late breaking up of the River Susquehanna (on the 15th inst.) has been the most uncommon, and attended with the most extraordinary effects, beyond what has been known in the memory of any man now living in this country.

"The uncommon severity of the cold, congealing the ice to such an incredible thickness, and depth of the snow, together with the sudden thaws and rain, with a variety of other causes, contributed to the late uncommon inundation and swell of the stream, which came down in mountains of ice, and overwhelmed almost the whole country. The consternation of the inhabitants was not more amazing than their salvation surprising, of which we cannot give a particular account, only observe to the public that their houses, most of them (where the flood came), were driven some of them one mile, some two, others five and seven miles, and some heard of no more.

"In one settlement (within a mile square) containing twenty-seven houses and 172 inhabitants, there were lost by the flood 90 head of horned cattle (most of them oxen and cows), 27 horses, 65 sheep, and 108 swine, with almost all their other effects. Five other settlements suffered much the same, excepting in live stock. And although the inhabitants were in the utmost danger of being swallowed up, some being in and some on their houses, some climbing the trees, some on floating islands of ice, and some saved the Lord knows how, yet none of them were lost, neither man, woman nor child, and one only missing, viz. Frederick Jackson. Thus, not unlike St. Paul's shipwrecked company—some on boards, and some on broken pieces of their houses—all came safe to land. A salvation never to be forgotten!

"But alas! for the suffering inhabitants, the ruin of their houses, and loss of all their moveable substance, and support of life for themselves and families for this and the current year; for that the Flats (their chief improvement) are covered with ice to an incredible depth, that

\*See "Pensylvania Archives", Old Series, X :222.

to appearance will forbid a former, if not even prevent a latter, harvest. The state of the inhabitants is very deplorable (at least a very considerable part of them), and calls for the help of all who can afford them any. The narrators were present, and eye-witnesses of this amazing catastrophe, which is, in very deed, beyond description. It bears no faint resemblance to Noah's flood, or to the appearance of the frozen seas of Greenland. The ice went mountains high, and bore down all before it. The aboriginal natives tell us that *once in about seventy years* there is such a flood—that the mountains and hills only are seen.

The above certified per

[Signed] (Rev.) "JACOB JOHNSON,  
"JOHN JENKINS,  
"DANIEL GORE,

"Inhabitants of Wyoming, on Susquehanna, in behalf of many other sufferers there."

This letter was placed by Colonel Franklin in the hands of President Dickinson on March 31st, and the latter, on the same day, transmitted it to the General Assembly with the following message:

"The late inundation having reduced many of the inhabitants at Wyoming to great distress, we should be glad if your honorable House would be pleased to make some immediate provision for their relief."

The House ordered that the message be laid on the table, and, so far as we can now learn, there it still lies! On April 1st the Assembly adjourned, and did not convene again until the latter part of July or the beginning of August, following.

At Wilkes-Barré, under the date of March 24, 1784, the Rev. Jacob Johnson wrote to a friend in Philadelphia, in part as follows:\*

\* \* \* "The vast depth of snow in the open ground and woods together with the sudden thaw and rain, contributed to the late amazing inundation and swell of the streams, the which, upon the breaking up came down in huge bodies, even mountains of ice, which being wedged up in the straits and narrows, caused a most extraordinary swell above and below us in the day time; and about 11 o'clock at night all the waters confined by the amazing bodies of ice gave way in an instant, with the most alarming omens of destruction, devastation, and an entire depopulation of this country, and caused such an overflowing as might fitly be termed a deluge of waters and ice which covered the earth almost from mountain to mountain, to a most surprising breadth and depth, and the whole country became like the frozen seas of Greenland.

"The rushing in of the waters and enormous loads of ice were so sudden, rapacious and unexpected that few could make their escape, which threw the inhabitants into the utmost consternation, amazement and anxiety of soul for their preservation. Such of them as could fled to the mountains and hills in a most confused and hasty manner, before the flood had surrounded them; but Oh alas! for the greatest part of the inhabitants, their retreat was cut off, and nothing but immediate death and watery graves before their eyes, occasioned by the rapidity and unexpected rise of the waters which were all around them ere they were aware of their danger; so that the distressed and almost despairing inhabitants had no other alternative but to implore the interposition of Almighty God for their deliverance and salvation, for they could make no escape either on foot, by horse, or boat, and were therefore under the fatal necessity to abide the consequence of the awful catastrophe, be it what it might.

"Such a night never was known here! Oh! the cries and screeches of mothers and children, together with the beasts groaning and bellowing—yea, every creature crying out with fear; while the people's houses, and all their substance, were enveloped with mountains of ice and a deluge of waters, all in motion and convulsion, sweeping all before them like a second Noah's flood. Some were in their houses, racking and tumbling in pieces around them; others in their houses and on the roofs, hurrying along with the impetuous torrent; some in boats and canoes, wedged up and driving with the ice; some climbing and hanging on the limbs of trees in utmost jeopardy; others on islands of ice, driving in hideous commotion. In short, keen despair brooded upon every brow, for all human assistance was denied the people, and nothing but immediate death appeared to be their portion.

"In this important crisis it pleased God to rebuke and stay the proud waters in almost the twinkling of an eye! The whole body of ice stopped, and removed no more, which finally proved the salvation of many hundreds of the people; for had the waters and ice made a second movement, the people must have all perished. This great salvation, we trust, God was pleased to grant in answer to the prayers and cries of the distressed, otherwise, to all appearance, every soul must have perished, excepting those who had made their escape to the mountains in season. But Oh! who is able to delineate, to point out, the horrors of that never-to-be-forgotten night, or even realize them, though present, much less such as were absent, or believe one-half when told them! God was pleased in the midst of wrath to remember mercy. For ever blessed be His name!

"We expected that the greatest part, if not all, who had not made their escape in season had perished; but to our great surprise and joy there was but one person lost, who is since found

\*This letter was printed in the *Pennsylvania Packet*, Philadelphia, May 27, 1784.

dead; but the situation of hundreds was indeed tremendous. Some were taken from their houses all in ruins; numbers of families were taken from their houses after being driven and hurried along the impetuous torrent, some one mile and others two miles, and their houses all broken in pieces; some from limbs of trees, others off islands of ice, and some the Lord knows how. Some were 24 and others 48 hours in the wrecks of houses (wedged up in the ice and water) before they could be relieved, and were almost perished.

"But to behold the desolation made—houses and effects mostly swept off and destroyed—cattle, horses, sheep and swine mostly drowned—clothing, household furniture, provisions, flax, farming utensils, and other necessities of life, mostly driven down the torrent and forever lost—our fences all gone—our fields of winter grain and grass loaded with ice from 10 to 30 feet thick, which threatens the loss of our former harvest, if not even forbid the later. Upon the whole, at a moderate computation, there are not half the necessities of life to support the inhabitants. However, we trust in the mercies of God, that He who hath in a wonderful, if not even in a miraculous manner, saved so many lives from such apparent awful death, will still in mercy provide for them.

"The inhabitants were settled in several small districts up and down the River, extending in the whole about fifteen miles in length, and had built houses on the low-lands near the river, and in compact bodies, for better defense against the savages. The uppermost district is Lackawanack\*, and consisted of about 20 families. Their houses all swept off and destroyed except four; the principal part of their cattle, horses, and other effects lost. The settlement known by the name of Wintermoot's Fort† consisted of about 20 houses, and contained upwards of 20 families, every house gone, their goods, provisions and other effects almost totally lost, except cattle and horses, a considerable number of which were driven to the hills when the flood was coming on.

"In the neighborhood of Jacob's Plains were about 30 families, every house gone and destroyed except three, and they much damaged; the greatest part of their cattle, horses, and other effects lost and destroyed. In the lower part of Kingston were 27 houses and upwards of 30 families; every house carried off and laid in ruins; their cattle, horses and other beasts totally drowned even to a single creature (except the cattle and horses belonging to three families); all other of their effects almost totally lost. At Shawanese district [Plymouth] were upwards of 40 families, living in 30 houses, on the lowlands, 20 of which houses were swept off and destroyed, and the others much damaged; cattle and horses almost totally drowned, and the greatest part of their other effects lost and destroyed.

Wilksbarre‡ district is the largest neighborhood, and is built on high lands, was about five feet under water, several houses, damaged, and some cattle and horses and other effects drowned and lost. A number of houses in other parts of the settlement were swept off and torn in pieces, cattle, horses, goods, provisions, and other effects lost. The greatest part of the sheep and swine, in all our settlements, are drowned. In the whole settlements there are at least 150 dwelling houses swept off and rendered unfit to live in, besides all other buildings; numbers of houses driven a mile, others seven miles, and there left in ruins; others lying in pieces all over the lowlands, and some not heard of yet.

"The distresses of the war obliged us to build on our lowlands, yet few or none were ever exposed to danger before this time—the water and ice have risen 12 or 15 feet higher than ever was known in our days, and in some turns of the river 25 feet higher than what it usually raised in former freshes, and was so sudden that, after the banks were overflowed, and the water had begun to be in the houses, *it raised 10 feet perpendicular in 15 minutes*, and almost from mountain to mountain!

"This is the distressed and unhappy situation of the unfortunate inhabitants of Wyoming, who have suffered every danger this side death during the distresses of the war, many of their most near and tender connections having bled and fallen, and their whole country laid waste by the relentless fury of the savages."

At Philadelphia, April 5, 1784, Col. John Franklin and Robert Martin, Esq. (see page 1344), addressed the following memorial§ to the Supreme Executive Council of Pennsylvania.

"The Memorial of Robert Martin and John Franklin on behalf of the distressed People of Wyoming humbly sheweth:

"That on the 15th of March last the River Susquehanna rose into a flood exceeding all Degrees ever before known; that its rise was so sudden as to give no time to guard against its Mischief; that it swept away about 150 Houses, with all the provisions, House furniture, farming Tools and Cattle of the Owners, and gave but just opportunity for the Inhabitants to fly for their lives to the high Ground; that by this dreadful Calamity 1000 Persons are left destitute of Provisions, Cloathing and every means of Life; and to add to the Calamity, the Winter Crop of Grain on the Ground is so harrowed up by the Ice as to be nearly ruined. Their deplorable

\*Now the city of Pittston.

†See page 1013, Vol. II, and other references in Vol. II, as to the location of Wintermoot's Fort.

‡The principal part of the village of Wilkes-Barre at that time lay between the present Market and South Streets and the River Common and Washington Street.

§See "Pennsylvania Archives", Second Series, XVIII: 636.

Case was laid before the late Assembly for their consideration, but *they Adjourned without taking any resolution thereon.*

"Your Memorialists therefore pray that these suffering People may be recommended to publick Charity, or such other method for their relief may be adopted as your wisdom shall devise; and your Memorialists shall ever pray."

Concerning the foregoing memorial, Pelatiah Webster\* wrote as follows, from Philadelphia, under the date of April 20, 1784, to the Hon. Roger Sherman, Delegate from Connecticut in the Congress of the United States, then sitting at Annapolis, Maryland. (Some years ago the original letter was in the possession of the late Hon. George F. Hoar of Massachusetts, who furnished the present writer with a copy of the same.)

\* \* \* "The Wyoming people have been Dreadfully ruined by the Inundation of the River, as you have doubtless heard. 150 houses, with all the stock, farming Tools, Furniture & provisions were swept away, and the people are left in the most Distressed Condition, and the humanity of our people toward them I think somewhat Sparing. Their Case was Laid before the Assembly by ye President & Council, but they adjourned without Taking the matter up or forming any resolution.

\*PELATIAH WEBSTER was born in Lebanon, Connecticut, in 1725; was graduated at Yale College in 1746; studied theology, and preached for a time in 1748-49 at Greenwich, Massachusetts. About 1755 he removed to Philadelphia where he engaged in business and soon accumulated a small fortune. At the same time he devoted himself to study and literary work. In 1767, as noted on page 446, Vol. I, he was voted by The Susquebanna Company one share in the Company's Purchase. During the Revolutionary War Mr. Webster was an active patriot, aiding the American cause with pen and purse, which resulted in his being seized by the British in February, 1778, and imprisoned in the Philadelphia city jail, where he was confined for 132 days. In addition, part of his property was confiscated by the British.

Mr. Webster gave much time to the study of the currency, finance, and the resources of the country, and was often consulted on these matters by the members of Congress. His "Dissertation on the Political Union and Constitution of the Thirteen United States of North America", published at Philadelphia in 1783, is mentioned by President James Madison as having an influence in directing the public mind to the necessity of a better form of Government. By more than one writer he has been given priority in inventing "the idea of the Supreme federal Government, strictly organized, and operating directly on the citizens and not on the States composing the federation."

In the Spring of 1784 Mr. Webster retired from business, leasing his house, stores and wharf in Philadelphia to Major Lockwood. Thereafter he devoted himself to writing and publishing. He published essays on Public Credit, Public Finances, Money, etc. He died at Philadelphia in September, 1795. He had a daughter Sophia, who was the wife of Thaddeus Point.





## CHAPTER XXIV

EVENTS OF THE SECOND PENNAMITE-YANKEE WAR — OPPRESSIONS OF  
SETTLERS BY PENNAMITES MULTIPLY—THE INTERVENTION OF CON-  
GRESS AGAIN INVOKED—YANKEES, DRIVEN FROM THEIR HOMES,  
ESTABLISH FORTS LILLOPEE AND DEFENSE—SKIRMISHES  
BETWEEN THE CONTENDING PARTIES CAUSE A DIS-  
ASTROUS FIRE — THE FIGHT AT LOCUST HILL.

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“They drive away the ass of the fatherless, they take the widow's ox for a pledge. They turn the needy out of the way; the poor of the earth hide themselves together. \* \* \* They cause the naked to lodge without clothing, that they have no covering in the cold.”

—*Job, XXIV: 3, 4, 7.*

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“They were driven forth from among men, \* \* \* to dwell in the cliffs of the valleys, in caves of the earth, and in the rocks. Among the bushes they brayed; under the nettles they were gathered together.”

—*Job, XXX: 5, 6, 7.*

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And ye shall chase your enemies, and they shall fall before you by the sword.”

—*Leviticus, XXVI: 7.*

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Early in March, 1784, the General Assembly of Pennsylvania appointed a committee of its members to confer with the Supreme Executive Council of the State respecting the proper time for withdrawing the troops stationed at Wyoming. On March 25th the committee reported in part as follows: “That they have performed that service, and find Council unanimously of opinion that it would be highly improper to remove the troops before the first day of December next; but notwithstanding the opinion of that honorable body, which seems to be founded upon no other reasons than those already mentioned, and fully debated by this House, your committee beg leave to offer the following resolution: *Resolved*, That the blank in the resolution of the 11th instant, respecting the discharge of the troops now stationed at Wyoming, be filled up with ‘the first day of June next.’ ”

This resolution was adopted by the House, and the fact was duly communicated to the Supreme Executive Council; which body, under the date of March 30th, informed Major Moore (who about that time had been promoted Lieut. Colonel) and John Weitzel, (contractor for provisions at Fort Dickinson) that the garrison at Fort Dickinson would be discharged on June 1, 1784, and that

it was the sense of the Council that no provisions should be furnished "to the troops stationed at that place after that day."

The committee of the Pennsylvania Assembly, to which had been referred the report of the Committee of Inquiry into Wyoming affairs, and certain letters and memorials relating to the same subject made its report to the House on March 19, 1784. Having been read, it was laid on the table till March 31st, when it was read the second time and the resolution attached to it was adopted by the House—but not unanimously. The report and the resolution read as follows\*:

"The committee to whom was referred the report of the committee on the charges contained in the petition from divers inhabitants of Wyoming, the letter from Alexander Patterson, Esq., and two petitions from the inhabitants of Wyoming, beg leave to report:

"That after examining the different depositions accompanying the report of the committee on the charges contained in the petition from the inhabitants of Wyoming, they do not find that the same contain any matter of complaint but such as, if true, the laws of this State are fully sufficient to redress, and that, therefore, an application to this House was unnecessary and improper. A greater part of the irregularities alleged against Alexander Patterson, Esq., appear to have been done by people in his name; but no order or warrant appears to have been given by him for any such acts. Your committee therefore offer the following resolution to the House:

"Resolved, That the petition from divers inhabitants of Wyoming, presented to this House on the 8th day of December last, be dismissed, and that the parties be referred to common law for redress of any injuries they may have sustained."

It will be noticed that this resolution was adopted by the House on the same day that it ordered the message of President Dickinson, concerning the inundation of Wyoming, to be laid on the table.

The foregoing report and resolution provoked considerable discussion in the House, some members being in favor of indefinitely postponing the subject under discussion; but this was objected to by a number of the members, who called for a reading of the depositions which had been taken at Wyoming by the Committee of Inquiry. Col. Daniel Clymer, a Representative from Berks County, took up the deposition of Robert McDowel, which he read in his place, and then declared: "There is evidence enough in that alone to show that Alexander Patterson ought to be removed from his office of Justice of the Peace!" Colonel Clymer insisted that all of the depositions should be read, but this was opposed by several, especially by the Speaker of the House.

Gen. Robert Brown, of Northampton County, then arose and said he was certain that no member of the House could imagine him to be in the interest of the people of Wyoming beyond the bounds of truth and a desire to do justice. He reminded the House that he had visited Wyoming as a member of the Committee of Inquiry, and had heard all the evidence on both sides. "The wrongs and sufferings of the people of Wyoming," he emphatically declared, "are intolerable! If there ever on earth was a people deserving redress, it is those people. Let the depositions lying on the table be read, and the House afforded an opportunity to judge." Speaker Gray, somewhat irregularly, stated from the chair that Justice Patterson had returned to Wyoming from Philadelphia, that he could not be prosecuted without being present, and that the session was drawing to a close and important business was pressing, which would have to be laid over if the Wyoming affair was taken up by the House.†

\*See "Pennsylvania Archives" Old Series X: 557 558.

†The following interesting account of the manner in which business was transacted in the General Assembly of Pennsylvania in 1784, as observed by Dr. Johann David Schöpf, is taken from the journal of his travels:

"The Assembly of Pennsylvania, which, as I have mentioned, was at this time in session, held its sittings in a large room in the State House. The doors are open to everybody, and I had thus the pleasure of being several times in attendance; but I cannot say that, in the strict sense, I saw them *sitting*.

"At the upper end of the room the Speaker, or President, of the Assembly sits at a table, in a rather high chair. He brings forward the subjects to be considered, and to him and towards him the speakers direct themselves when they open their minds regarding questions pending. He calls the Assembly to order when he observes inattention

Col. John Franklin, in his "Brief," heretofore mentioned, states that while the petitions of the Wyoming settlers and the report of the Assembly Committee of Inquiry were in the hands of the special committee of the House, the Yankees at Wyoming enjoyed a fair degree of peace and quiet. This condition of affairs continued until about April 10, 1784, when, as Franklin states, "the neglect of the Legislature to hear or redress the grievances of the settlers, encouraged the Pennsylvania claimants, as well as the Justices and the officers of the Garrison, to take the most cruel measures to distress the settlers.

"The soldiers were set at work removing the fences from the inclosures of the inhabitants, laying fields of grain open to be devoured [by stray cattle]; fencing up the highways, and between the houses of the settlers and their wells of water, so that they were not suffered to procure water from their wells, or to travel on their usual highways. The greatest part of the settlers were in the most distressed situation, numbers having had their houses and property swept away by the uncommon overflowing of the river Susquehanna in March; numbers were without shelter, and in a starving condition, but they were not suffered to cut a stick of timber or make any shelter for their families. They were forbid to draw their nets for fish, and their nets were taken away from them by the officers of the Garrison. Settlers were often dragged out of their beds in the night season by ruffians, and beaten in a cruel manner."

We learn something further concerning the condition of affairs at Wyoming at this period from a letter written here April 27, 1784, by a Yankee settler, addressed to a friend in Connecticut, and published in *The Connecticut Journal* June 2, 1784, in *The Boston Gazette* of June 7, 1784, and in other New England newspapers. The letter reads in part as follows:

"I sit down to give you a description of the distresses of this place, tho' they are beyond expression. The late flood was such as stripped the greatest part of them o' houses, clothing, provisions and stock; but it being at this season of the year, and hopes of the produce of the earth, kept them in some spirits until about ten days ago. They are forbid making any improvements, even in their own gardens, and the soldiers have sent and took away the garden fences, and have fenced in the town-plot [of Wilkes-Barré] into large fields, and have forbid any inhabitants going into them on their peril. Sentries are placed with such orders that no one dare to go into where their own gardens were. It is the same in general through the fields—the people all at a stand.

"In several instances, where the inhabitants went to get some logs to make them a hut to cover their poor distressed wives and children after their houses and cattle were driven away by the flood, have been sued for trespass, and are bound over to Court. Patterson has forbid any one hauling a seine to catch fish, upon their peril, so that people will fall short of their support which God and Nature allows them; and at this time, when they have lost their meat by the flood, it is most shocking.

"The soldiers made a fence on the well-sweep that supplies the most of the inhabitants near the fort with water, and swore that if any one moved a rail of the fence the sentry would shoot them, which made some obliged to make use of the muddy water in the river. Two young men, passing by the fort the other day, were taken up and carried into the fort and whipped, for no other reason than that they had some feathers, or a cocade, in their hats. In short, I do not think that history or the memory of man can afford another such scene (except the taking of life) of barbarous and cruel treatment as the poor, distressed inhabitants of this place have daily.

"And their daily insults are beyond anything that could be believed. The soldiers walk about with what they call *shillalahs*, and say they have orders that if any inhabitant gives them a wry word, to knock him down and beat him as they please. The insults and abuses are too numerous to repeat; and these abuses are all done by order and under the eyes of the military officers and some of the civil."

or talk that is disturbing, and he puts the question when the matter before the House has been sufficiently discussed *pro* and *contra*, and is now to be decided by a majority of the votes.

"The members sit in chairs at both sides of the [Speaker's] table and of the room, but seldom *quietly*, and in all manner of postures; some are going, some are standing, and the most part seem pretty indifferent as to what is being said if it is not of particular importance or is for any reason uninteresting to them. When the votes are to be taken those in the affirmative arise, and those in the negative remain sitting. The members of German descent (if, as is sometimes the case, from a lack of thorough readiness in the English language they do not properly grasp the matter under discussion, or for any other reason cannot reach a conclusion) are excused for sitting doubtful until they see whether the greater number sits or stands, and then they do the same, so as always to keep with the larger side, or the majority."



Chapman, speaking of conditions in Wyoming Valley in March and April, 1784, says, in his "History of Wyoming": "The freshet created so great a scarcity of provisions that the prospect of approaching want produced the most gloomy apprehensions among the inhabitants; and the soldiers, in order to provide sufficient stores for themselves, became more ungovernable than before in their acts of indiscriminate plunder upon such property as the more merciful elements had neglected to destroy."

On April 20, 1784, President Dickinson wrote to Colonel Moore, at Wilkes-Barré, directing him, in pursuance of the resolutions of the General Assembly (hereinbefore mentioned), to make such arrangements that the garrison could be "entirely withdrawn from Wyoming on or before June 1, 1784." Continuing, President Dickinson said: "The cannon, arms and military stores we wish to have deposited at Sunbury, in some proper place and under the care of some suitable person. It may be advisable to consult General Potter and William Maclay, Esq., on this subject. \* \* The removal should begin so early that the troops, after being discharged, may reach the respective places of their residence by the first day of June, to which time they are to be supplied with rations, and their pay to be continued."

Congress was in session at Annapolis, Maryland, in April, 1784, and on the 24th of that month resolutions were introduced by Brig. Gen. Edward Hand, one of the Delegates from Pennsylvania, which read in part as follows:

*"Resolved*, That the resolution of the 23d day of January last, directing the institution of a Court for determining the private right of soil within the territory formerly in controversy between the States of Connecticut and Pennsylvania, and appointing the fourth Monday in June next for the appearance of the parties before Congress, or a Committee of the States, be, and it is hereby, suspended, until Zebulon Butler and the other petitioners, claimants as aforesaid, exhibit to Congress, or a Committee of the States, schedules particularizing their claims.

*"Resolved*, That the parties, claimants as aforesaid, be informed that their appearance by agents before Congress, or a Committee of the States, as specified by the resolution of Congress of the 23d of January last, will not be necessary until the further determinations of Congress, or a Committee of States, in the premises, be made known to them."

After some discussion a motion was made that these resolutions be "committed," and, a vote being taken, the motion was carried by twenty-one ayes to four noes.\*

At Wilkes-Barré, under the date of April 29, 1784, Alexander Patterson wrote to President Dickinson, in part as follows†:

"The settlements upon the River have suffered much by an Inundation of Ice, which has swept away the Greatest part of the grain and stock of all kinds, so that the Inhabitants are Generally very poor.

"Upon my arrival at this Place the fifteenth Inst. I found the People for the most part Disposed to give up their Pretentions to the Lands Claimed under Connecticut. Having a Pretty General Agency from the Land-holders of Pennsylvania. I have availed myself of this Period, and have Possessed in behalf of my Constituents the Chief part of all the Lands occupied by the above Claimants. Numbers of them are going up the River to settle. In this I give every Incouragement in my power, and Take care to fill up their Vacancy with well Disposed Pennsylvanians. I think it is right to Dispose of the others in such a manner as will be most Conducive to the Peace of the state, by granting them Leases and settling them remote from each other; yet, notwithstanding this situation of affairs, I am not out of apprehension of Trouble and Danger arising from the ring-leaders of the old offenders, who still stand out and are countenanced and Incouraged by their friends down the River.

"They are waiting untill the troops are discharged, when they expect to have recourse to their former factious practices. In the mean time there is no doubt but that they will Endeavour to spread every Vileanous report that Malice can Suggest, to Endeavour to prepossess the minds

\*It may be stated in this connection that, when the fourth Monday in June, 1784, came around, James Wilson and William Bradford, Jr., Esquires (who had represented Pennsylvania in the trial before the Court of Commissioners at Trenton, in November and December, 1782), appeared at Annapolis as agents and counsellors for Pennsylvania. Finding that Congress had adjourned on the 3d of June, that a quorum of the Committee of the States was not present, and that neither the petitioning settlers at Wyoming nor the authorities of the State of Connecticut were present in person or by agents, Messrs. Wilson and Bradford returned to their homes. In consequence, the "Wyoming case" lay in a quiescent state—so far as either Connecticut or Congress was concerned.

†See "Pennsylvania Archives", Old Series, X: 574.

of the Publick against our Proceedings. Experience has taught us that they are but too apt to succeed in those cases; but I hope their Base designs will appear so Conspicuous to all public Bodies and the People in General, that they will no longer become Dupes to their Artifice.

"My Coadjutors, with myself, have no new Claim to a Citizenship in this State, I therefore Humbly hope (if any Dangerous or Seditious Commotion should arise in this Country so Remote from the seat of Government) that it may not be Construed a Want of Zeal or Love for the Commonwealth if we should, through dire Necessity, be obliged to do some things not strictly consonant with the Letter of the Law! I call Heaven to witness that nothing shall Induce me to do one single Act but what I conceive will tend to the good of the State and the Happiness of its faithful Citizens; and it shall be my study to have all my actions to harmonize with its Peace and safety, so as to Merit the approbation of Government.

"If the Troops were to be settled with and Discharged here it would answer a Valuable Purpose, as a good many of them would incline to stay at this place."

Two days after the foregoing letter was written, a petition to Congress was prepared\* and signed at Wilkes-Barré by Col. Zebulon Butler, Col. Nathan Denison, John Jenkins, Sr., Obadiah Gore, Hugh Forseman, James Sutton, Phineas Pierce, Benjamin Bailey and Ebenezer Johnson—all early and prominent settlers at Wyoming under the auspices of The Susquehanna Company. With a considerable number of changes in spelling and punctuation, the petition reads in part as follows:

\* \* \* "We would crave leave to say that in the Fall of the last year, and soon after the Justices, who were appointed and commissioned and set over as without our choice or knowledge, had come to this place, we, by our peaceable demeanor and ready submission to Government, duly submitted to every requisition, whether civil or military; yet the most tyrannical and arbitrary proceedings were introduced by the said authority to add to our distress, so that numbers of families were forcibly turned out of their houses and possessions without the least regard to age or sex, widows or fatherless children, in sickness and distress. Many of the inhabitants had their grain and other effects forced from them; others were taken in numbers by a military force, drove to the fort by the soldiers with fixed bayonets, and accompanied by Justices Patterson and Seely, when and where the said inhabitants, by order of the said authority, were forced into a guard-house in the fort, where they were confined in a dismal prison unfit for Human creatures to lay down in—some confined six and others nine days, when they were turned out without any crime being laid to their charge.

"That while in Confinement they received the greatest abuse and insults from the Justices, officers and soldiers; and in the meantime their families were turned out of doors and their property forced from them and never returned. Others were taken by orders of the authority under the pretense of some crime (though none was alleged against them) and confined in the said guard-house; from thence sent to Sunbury to be committed [to jail], and, laid under large bonds, permitted to return home; taken a second time by the said authority for the same pretended crime, and confined in the said guard-house, when offers were made them by the Justices, that, if they would take leases [from the Pennsylvania land-claimers for the Wyoming lands they were occupying and tilling], they should be released from their bonds and confinement. Some were actually forced to take a lease in order to gain their liberty—and all this barbarous treatment was inflicted upon the inhabitants of this settlement without Law or even the colour of Law or Justice.

"In order to obtain some redress and respite from their tyrannical proceedings, we petitioned the Honorable Assembly of this State for, and in hopes of, some mitigation of our intolerable sufferings and insupportable insults which we the inhabitants were continually receiving from the authority aforesaid, as well as from the Pennsylvania land-claimers; and the Assembly, by a resolve passed the 9th of December last, appointed the Members from Northampton County a committee to enquire into the facts as stated in our petition, who met about the 29th of the same month at the house of Capt. John P. Schott, innkeeper in this place. To the immortal honor of that committee we can with Justice say that their enquiry was made with the strictest Justice and impartiality; but alas! to our great surprise and mortification, after keeping an agent at the Assembly near three months, the Petition was shuffled from committee to committee, and finally was postponed to the next session, and nothing done for our relief.

"After the Resolve of Congress our agent petitioned the Assembly of this State to be quieted in our possessions until the trial of the right of soil should be determined; but alas! all to no purpose. Our prayers and intreaties were rejected and contemned, and we are now left to the tender mercies of the wanton and avaricious wills of the land-claimants, whose tender mercies are cruelty in the abstract. And we would further observe, that the civil and military authority who are set over us here lay claim to large interests in lands in this place under the Pennsylvania claim, and those [who compose] the civil authority were our most vindictive enemies.

"The land-claimants still say that the whole was determined by the Decree of Trenton, and they are at this present time introducing a Banditti of men, together with the Soldiers (who have no right or claim to any land here under any State), to take our lands and possessions by force; and the said banditti and Soldiery are now wantonly, without either law or right, pulling down our fences, laying our fields and grain open to the wide world, fencing across our highways,

\*The original document is now in the possession of The Historical Society of Pennsylvania. It is in the handwriting of Col. Zebulon Butler.

securing our wells of water from our houses, inclosing our gardens and home lots for their own use, so that we are deprived the privilege of passing in our publick highways; the privilege of taking water from our wells, improving our gardens and home lots and other lands, is also denied us; and that upon our peril many of our inhabitants, that have attempted to improve in our gardens, have been drove out by a band of Soldiers armed with clubs.

"And we are not only threatened of being beat and abused with Clubs, but are often threatened to be shot and put to immediate Death. Many of our houses, lots, wells and gardens lie near the Garrison and under cover of their cannon; by which means we are continually receiving the greatest abuses and insults from some of the Justices as well as from the officers and soldiers. The said soldiers are continually walking the streets, and through every part of our settlement that is any way near the Garrison, as well by night as by day—some armed with Guns and Bayonets, and others with Clubs, insulting and assaulting whomsoever they please. Some of the inhabitants have been met in the street by this Banditti, and been beaten with Clubs until their lives were despaired of. Others have been taken and carried into the fort, and there beat with Clubs by the officers and Soldiers in a most Cruel manner, and then dismissed.

"One of the inhabitants, of a respectable character, a few days since made application to one of the Justices for a warrant against Alexander Patterson Esq., in order to get redress in law for an assault and Battery made upon him by the said Patterson. The Justice to whom application was made, living near the Garrison, a party of soldiers, armed with Clubs and other weapons, were immediately sent in pursuit of this Inhabitant. Their pursuit continued for two days, waylaying his house, field and the highways, &c., and on the night of the 30th of April a party of armed soldiers, waylaying the house, took him by force and carried him near the Garrison, when they beat him severely with clubs. This man made immediate application for redress to one of the Justices, but was referred to the commanding officer [Lieut. Col. James Moore], to whom he also made the same application—but not any redress could be obtained.

"Some of the Justices, together with the officers and soldiers, and others of their banditti of men, are threatening to pull down our houses and turn our distressed families out of doors. The inhabitants who have lost their houses and all their effects by the late inundation of the waters, are forbid cutting a stick of timber in order to make a shelter for their families, or even to repair their houses that were wracked in pieces by the water and Ice. Some have been taken before the Justices by a warrant, and laid under large Bonds, for cutting timber on their own possessions for the purpose of Building. Others are laid under Bond for cutting a stick of fire-wood. We are also forbid to draw our seines in the river for fish, which will add greatly to our Distresses—having lost most of our provisions by the inundation of water; and to add to all our distresses the soldiers are Continually Plundering the inhabitants, taking from them the little provisions they had left them, and killing our cattle, sheep and swine which escaped the flood.

"Repeated application has been made by the inhabitants to the authority here, in hopes to obtain redress for the abuses and insults which we are daily receiving, but we can get no redress. \* \* \* Yet notwithstanding all this these Barbarous men still 'oppress the afflicted in the gate.' Our blood and treasure has been Expended in our Country's cause—we have stepped forth & fought for the golden tree of Liberty, which, as a Country, we have obtained. We have suffered every Danger this side of Death; many of our nearest and tenderest Connections have bled and fallen.

"It fills our hearts with grief when we take a serious view of our unhappy situation—that we, who have stood forth in our country's cause, must now continue under the Iron Rod of Tyranny and Oppression, and by those who should have been first to step forth for our protection and safeguard; and now—while others are enjoying the inconceivable Blessings of peace and plenty, and set under their own fig tree, and have none to make them afraid, but are singing a Quietum to all their troubles—we are under the galling yoke of Despotism, and the cruel, malicious and tyrannical proceedings had against us, and which we are continually receiving from the Civil and Military authority as well as from the common soldiers.

"The merciless and mercenary Land Claimants have drove us almost to Desperation, and unless we can have some speedy relief we are inevitably ruined, and we must fly from this place with our Distressed families, leaving our all behind us, our children crying for bread, and we shall have none to give them.

"We would further observe, that while this was being written, *and but a few minutes since*, a number of the inhabitants have been Drove from their labours by the soldiers and beat with clubs from house to house in a most cruel manner.

"Therefore, we do, with deference and humility, lay this our distressed situation before your Honorable Body, praying your Honors seriously to take our unhappy circumstances into your wise and equitable Consideration, and weigh the Justice of our Complaints, and grant us relief or mitigation; and that we may be quieted in our possessions until we can have a fair and impartial trial for the right of soil. \* \* \*

"N. B.—This day the only grist-mill in the settlement was taken by force from the inhabitants by the Soldiers, with Large Clubs."

This petition was placed in the hands of Col. John Franklin, and the next day, (Sunday, May 2, 1784) he set out from Wilkes-Barré for Annapolis, Maryland, where the Congress was then sitting\*. Having been formally presented

\*From the following extracts from Colonel Franklin's "Journal" we learn something about the route he traveled, and the amount of time occupied by him, in journeying from Wilkes-Barré to Annapolis.

May 2, 1784, I set out for Annapolis with a petition to Congress; May 3d, went to Middletown; 4th, left my canoe at Conewago Falls, and traveled by land afoot twelve miles below Little York [the present city of York, York County, Pennsylvania]; 5th went within six miles of Baltimore; 6th, went on board a schooner at Baltimore; 7th, arrived

to that body by the Hon. Roger Sherman, one of the Delegates from Connecticut, the petition was duly referred to a committee of which the Hon. Thomas Jefferson of Virginia, was Chairman.

Chapman, writing about the occurrences in Wyoming, in March and April, 1784, says (in his "Sketch of the History of Wyoming") that "the inhabitants finding at length that the burden of their calamities was too great to be borne, began to resist the illegal proceedings of their new masters, and refused to comply with the decisions of the mock tribunals which had been established. Their resistance enraged the magistrates, and on May 12th the soldiers of the garrison were sent to disarm them, and under this pretense 150 families were turned out of their dwellings, many of which were burnt, and all ages and sexes were reduced to the same destitute condition."

Capt. (formerly Lieutenant) John Armstrong and Lieut. Samuel Read of Lieut. Colonel Moore's corps, were sent out from Fort Dickinson early in the morning of May 12th, in command of detachments of troops, to round up certain of the Yankee settlers. Later in the day Lieutenant Read reported to Colonel Moore, in part as follows\*:

"Agreeably to your Orders I marched with the detachment under my command to the neighborhood of Abraham's plains. Upon entering that settlement (which was before day light) I found two men in arms, with their horses saddled, and supposing them to be belonging to the party said to be in arms, I marched them under guard in order to prevent as far as possible my being discovered. Shortly after I perceived some men running to the mountain, with whom I exchanged a few shots, without receiving any damage.

"The men were in general absent with their arms, and, from Reports, I had reason to expect opposition.

"I proceeded with great caution to take the Locks off all the arms I could find, until I joined Capt. Armstrong. Our numbers was then respectable, which I firmly believe was the only Reason that prevented them from commencing Hostilities." \* \*

The same day Captain Armstrong reported to Colonel Moore in writing, in part as follows:

"Agreeably to your Instructions, I proceeded with the party under my command to Abraham's Plains, & from thence through the settlement to execute my orders. I found the men generally absent with their arms, and had frequent Reports they were assembled on the Hills, and that they intended opposition. I was shortly after joined by the party commanded by Lieut. Read. Our formidable conjunction I conceive to be the Reason why we were not attacked by the Connecticut Settlers, who, I presume, were perfectly disposed to do us every injury."

Turning again to Chapman, we find the following—with respect to the goings on in Wyoming on May 12th, 13th and 14th:

"After being plundered of their little remaining property, they [the Yankee settlers] were driven from the valley and compelled to proceed on foot through the wilderness, by way of the Lackawaxen, to the Delaware, a distance of about eighty miles.† During this journey the unhappy fugitives suffered all the miseries which human nature appears to be capable of enduring. Old men, whose children had been slain in battle, widows with their infant children, and children without parents to protect them, were here companions in exile and sorrow. One shocking instance of suffering is related by a survivor of this scene of death. It is the case of a mother, whose infant having died, roasted it by piecemeal for the daily subsistence of her remaining children."

at Annapolis, I found Esquire [Roger] Sherman and General Wadsworth; gave my petition to Esquire Sherman, which was laid before Congress and referred to a committee. The 10th, wrote a letter to His Excellency the Governor of Connecticut, in which I gave an account of the proceedings of the State of Pennsylvania toward us from the Decree of Trenton to this time. 19th, left Annapolis and set off for Sunbury, Pennsylvania. I got no business completed in Congress! May 25th, I arrived at Sunbury. The Court of Quarter Sessions of Northumberland County being held."

\*See "Pennsylvania Archives", Old Series, XI: 435, 436.

†The old and then little-used "Upper Road to the Delaware", mentioned on page 646, Vol. II.

Miner, referring to those unhappy May days of 1784, says ("History of Wyoming," page 344):

"On the 13th and 14th of May the soldiery were sent forth, and, at the point of the bayonet, with the most high-handed arrogance, dispossessed 150 families; in many instances set fire to their dwellings, avowing the intention utterly to expel them from the country. Unable to make any effectual resistance, the people implored for leave to remove either up or down the river, in boats, as with their wives and children it would be impossible, in the then state of the roads, to travel. A stern refusal met this seemingly reasonable request, and they were directed to take the Lackawaxen road, as leading the most directly to Connecticut. But this way consisted of sixty miles of wilderness, with scarce a house—the road wholly neglected during the war.

"They then begged leave to take the Easton or Stroudsburg road [the Sullivan Road], where bridges spanned the larger streams, still swollen with recent rains. All importunities were in vain, and the people fled towards the Delaware, objects of destitution and pity that should have moved a heart of marble. About 500 men, women and children, with scarce provisions to sustain life, plodded their weary way, mostly on foot, the road being impassable for wagons. Mothers carrying their infants, and pregnant women, literally waded streams, the water reaching to their armpits, and at night slept on the naked earth, the heavens their canopy, with scarce clothes to cover them.

"A Mr. Gardner and John Jenkins, Esq., (who had been a Representative in the Connecticut Assembly, and was chairman of the town-meeting which, in 1775, had adopted those noble resolutions in favor of liberty), both aged men and lame, sought their way on crutches. Little children, tired with traveling, crying to their mothers for bread, which they had not to give them, sank from exhaustion into stillness and slumber, while the mothers could only shed tears of sorrow and compassion, till in sleep they forgot their cares and griefs. Several of the unhappy sufferers died in the wilderness; others were taken sick from excessive fatigue, and expired soon after reaching the [Delaware River] settlements. A widow, with a numerous family of children, whose husband had been slain in the war, endured inexpressible hardships. One child died, and she buried it as best she could beneath a hemlock log—probably to be disinterred from its shallow covering and be devoured by wolves.

"Wherever the news extended of this outrage, not on the Wyoming settlers alone, but on the common rights of humanity and justice, feelings of indignation were awakened and expressed, too emphatic to be disregarded. In no part of the Union were the sympathies of the people more generously aroused than among the just and good people of Pennsylvania."

Elisha Harding (mentioned in the note on page 993, Vol. II) returned from Connecticut to Wyoming about May 12, 1784, and in a letter which he wrote some years later he made the following statement relative to the expulsion of the Yankee settlers from Wyoming:

"When I arrived at Pittston I there found that the Pennsylvania party, so called, had raised an armed force and turned out men, women and children into the streets—many widows (whose husbands had fallen at the hands of the Savages) with their helpless children—old men and women—all in a drove, compelled to leave their all behind and travel on, followed up by the bayonets, and so drove through the wilderness to the Delaware River, a distance of sixty miles. It was a solemn scene—parents, their children crying for hunger—aged men on crutches—all urged forward by an armed force at our heels.

"I asked for permission to stay a few days, and I would then leave the settlement. The answer was, 'You shall go now!' which went down heavy. Resistance was in vain, and I had to go. I thought it was well for me that I had no one to provide for. I had a horse, and I saw an old man on crutches making the best of his way. I put my horse to a wagon where there were three families. The old man and his wife got into the wagon and I on foot, and so continued to do until we arrived in Orange County in the State of New York. The first night we encamped at Capouse [within the present limits of the city of Scranton]; the second, at Cobb's; the third, at Little Meadows, so called. Cold, hungry and drenched with rain, the poor women and children suffered much. The fourth night at Lackawack; the fifth, at Blooming-grove; the sixth, at Shohola; on the seventh, arrived at the Delaware, where the people dispersed—some going up and some down the river."

Colonel Franklin, who was nothing if not bitter in his feelings and sentiments with respect to the Pennamites, wrote as follows concerning the expulsion of the Yankees.

"The demons' disorder having come to its full height in the tools of Government placed at Wyoming, and in their regiment of assassins, actuated by the overbearing influence of their Luciferian Master [Alexander Patterson,] they proceeded to the most cruel inhuman and barbarous acts ever committed by a set of beings in God's creation—acts which drew sackcloth over the face of human nature, and would have distorted the countenance of an Algerian pirate, or the most barbarous savage. A bloody flag being hoisted in the Garrison, Col. Zebulon Butler was first taken bail-prisoner and confined in his own house with eleven others of the inhabitants, under a guard of assassins, and treated in an inhuman manner. Small parties were sent through the different parts of the settlements, who disarmed the settlers before they could be apprised of what was going on. A small number, about twenty, of the settlers made their escape to the mountains with their arms."

At Fort Dickinson, Wilkes-Barré, under the date of Saturday, May 15, 1784, Lieut. Col. James Moore wrote to President John Dickinson, at Philadelphia, in part as follows\*:

"In consequence of various Reports, corroborated by the inclosed depositions of two men, that a number of Connecticut Claimants were in arms at Abraham's Plains, six miles distant from the Garrison; that they had in a very hostile manner surrounded several peaceable Citizens (who were pursuing their Industry) to the great Terror of their persons; and that numbers from the other settlements were to assemble there with their arms, in the night (which the General Commotion of the Connecticut Faction give great Reason to suspect), I conceived it necessary to detach Captain Armstrong and Lieutenant Read, (each with a detachment of fifteen men) silently in the night, to guard the Roads, and Ferries, to prevent any dangerous combination that might be intended; and in the morning to proceed through the settlement and secure the locks of all arms they could find, until some inquiry could be made into their conduct and designs.

"The officers made use of every precaution to prevent their parties being discovered, and a little before day made prisoners of two men in arms, with their horses saddled, in the neighborhood where it was said the Rioters lay, which they conceived were acting as Centinels. Although no intelligence could be obtained from the men they had taken, they shortly after had information that the men in that country were principally assembled on the mountain very contiguous, with their arms. This information they found too true, as they marched through the settlement to execute their instructions; some parties were discovered marching to the Hills, and a few shots were exchanged, but at so great a distance that no injury was done on either side. The officers were anxious to take some of the men they discovered making to the Hills that they might obtain some certain accounts of the number that were in arms and where they lay.

"One of the party [from the Garrison] some time after was made a prisoner and disarmed by a party of the Rioters in arms. He was told by his Captors that a very considerable party was assembled and that serious consequences might be expected.

"Permit me to refer your Excellency to the inclosed Reports of the officers ordered on this service, for further information on the subject. I am happy to inform you, that by their prudence the effusion of Blood, which from my information I much dreaded, has been happily prevented.

"As your Excellency and Council have a just claim upon me for every information respecting the situation of this country, I have made it my Business to obtain as perfect an account of the late Revolution that took place here as was possible to collect from the number of people engaged in executing.

"I anticipate the intention of the Citizens, in laying [before you] this short detail of the circumstances and motives that induced them to adopt the measures. The hostile appearance of the Connecticut Claimants in the neighborhood of Abraham's Plains already mentioned, their repeated Threats, and the frequent Reports of the support that was expected from their State, filled the minds of the Pennsylvania Land-holders and settlers with serious apprehensions of being forcibly dispossessed, if not before, immediately after, the dismissal of my corps.

"Their alarming situation became the subject of serious consideration, when the former cruelties of those people occurred to their minds. They found, however anxiously they wished to cultivate that Cordiality and Friendship, so necessary to promote the benefits of society, there was not the least probability of its subsisting during the stay of those factious people among them. And now, that they were about to be denied that support they humbly conceived they had a claim to from Government, until the controversy was finally determined, they found themselves drove to the painful alternative of taking measures to *remove the more dangerous part of the claimants out of the country*, or bring them to explicit declarations of their Intentions. This determination, unanimously adopted by the Landholders and settlers under the jurisdiction of this State, was immediately made known to the claimants under Connecticut, with an earnest entreaty that they should avail themselves of the time (some days being allowed) given them in which to either remove their families and property or accede to such measures as would fully convince them [the Pennsylvanians] of their [the Connecticut claimants] attachment to the State and its citizens. The well-disposed availed themselves of this notice, and either removed up the River, at some distance, or made such explicit declarations of their intentions to adhere to the interests of the State as entitled them to every indulgence.

"A number of those who were concerned in promoting the first Troubles in this country, and were still fanning the Embers of Contention, were conceived too dangerous to be permitted to remain, and the Landholders and settlers [under Pennsylvania] were compelled to adopt the measures they had previously conceived necessary to promote the Peace and Tranquility of this country and the Happiness of the State. \* \* \* The Business is effected, and from every information I have been able to obtain, their conduct [i. e. the conduct of the Pennamites] has been peculiarly *marked with the highest degree of Lenity*.

"The above is the only circumstance I have been able to collect respecting the late Revolution, which I conceive it to be my duty to forward to the Council."

On the same day that the foregoing letter was written, Alexander Patterson, at Wilkes-Barré, wrote out his resignation as a Justice of the Peace, and a Justice of the Court of Common Pleas and of the Orphans' Court of Northumberland County. Undoubtedly Patterson resigned these commissions so that he might

\*See "Pennsylvania Archives", Old Series, XI: 436.

devote himself, untrammelled and with all his vigor, to the interests of the Pennsylvania land-claimers in Wyoming.

The letter of Colonel Moore and the resignation of Alexander Patterson were carried to Philadelphia by Capt. John Armstrong and delivered to President Dickinson, by whom they were placed before the Supreme Executive Council on May 24th, when Patterson's resignation was immediately accepted.

At Wyoming, under the date of May 20, 1784, some one (presumably Colonel Moore, judging by the contents as well as the phraseology of the letter) wrote to a friend in Philadelphia relative to Wyoming affairs. Extended extracts from this letter were printed in the *Pennsylvania Packet* (Philadelphia) of May 27, 1784, and also in the *Connecticut Journal* at New Haven, Connecticut. Some of the extracts were as follows:

"The dangerous disposition of the Connecticut faction in this country has lately been very alarming. On the 11th *inst.* a number of them, armed for the purpose, dispossessed some of the Pennsylvania settlers who were peaceably cultivating their farms at Abraham's Plains, offering great violence to their persons, and repeatedly venting threats against the officers of Government acting in this country. This, and many other instances of outrage, which have marked the general conduct of this factious people, filled the minds of our good citizens with just apprehensions of being forcibly driven from this country as soon as our only support [Colonel Moore's corps] should be removed—the time for the removal of which being fixed and at hand—brought their former measures and repeated cruelties with fresh horror to our minds.

"In this alarming situation of affairs it was conceived necessary to adopt some measures to avoid dangers so justly to be apprehended. Although we ardently wished to cultivate cordiality and friendship, we found, upon mature deliberation, such blessings could find no existence while we permitted those *pests to society* to remain amongst us. We therefore conceived—however painful the alternative—that the removal of the most dangerous part of this faction would be the only resource which could lead to the establishment of that peace and good order we so anxiously wish for. This opinion being unanimously adopted by us (who pride ourselves upon ever being faithful subjects of this State), we proceeded to take such measures as we thought absolutely necessary to our safety. Some days were given to the Connecticut settlers in which to move off, with their families and property, or to produce such proofs of their peaceable intentions towards this State and its citizens as would quiet our apprehensions, and accordingly qualify them to remain peaceably in their habitations.

"Those whose designs were good readily complied with one or the other of these reasonable proposals; many moved up the river, whilst others, from explicit declarations of their good intentions, received every indulgence. However, many old offenders, notorious for the part they had ever taken in the many unjustifiable acts of violence committed upon the persons and property of the Pennsylvania settlers in this country, and who, from their obstinately persisting to stay, we strongly suspected of promoting further disturbances—these circumstances marking them out as persons too dangerous to remain—we found ourselves drove to the necessity of expelling them out of this place.

"This disagreeable business is now effected—a measure deemed necessary by the unanimous voice of the citizens, and carried into execution by them with great spirit and decision. At the same time the highest degree of lenity marked their proceedings—*treating the widows and the infirm with tenderness and attention!*

"I flatter myself that this revolution, so long and so devoutly wished for, will entitle those who brought it about to much merit and applause. It met with my approbation so heartily as to make me take a part in it. Official characters may be deemed reprehensible for this late revolution. I assure you that they are in no instance culpable. They were never consulted or concerned in the measure."

In the same issue of the *Packet* was printed the following "Extract from a letter from a gentleman at Wyoming to his friend in this city [Philadelphia]."

"The contests between the Pennsylvania settlers and Connecticut claimants have at length grown to such a height that there was no medium whereby both parties could exist in this country. Nothing but mutual contentions have subsisted for some time past. The Connecticut people betook themselves to arms, being alarmed at such great numbers of Pennsylvanians arriving with implements of husbandry, so that they became by far the most numerous.

"Many threats were thrown out, and outrages committed, by the Connecticut people—such as their lying in ambush to murder some of the officers, &c. This induced the Pennsylvanians to avail themselves of a favorable opportunity and disarm most of their opponents; and as they justly conceived that peace was not to be expected whilst such outrages and restless men remained in their neighborhood, they therefore gave them notice to move off their families with all their property. \* \* \* When the Connecticut people saw they were in earnest, numbers of those who had their arms remaining betook themselves to the woods, and left their families to

be disposed of by a people justly enraged and provoked at the murderous massacres and cruelties of every species, committed by those rioters for more than fifteen years past!

"Notwithstanding all this they proceeded in an orderly and humane manner, and moved off all those from whom danger was to be apprehended; gave them every assistance in their power, and have cleared this country of a set of men who have long troubled the peace and tranquillity of this State by abusing its laws and citizens in every shape. It would be doing the Pennsylvanians great injustice not to mention the very particular marks of attention and lenity shown to the widows of every denomination. They have continued them in their habitations, and are giving them every support in their power—*three widows only excepted, who were no objects of charity, and too haughty to ask favors.*

"Thus is the country once more clear of those pests to society, and now inhabited by citizens—numbers of whom have held honorable commissions in the Continental Army since the commencement of the war, and all of them distinguished patriots in their country's cause. It is more than probable that those wretches so justly expelled, with their unprincipled patrons—of whom there are but too many in this State—will, to satisfy their vindictive dispositions, use every endeavor to misrepresent and vilify the needful measures taken as above. But Truth alone will bear the test! They expect but little credit will be given to their calumny as far as they are known—and I am willing to believe that is pretty far; for the trouble they have so long given this State is undoubtedly conspicuous to all in the Union.

"I hope the expulsion of those disturbers of the peace will be a warning to the country not to suffer bodies of men to associate and live, as they have done, for four years without government and in contempt of all law and authority; but that when any such flagrant breaches of the Confederation appear, they may be taken in the bud and corrected."

The Hon. Charles Biddle, a prominent Philadelphian, who, in October, 1785, was elected Vice President of the Supreme Executive Council, wrote his autobiography about the year 1804. Some years later it was published. In it, after referring to the Pennamite-Yankee contests of 1783-'84, the writer says:

"In order to give the citizens of Pennsylvania quiet possession of their lands, the Legislature passed an Act for raising two companies of infantry. The command of these men was given to Col. James Moore. Shortly before the time for which they were enlisted expired, they marched a number of Connecticut families (said by Colonel Moore to be very turbulent) out of the settlement, and a few were sent to Easton (?) gaol. \* \* \* These people complained of being treated with great barbarity. From my knowledge of Colonel Moore I do not believe he would have suffered them to be treated with cruelty. When the troops were disbanded [about June 1, 1784] the Connecticut people returned to their former habitations, and *fresh disturbances soon ensued.*

In their flight from Wyoming towards the Delaware River, on May 13th and 14th, several of the bolder men in the body of exiles left their companions in misery and made their way to Sunbury, where they arrived on Sunday, May 16th. Among these was Col. Zebulon Butler, who, as previously related, had been put under bonds to appear at the Court of Oyer and Terminer of Northumberland County, which was to sit at Sunbury on Monday, May 31st.\* As noted by Colonel Franklin in his "Journal" the Court of Quarter Sessions of Northumberland County was sitting when he arrived at Sunbury, on May 25th.

Upon the arrival at Sunbury, on May 16th, of the Yankee refugees from Wyoming, they sought out their friends who resided in that locality, and communicated to them a detailed account of the direful doings of their Pennamite oppressors. Whereupon, at Sunbury, on May 17th, John Buyers, Frederick

\*In preparation for his expected trial at Sunbury, Colonel Butler, at Wilkes-Barré, April 28, 1784, wrote to Col. Jonathan Trumbull, Jr., who, during the last two years of the Revolutionary War, had been the private secretary of General Washington—as stated in the note on page 471, Vol. I. The original draft of Colonel Butler's letter—which is now in the collections of The Wyoming Historical and Geological Society—reads in part as follows: "I have to ask a favor of you. I have a cause to be tried at the Supreme Court in this State, either for misdemeanor or treason (as they say), and my attorney tells me that my character as a friend to my country and an officer in the army, &c., will be of service to me on trial, if I should come to trial. I have taken one [certificate of character] from Generals Parsons and Huntington, which will accompany this. If His Excellency, General Washington, would sign one for me it will be of great service to me before a Whig jury, which I hope it will be if the case should come to trial. Your attention to this will greatly oblige me, and, if obtained and delivered to Mr. Hollenback—who will wait on you—will be gratefully acknowledged."

The "Mr. Hollenback" referred to above was Matthias Hollenback, later Colonel and Judge, of Wilkes-Barré. He journeyed to Philadelphia where Washington and Trumbull then were, temporarily, and later returned to Wilkes-Barré bearing a letter reading as follows: "To Whom it may Concern—I do certify that Colonel Zebulon Butler, the bearer hereof, hath served as Lieutenant Colonel and Colonel in the Connecticut Line of the Continental Army, from January, 1777, to the close of the war. In which capacities he discharged his duty, so far as came to my knowledge with honor as a brave officer and with esteem for his attention to decency and good order.

"Dated at Philadelphia, this 10th day of May, A. D. 1784.

[Signed] "Go. WASHINGTON."



I do certify that Col. Zebulon Butler,  
the Bearer hereof, hath served as Major,  
Colonel in the Connecticut Line of the Con-  
tinental Army, from January 1777 to the  
close of the War. — In which capacities  
he discharged his duty, so far as came to my  
knowledge, with Honor as a brave Officer,  
and with Punctilio for his Attention to Accuracy  
and good Order —

Dated at Philadelphia this 10<sup>th</sup> Day  
of May A.D. 1784 —

G. Washington



Antes\*, Christian Gettig† and Robert Martain‡, all Justices of the Peace in and for Northumberland County, prepared and sent to Philadelphia, by an express, a letter addressed to President Dickinson, and reading in part as follows§:

"We are exceedingly sorry that there is occasion to transmit to Council evidence of so disagreeable a nature as they will be furnished with by the enclosed letters and depositions; but conceiving it to be of the first moment to Government, and being called on officially for the purpose, it becomes our indispensable duty. \* \* \* We are altogether at a loss to account for this outrageous conduct of the soldiery [at Wyoming]—the civil officers being intimidated, and confined under a close military guard, for serving the processes of the Commonwealth. The Garrison, instead of aiding the Civil Authority, set it at defiance, and place themselves above the Laws.

"Lawrence Myers||, from whom two letters have been received by the High Sheriff and herewith forwarded, is the Sub-Sheriff. The complexion of those letters will (independent of anything else) enable Council to form an idea how far the Civil Officers can act with effect in their several departments, \* \* \* in order that a timely provision may be made for the injured and oppressed citizens in that part of the State, and the dignity of the Government supported and maintained."

Colonel Franklin, in his "Brief" and in his "Plain Truth" articles, (both frequently referred to hereinbefore) states that formal complaint was made to the civil authorities at Sunbury, by the Wyoming refugees, "against Alexander Patterson and others, for their violent conduct in dispossessing the inhabitants, and the Justices at Sunbury pledged themselves that the laws of the Commonwealth should be immediately executed; that those who had been violently dispossessed should be reinstated in their possessions, and that the perpetrators of the violent acts should be brought to justice."

Colonel Franklin further states that a Court of Quarter Sessions for Northumberland County was to be held during the week beginning May 24, 1784, at Sunbury, but as a term of Oyer and Terminer Court was to be held there by the Judges of the Supreme Court of the Commonwealth during the ensuing week, "it was thought advisable that the complaints against the rioters should be made to the highest Court."

On May 29th, Sheriff Henry Antes despatched an express from Sunbury to Wyoming, with a message to a number of the Yankee inhabitants who, with their arms, had fled to the mountains, as hereinbefore related. The Sheriff called upon these men to "desist from any hostile measures", so that there might be a full and free operation of the law—advising them of "the intention of the civil

\*PHILIP FREDERICK ANTES, or Frederick Antes, as he was commonly known, was an elder brother of Col. Henry Antes (See [†] note, page 1348), and was born July 2, 1730, in what was later Fredericktown, Montgomery County Pennsylvania. He was a delegate from Philadelphia to the Provincial Conference of June 18, 1773, held at Carpenter's Hall, and also to the Pennsylvania Constitutional Convention of July 15, 1776. He was Lieut. Colonel in 1776, of the battalion of Philadelphia County Militia commanded by Colonel Pott, and at the same time was a member of the Committee of Safety of Philadelphia County. May 6, 1777, he was commissioned Colonel of the Sixth Battalion, Philadelphia Associates.

Soon after the breaking out of the Revolutionary War, Frederick Antes "was induced to undertake the task of providing cannon for the American army, and it was but a short time before he succeeded in casting an efficient four-pounder at Valley Forge. This was the beginning of the manufacture of cannon in the United States." About 1778, Colonel Antes disposed of his farm and mill near Valley Forge and removed to the village of Northumberland, near Sunbury, Pennsylvania. November 18, 1780, he was appointed a Justice of Northumberland County, and later was made President of the County Courts. In July, 1784, having been elected a Representative to the Pennsylvania Assembly, he resigned his commissions as a Justice of the Peace and as a Justice and President of the County Court of Common Pleas, the Court of General Quarter Sessions of the Peace, and of the Orphans' Court of Northumberland County. He was Treasurer of the County from February, 1782, to December, 1784, and from 1788 till 1801. He was elected a Representative from Northumberland County to the Pennsylvania Assembly in 1784, '85 and '86.

†Frederick Antes was one of the original members of Lodge No. 23, Ancient York Masons, at Sunbury, and was Worshipful Master of the Lodge from June, 1780, to December, 1784. For several years the meetings of the Lodge were held in his house in Northumberland.

‡He was twice married, and his only daughter by his second wife became the wife of Simon Snyder, who was three times Governor of Pennsylvania. Colonel Antes died September 20, 1801, at Columbia, Pennsylvania, while there on business. His widow, Mrs. Catherine Antes, died at Selinsgrove, December 15, 1816, aged 71 years.

§For fuller details concerning the life of Colonel Antes see "On the Frontier With Colonel Antes", by Edwin MacMinn, and Godcharles' "Free Masonry in Northumberland and Snyder Counties", II: 545.

†CHRISTIAN GETTIG was an innkeeper in Sunbury, in 1784, and later years, as well as a Justice of the Peace. He had been a First Lieutenant (commissioned October 14, 1776) in the 12th Pennsylvania Regiment, Continental Line; was wounded in one of his legs in a skirmish May 11, 1777, in New Jersey; was taken prisoner by the British, and while in their hands had his leg amputated. Upon his discharge from the military service he returned to Sunbury, where he continued to reside until his death, July 2, 1790.

||See (\*) note, page 1344.

§See "Pennsylvania Archives", Old Series, XI: 438.

|See page 837, Vol. II and bottom of page 1240.

authorities to reinstate them in their possessions and grant them complete redress."

A few days later, the Sheriff also sent an express (Robert McDowel) to the Delaware, to give notice to the Wyoming refugees in that locality that they might prepare to return to their homes, inasmuch as "the law relative to forcible entry and detainer would be immediately put in execution at Wyoming."

Barnabas Cary, aged fifty-one years, in 1784, in a deposition which he made before Justice Seely at Wyoming, August 14, 1784, declared that toward the latter end of May, 1784, he had seen a letter sent by Lawrence Myers, then a Deputy Sheriff under Sheriff Antes, "inviting the people that were dispossessed by the Pennsylvanians to return back to Wyoming; that Sheriff Antes would be on the ground about the middle of June, with two magistrates, and would give them all possession again; that this statement induced the deponent to return to Wyoming again; that the letter [referred to] was handed about by one John Jenkins."

The communication from Justices Buyers, Antes, Gettig and Martin was received by President Dickinson, at Philadelphia, on Saturday, May 22d, and was immediately laid before the Supreme Executive Council. Judge George Bryan of the Supreme Court, being then in Philadelphia, was conferred with by the Council, and the same day President Dickinson wrote to Messrs. Buyers, Antes, Gettig and Martin, that it was the joint opinion of Judge Bryan and the Council "that the steps proper to be taken would be that the Magistrates and the Sheriff of the county should exercise the authority vested in them by law for preserving the peace and apprehending, committing and punishing those who break the same."

The same day President Dickinson wrote "to the Magistrates at and near Wyoming, in Northumberland County", as follows\*:

"We have this day received a letter from Messrs. Buyers, Gettig, Antes and Martin of your County, complaining of great disturbances at Wyoming.

"The magistrates near that place ought to have given us intelligence of these proceedings, and we now enjoin you to make every exertion in your power for restoring the peace of the County, and for preserving the same. Any neglect on this head will not only be a failure in the Duty you owe to the State, but will most certainly be attended by consequences that will too plainly evince the extreme Imprudence of such conduct."

To Chief Justice Thomas McKean, and Judges William Augustus Atlee and Jacob Rush, of the Supreme Court, President Dickinson wrote, on May 22d, as follows:

"We have this day received a letter from Messrs. Buyers, Gettig, Antes and Martin, of Northumberland County, informing us of a very alarming disturbance of the peace, which may be attended with unhappy consequences if prudent steps are not immediately taken for preventing further mischief. As you gentlemen will be at Sunbury, we understand, the week after next we desire that you will make use of the opportunity of being there to make all due inquiries and thereupon to direct the most effectual legal measures to be pursued for restoring and preserving the peace of the County."

President Dickinson and the Supreme Executive Council, having received on May 24th, Lieut. Colonel Moore's report of May 15th, the President wrote to Lieut. Colonel Moore, on May 25th, in part as follows†:

"We have received your despatches by Captain Armstrong. The Honorable the Chief Justice, Mr. Justice Atlee and Mr. Justice Rush will be at Sunbury the 31st of this month, and we have desired them 'to use the opportunity of being there to make all due enquiries, & thereupon to direct the most effectual legal measures to be pursued for restoring and preserving the peace of the County.' We therefore would have you to give notice of these circumstances to the Persons concerned in the late disturbances at Wyoming, so that they, or some of them, may attend at the time and place before mentioned, to give all proper information to the Judges."

\*See "Pennsylvania Archives", Old Series, XI: 440.

†See "Pennsylvania Archives", Old Series, XI: 443.

On the same day, President Dickinson wrote to the Judges of the Supreme Court, in part as follows\*:

"Last Saturday we wrote to you concerning the Disturbances in Northumberland Co. We have since received information from Colonel Moore and Captain Armstrong, by which it is confirmed that those disturbances have been occasioned by the fears & jealousies entertained on account of interfering claims of persons under Pennsylvania Rights and of Connecticut settlers. We have written to Col. Moore, informing him that we had desired you to make all due enquiries, and thereupon to direct the most effectual legal measures to be pursued for restoring and preserving the Peace of the County, and we have required him to give notice to the persons concerned, that they or some of them may attend at Sunbury on this business.

"We rely much upon your prudence in advising such proceedings as will have the most happy tendency to promote the public tranquillity."

At Philadelphia, on May 28, 1784, Ebenezer Johnson, one of the Yankee settlers who had been driven out of Wyoming, presented to the Supreme Executive Council, a petition signed by Col. Zebulon Butler and others, "in behalf of the Connecticut people lately driven from Wyoming, stating their grievances and praying protection from the State." This petition having been read, the Council directed that a letter be written to the Judges of the Supreme Court, at Sunbury, "desiring them to take the most effectual legal measures for restoring and preserving the peace of the county."

This letter was immediately written by President Dickinson, as well as one of a similar character addressed to Justices Martin, Buyers, Antes and Gettig. In the letter to the Judges, the President said: "This letter will be delivered to you by Mr. Johnson, and express sent to us by the persons lately removed from Wyoming. As he can himself give a good deal of information, and can be serviceable in obtaining it from others, we have wished him to attend at Sunbury." Mr. Johnson was paid by the Council £10, to remunerate him for going with the aforementioned letters from Philadelphia to Sunbury.†

At Wilkes-Barré, under the date of Sunday, May 30, 1784, Alexander Patterson addressed a long communication to the Judges of the Supreme Court, which he sent to Sunbury by the hands of Capt. John Armstrong, who had just returned to Wilkes-Barré from his mission to Philadelphia. This communication, expurgated in spots, and improved somewhat in grammar, punctuation and spelling, reads as follows‡:

"Whereas your Duty to the State, and attention to the Rights and Privileges of its Citizens, demands your attention in this country at a period when a great part thereof is in inevitable trouble, it will no doubt be necessary for the peace and safety of the Commonwealth for your Honours to make every enquiry from what source such troubles flow. The origin, rise and progress thereof have hitherto been so conspicuous as to want no illustration.

"It now only remains that your Honours do obtain the proper information and causes which have produced the present commotions, and that prudent and wise measures be adopted to stop the impending calamities that threaten this large tract of country. You will no doubt hear that great Outrages have been committed by the Pennsylvanians against the Connecticut claimants, in violation of law and good government; but I trust it will be made to appear that the measures taken, *though not strictly consonant with the letter of the Law*, were the result of absolute Necessity, and dictated solely by the principles of self-preservation.

"Certain it is that no human policy could govern or reconcile both parties to remain peaceably in this country. The rancorous dispositions of the contending parties but too well evince the catastrophe that must have happened, had not the measures been adopted that have been taken by the Pennsylvanians. There was no medium to save the Effusion of much Blood.

"The Pennsylvanians who had come into this Country in great Numbers, found that the Lands they had so long since bought and suffered for were Generally Clear of houses or fences They therefore fell to work to Improve, and in a Peaceable manner Endeavour'd to Repossess themselves of their Property, which was wrested from them many years ago by Lawless Banditti The malcontents betook themselves to their ancient Resources (that of arms) and Threatened the Pennsylvanians in a Daring and Outrageous manner. All hopes of peace being vanished, it was adjudged the most Prudent step to seize a favourable moment and Disarm the most violent

\*See *ibid.*, 442.

†See "Pennsylvania Colonial Record", XIV: 120, and "Pennsylvania Archives", Old Series, XI: 472.

‡See "Pennsylvania Archives", Old Series, X: 617.

of the Intruders; upon which Notice was given them to move off their Effects & Families. The season being so far advanced that there was no danger of their Cattle suffering by the way, this and every other precaution was taken to prevent the Idea of Cruelty; though in similar cases the Pennsylvanians had never Received any thing like similar Treatment. On the Contrary, they have been Robbed & murdered, and have suffered every species of Cruelty by those Troublers of the state and their Quict—who now would wish to have Government believe that they are Inoffensive Citizens and strict Conformists to the Laws of this State, which they have held in the greatest Contempt for upwards of fifteen years. Had they an alternative they would Trample it as usual.

"Your Honours will please to view the Difference between the Parties—the one having Troubled the Happiness of the State for such a series of years, and Committing every outrage that malice could suggest against its faithful Inhabitants; the other supporting the Dignity of the State and Rights of the People, having at all times Evinced their Zeal for its Welfare. The Pennsylvanians who have been active in the late movements are aware of the situation in which they are Placed, having a strong Party in Northumberland against them, who have taken part with those restless people. Had it not been for their Interposition, actuated, I fear, by bad Principles, there would have been no trouble in settling this Country with the Rightful owners; and it is more than Probable (their views of Popularity being now at an End by Losing their Darling object, the votes of those Exiles at Elections) that they will use Every Endeavour to stimulate your Honours, together with the Government, to measures that will Perhaps Terminate in our ruin. We hope you will be aware of those Incendiaries, whose wish is to Irritate instead of salving the sore.

"If the views of the New settlers of this country have in any wise been mistaken, they will be very unhappy, for I am well Convinced that there are no People on Earth who have a greater veneration for the Weal of this Commonwealth, of which they deem it their Greatest Honour to be Citizens. Business of such a Complicated Nature could never have been effected with more caution: there is no Blood spilt, and it will not be the blame of the Present Inhabitants if there ever is upon any occasion.

"As few, or Perhaps none, of the Inhabitants from hence may be Down at Sunbury, and Numerous Complaints will be exhibited, I am solicited to make this representation of facts—which I pledge myself deviates nothing therefrom—in order that your Honours may be aware of the cunning of designing men. The matter is rested entirely with you, that from a perfect knowledge, and dependence on your abilities, such measures will be taken by Government as will tend to the tranquillity of its people. The present settlers beg that no harsh step may be taken, and that the Sheriff and some of the Justices in his vicinity may not drive to extremes, and cause mutual dissensions to arise among a people whose strength and welfare depend on unanimity.

"I know that it will be said that I have given my sanction to the measures adopted. It would be uncandid to say that they had it not. However, *I have done nothing officially*, having some time since resigned my commission of the Peace\*. But, having some consequence among the people, I have frequently given them permits and papers that have generally answered the purposes intended, viz. the accommodations of persons apparently in distress.

"You will please to observe that the Pennsylvanians conceive that the determination of the Congressional Court at Trenton, touching the jurisdiction and preemption of this country, was final and decisive, and that further pretensions to tryal upon the subject was in too great a degree tampering with their Patience and Property; and they are determined to defend it against any pretensions or people claiming under the State of Connecticut, should they be so unjust as to persevere in so iniquitous a measure."

Chief Justice McKean and Judges Atlee and Rush, with Edward Burd, Esq., as Clerk, opened a "Court of Oyer and Terminer and General Gaol Delivery, in and for the county of Northumberland" at Sunbury, on Monday, May 31, 1784. The sittings of the Court continued until Friday, June 4th, and the Judges, in making a report to President Dickinson of the proceedings of the Court, made the following statement†:

"Among a variety of other Prisoners at Sunbury, forty-five persons were indicted for a riot, assault and false imprisonment of divers Inhabitants formerly of Connecticut, and five officers of the Garrison at Wyoming for a Rescue. We wish most sincerely there was no cause of censure of the officers there, both civil and military. Every thing has been done by us for preserving the public Tranquillity in that county that we could think of, and we are induced to believe that the measures pursued will answer the Ends designed. \* \* \*

"In addition, we would mention that Lieutenant Col. James Moore has entered into a Recognizance with good bail before the Chief Justice, to answer to the Indictment found against him and 44 others for a Riot and false imprisonment of divers Inhabitants at Wyoming, in the County of Northumberland. In the Case of all the rest of the persons indicted for the same offense, as well as those indicted for the rescue from the under-sheriff, we have instructed David Mead, Esq., one of the Justices of the Peace, &c., residing at Wyoming, to take the recognizances from them severally in five hundred pounds, with at least one good surety in Two hun-

\*He had written out his resignation just fifteen days previously to the writing of this letter, as hereinbefore noted. This, of course, was subsequently to the wholesale expulsion of the Yankees from Wyoming; while his resignation had been accepted by the Supreme Executive Council only six days prior to the writing of this letter.

†See "Pennsylvania Archives", Old Series, XI: 414, 484.

dred and fifty pounds, to appear and answer, &c., at the next Court of Oyer and Terminer and General Gaol delivery, to be held at Sunbury, for the County of Northumberland. We have reason to believe that most, if not all, the parties will comply with this measure, and that Peace and Tranquillity may be restored to that part of the State.

"As Judges, we cannot determine who have been the first or the greatest aggressors in this Extraordinary violation of order and good Government until after the Trial, but we conceive it will be necessary to be very attentive to the conduct of the people in this part of the State for some time, and we beg leave to assure you that nothing shall be wanting on our part to protect the innocent and obedient, and to discountenance the Refractory, and to punish the Transgressors of the Law."

The names of forty-seven (all that can now be ascertained) of the persons indicted as aforementioned were as follows: Lieut. Col. James Moore, Capt. John Armstrong, Lieut. Blackall William Ball, Lieut. Samuel Read, Lieut. Andrew Henderson, Alexander Patterson, Esq., John Seely, Esq., Henry Shoemaker, Esq., Ebenezer Taylor, Silas Taylor, Peter Taylor, Joseph Montanye, Samuel Van Gorden, Wilhelmus Van Gorden, James Brink, Nicholas Brink, Henry Brink, William Brink, John Cortright, Benjamin Hillman, Martin Tidd, Daniel Swartz, Nicodemus Tarvis, James Culver, Isaiah Culver, Isaac Clinkefoos, Joseph Solomon, Obadiah Walker, Ezekiel Schoonover, James Grimes, James Covert, John Borland, Abraham Van Cortright, Elisha Cortright, Beniah Munday, Jacob Tillbury, Luke Brodhead, Lawrence Kinney, Preserved Cooley, Robert Biggers, Gabriel Ogden, David Ogden, Garrett Shoemaker, Jr., Jacob Kline, Rudolph Litz, William McDonald and Isaac Van Norman.

About the first of June, 1784, in pursuance of the resolution adopted by the Pennsylvania Assembly in the previous March, the soldiers composing the garrison at Wilkes-Barré were paid off and discharged from the service of the State. A considerable number of them, however, were immediately employed by Alexander Patterson, for and in behalf of the Pennamite land claimers. They remained on the ground, in possession of Fort Dickinson, and according to Miner, "set at once the settlers and the Commonwealth at defiance." Patterson, himself, referring to this matter in his "Petition" to the Pennsylvania Legislature, previously mentioned, declared: "In that season [the Summer of 1784] your petitioner supported upwards of 120 men at his own expense, in defence of the rights of Pennsylvania, for more than four months, besides exposing his life and expending his time and property against a set of abandoned desperadoes, excluded from Society in every part of the Union, whose practice had long been to bully the State and pillage its citizens"!

It is doubtful if Captain Patterson had as many as 120 men in his pay and under his orders at any one time during the Summer of 1784, as the foregoing statement would lead one to believe. During a period of four months he may have had altogether 120 Pennamite myrmidons under his control, but never at one time. In a letter to President Dickinson, dated July 12, 1784, he stated that he then had "a guard of near fifty men", which he had kept "ever since Colonel Moore left this place" (Wilkes-Barré).

It may be stated here that Lieut. Colonel Moore went from Wilkes-Barré to Sunbury in the first week of June, 1784, when and where he was indicted and then entered bail for his appearance at the next term of Court, and it is doubtful if he ever again returned to Wilkes-Barré.

Colonel Franklin states that about June 13, 1784, some thirty men of the Yankee settlers who had been driven out of Wyoming, left their families at the Delaware and returned to Wyoming Valley, in pursuance of the information which had been sent to them by Sheriff Antes. "Finding," says Franklin, "that

they could not take possession of their houses and farms without having recourse to hostile measures, which they were desirous, if possible, to avoid, this vanguard of Wyoming Yankees repaired to the [Wilkes-Barré] mountain, about three miles from Wilkes-Barré Garrison, where they took possession of the rocks—a natural fortification—to which they gave the name of *Fort Lillopee*, a place well known in this day (1805).”



THE SITE OF FORT LILLOPEE  
(As it appeared in 1829)

The place thus referred to was exactly two miles east of Fort Dickinson in an air-line; or, by way of the road leading to it, was nearly three miles distant from the fort. At that period the locality in question was known to the people of Wilkes-Barré as the “coal-beds”. It was a small rocky ravine in the foot-hills extending along the base of Wilkes-Barré Mountain, and through it ran a small stream of water, in later years known as Coal Run and Coal Brook. In the western wall of this ravine there was an out-cropping of a very thick stratum, or vein, of coal, from which, during several years prior to 1784, a considerable amount of coal had been dug for the use of the blacksmiths of Wilkes-Barré.

These primitive mining operations had resulted in a good sized cave being excavated in the coal vein. Years later, when mining operations of a somewhat extensive character were carried on in that section of the township of Wilkes-Barré, the old cave of 1784 was converted into a tunnel, or slope, while other openings of a similar sort were made adjoining and connected with it. These “openings,” as they appeared in 1867, are shown in the picture on page 457, Vol. 1. Since about the year 1880, however, the physical conditions at the “Old Opening” have been very much changed, owing to the cutting down of nearly all the trees thereabouts, mine-cavings and fires, in and about the mines.

Pearce, in his “Annals of Luzerne County,” referring to the return of the Yankees from the Delaware, says: “After an absence of several weeks the Yankees returned, and fortified themselves under a cliff of rock on the Eastern or Wilkes-Barré Mountain. This, Mr. Miner says [in his ‘History of Wyoming’], they called Fort Lillopee, but we have in our possession several orders sent by



John Franklin, John Jenkins and others from this cave-fortress to Matthias Hollenback, in Wilkesbarre, for rum, tea, sugar, etc., and these orders are dated at *Fort Defence*." In making this statement Mr. Pearce fell into an error, for the reason that "Fort Defence" was the name given to a group of houses in Kingston Township, which the Yankees took possession of and fortified at the beginning of July, 1784—as related on page 1394.

Elisha Harding, in his letter referred to on page 1381, makes mention of the fortified encampment at Coal Brook in these words: "We went into the woods to a place called the *coal-beds*, back of Wilkesbarre, where we continued about three weeks. Our living was not of the best. It consisted of chopped rye (about as fine as is ground for horse-feed), without salt. Our appetites were good, and when we drank our slop we did it in hopes of better fare. We were waiting for orders from the authorities to arrest those who had drove us off and taken possession of our houses and lands."

The men at Fort Lillopee were well armed and provided with a plentiful supply of ammunition, and were commanded by duly chosen officers who maintained a quasi-military discipline.

Relative to conditions in Wyoming Valley in May and June, 1784, Christopher Hurlbut states in his journal—mentioned on page 1356:

"In May, after the ice had melted away and the people had begun to put up their fences, the Pennamites, with the soldiers, went through the settlement in considerable bodies and took all the good guns, and the locks from others, from every Yankee who had one; and directly after this they turned all Yankee families into the street, taking them under guard. A few only were able to flee up or down the river; all the rest were forced to go out East by the Lackawaxen. Thus the Pennamites got full possession of the country. Shortly after this the soldiers were discharged, but many of them continued in the country, and the Pennamites kept up a garrison in the fort.

"The first of June [1784] the Yankees began to assemble in the woods, in order, if possible, to regain their possessions. It should be remembered that all along, from the first beginning of the outrages, applications had been made to the legislative, executive and judicial authorities of the State for protection and redress, but none was obtained. Also, let it be understood, that those pretended Justices, before referred to as having been unlawfully appointed, (headed by Alexander Patterson, a man of considerable abilities, but bold, daring and completely unprincipled; aided by David Mead, insinuating, plausible and flattering, covering his enmity by pretended friendship—a most designing enemy to the Yankees; and John Seely, with just information enough to act out the villain without disguise), had no idea of doing justice to the Yankees; but their object was to compel them to leave the country."

Immediately after the adjournment of the Court of Oyer and Terminer at Sunbury on June 4th, Sheriff Antes started for Wilkes-Barré, having in his possession warrants of arrest issued by the Court against all the men (save Lieut. Colonel Moore, who had appeared at Sunbury and entered bail) who had been indicted for rioting, etc., as related on page 1388. It was the intention of the Sheriff, in pursuance of directions given to him by Chief Justice McKean, to serve these warrants upon the several defendants, who would then be expected to go before Justice Mead, at Wyoming, and enter bail for their respective appearances at the next term of the Court of Oyer and Terminer.

Colonel Franklin says that upon the arrival of Sheriff Antes at Wyoming 'to take the rioters, he found them in their stronghold, the Garrison [Fort Dickinson] at Wilkesbarre, where he was refused admittance, and they refused to be taken. Alexander Patterson would not suffer the Sheriff to execute his warrants, and he was compelled to return to Sunbury without having it in his power to arrest one of the rioters."

The Sheriff made a second visit to Wyoming on June 14th, accompanied by the Coroner of the county, and made another attempt to serve his warrants, but was prevented in the same manner as before. At this time some of the

Yankees at Fort Lillopee joined the Sheriff and the Coroner at Wilkes-Barré, at their request, and accompanied them to the neighborhood of Fort Dickinson. Benjamin Harvey—then within a few weeks of his sixty-second birthday—was unfortunately for himself, one of those who thus ventured into the village. Notwithstanding the presence of the Sheriff and the Coroner, he was seized before their very eyes “by the hired myrmidons of Patterson, dragged to the Garrison, and beaten and abused in the most cruel manner.”

The Sheriff and the Coroner, being thus set at defiance by the lawless Pennamites in Fort Dickinson, returned to Sunbury, while Mr. Harvey returned to Fort Lillopee smarting in mind and in body, and bearing to his fellow-cave-dwellers a cheerless message from Sheriff Antes, which, according to Colonel Franklin (who was there on the ground), was to this effect: That he, the Sheriff, could not take the Pennamites at Fort Dickinson at that time without the assistance of the *posse comitatus*; that the Yankees gathered at Fort Lillopee should remain quiet for about twelve days, by which time he, the Sheriff, hoped to receive “orders from the Government to enable him to call assistance to execute the laws at Wyoming.”

Colonel Franklin, writing about the events of this particular period, stated, in a “Plain Truth” article printed in *The Luzerne Federalist* of June 5, 1805, that “the unhappy sufferers continued on the mountain without shelter except the heavens to cover them; without blankets, and thinly clothed, and almost destitute of every necessary to support life. Several had taken up their residence in the woods from about the 14th of May—their families being at the same time at and near the Delaware River, suffering for the necessaries of life, while the rioters lived at ease in the dwellings of the Yankees.”

During this time the Pennamites on the ground were busy locating tracts of land in the Wyoming region, either for themselves or their friends and principals, in Philadelphia and elsewhere. Having made applications to the State Land Office, and paid the small fees required, land warrants were issued to the applicants, and on these warrants surveys were made. The following is a list of some of the tracts which were surveyed (either in 1784 or in later years) on warrants dated July 1, 1784. Five tracts lying along the Lackawanna River, as follows: To Lieut. Andrew Henderson, 499 acres; Sarah Delany, 400 acres; James Moore, Sr., 419 acres; William Henderson, 425 acres; James Denney, 402 acres. One tract of 301 acres “on Sullivan’s Road, at Bear Creek”, to Alexander Patterson. Nine tracts, of 400 acres each, on the waters of Toby’s and Bowman’s Creeks, to the following-named: Jacob S. Howell, Edward Duffield, Lieut. Lawrence Erb, Patrick Moore, Samuel Nichols, Samuel Morris, William Sims, Margaret Delany and William Nichols. One tract of 427 acres and 70 perches (on the Lehigh River, below the mouth of Choke Creek, in Buck Township, Luzerne County) to George Shaw; surveyed November 2, 1789. One tract of 424 acres and 102 perches (on the Lehigh River, at and including “the great falls” where the village of Stoddartsville is now located) to James Shaw, surveyed May 9, 1790. One tract of 401 acres and 28 perches (west of the Lehigh River—in what is now Buck Township—“and nearly two miles north of the mouth of Tobyhanna Creek”) to David Thomas, surveyed August 9, 1785.

According to the custom of that period, distinctive names\* were given to the aforementioned tracts of land when they were warranted and surveyed.

\*See pages 690 and 776, Vol. II.

The following were some of the names used: "Bethlehem", "Astronomy", "Common Sense", "Pulpit", "Priesthood", "Roguary", "Rich Soil", "Widow's Provision", "Widow's Assistance", "Good Plan", "Charitable Scheme" and "Orphans' Relief."<sup>2</sup>

Franklin says that about the 20th of June, Alexander Patterson, at Fort Dickinson, sent to the Yankees at Fort Lillopee "proposals to have them return to their dwellings in the neighborhood of the Garrison, with the condition that they should return unarmed, and he pledged himself, sacredly, that the persons so returning should not be molested, but should remain in quiet possession of their homes until the pleasure of the Government at Philadelphia should be known.

"Two persons—Capt. Jabez Fish, of Wilkes-Barré and Mr. John Gore, of Kingston—whose families were at that time in the neighborhood of the Garrison, being too credulous in relying on the honor of Patterson", declares Franklin, left their friends at Fort Lillopee to visit their families. The honor of Patterson proved a cheat, as it ever had done before, for they had no sooner arrived in sight of the Garrison than they were seized by ruffians, by Patterson's orders, tied up, flogged severely with ramrods, and then banished from the town."

About that time the number of Yankees at Fort Lillopee had increased to sixty or more able-bodied men, well armed and equipped. Chafing at their uncomfortable situation, incensed at the indignities which had been laid upon Messrs. Harvey, Fish and Gore, and disappointed at the failure of Sheriff Antes to appear on the ground with the *posse comitatus*, they unanimously concluded that the time had arrived for them to be up and doing; and so, during the latter days of June, they made forays into the valley, in detachments of twenty or more men, and harrassed the Pennamites outside Fort Dickinson who were get-at-able. We get some idea of their doings during those days from a deposition made by Garret Shoemaker, a man fifty years of age, who was one of the Pennamites who had been indicted at Sunbury, but had not yet entered bail for his appearance at the next term of Court. Mr. Shoemaker deposed before Justice Seely, August 12, 1784, as follows:†

"That some time in June [1784], after the Supreme Court at Sunbury, the deponent was going to Shawnee to get two bushels of rye to carry to mill, when John Inman and a young man by the name of Corey took him prisoner and carried him down below Nanticoke Falls. Some time after he was taken John Swift joined the party. The deponent heard Swift, Inman and Corey threaten that they would be the death of every Pennamite on the ground. They particularly mentioned Captain [Blackall William] Ball, Henry Shoemaker, Esq., and Alexander Patterson, Esq., whom they threatened *not only to murder, but to roast into the bargain!*

"Below Nanticoke Falls near forty well-armed men, who had been out in different parties, came together. John Swift (who is a deputy of Sheriff Antes) and John Franklin had the command of the men. One [Lawrence] Myers, another deputy of Sheriff Antes, was also there, and joined in threatening with the others. Myers seemed exceedingly intimate and friendly with the Connecticut men, and abused the deponent and two other prisoners very much. Swift, Inman and Corey beat the deponent with their iron ramrods, then knocked him down with their guns, mashed his foot, and broke one of his thumbs and two of his ribs. The deponent demanded their authority for using him in the manner they did, but they could show none. Then they carried him to Sunbury Gaol, but he was soon released. A man who is a stranger to this deponent was his security."

"After the deponent returned home one Burnham came to the deponent's house and threatened that if the deponent did not instantly remove his family he would kill him and burn his house. The deponent was forced to remove, and came up to the fort as the only place of safety, where he has remained ever since. The party of Connecticut people have robbed him of everything he had in the world, and destroyed his garden and crops in the ground."

Another affidavit, made by Jonathan Marsh about the same time as the foregoing one, set forth the following facts:

<sup>2</sup>Some years later the titles to nearly all the abovementioned tracts of land passed to the ownership of John Nicholson, a noted land speculator of Philadelphia, who was Comptroller-General of Pennsylvania from 1782 to 1794, and Escheator-General from 1787 to 1795.

†See "Pennsylvania Archives", Old Series, X: 643.

"That the deponent has repeatedly seen the people called Connecticut settlers drive away his neighbors' cattle, hogs and sheep and kill them. That some time in June [1784] he was at the house of Jacob Stroud in Northampton County, where he saw one Stoddart and one Peirce with about eight or ten other Connecticut people. The deponent was then driving up some cattle, sheep and hogs, and they asked him where he was going with them. He answered, 'To the Susquehanna.' Then some of them said, 'Get along with them; we wish you had ten times as many, for we design to have them all soon.' The deponent then came along.

"After his arrival at the Susquehanna, in conversation with one Chester Peirce, the deponent asked him how he thought matters would go. He answered: 'By God, the woods will be as full of white Indians this Summer as ever they were of red ones. We intend to lie out in the woods, if nothing else will do, and shoot the heads off the Pennamites.' The deponent about two weeks ago heard Benjamin Harvey say: 'God damn the laws of this State and all those who made them!'"

About July 1, 1784, according to Colonel Franklin, "Benjamin Harvey was sent express by the Yankees at Fort Lillopee to the Sheriff and authorities at Sunbury, with orders not to return until he should receive a positive answer whether the laws would protect the Connecticut settlers or not, so that they might know what to depend upon." From Sunbury, Mr. Harvey was sent by the Sheriff to Philadelphia, with letters to the Supreme Executive Council and to Chief Justice McKean, for directions and advice—"stating the complaints of the Wyoming settlers, and that he [the Sheriff] could neither grant relief nor execute his warrants against the rioters without the assistance of the *posse comitatus*."

Franklin states that the weather being wet and unfavorable, and the campers at Fort Lillopee being without adequate shelter, and suffering for lack of the necessities of life, "some of the party grew sickly and all grew weary of their solitary and cheerless habitation." In consequence, they resolved to evacuate Fort Lillopee, which they did on the night of Saturday, July 3d.

Quietly marching to the river, to a point above the mouth of Mill Creek, they crossed over into Kingston Township and established themselves at a point three and a-half miles northwest of Fort Lillopee, in a bee-line, and about three miles, in a bee-line, north of Fort Dickinson. Here, on a level plot of ground, slightly elevated, within the present bounds of the borough of Forty Fort, near where the highway (Wyoming Avenue) crosses Abraham's, or Tuttle's, Creek, stood four unoccupied log houses in a group. These the Yankees fortified and occupied as a garrison—naming the same "Fort Defence."\* Within a short time the defenders of this new fort were increased in number by the arrival of a few other men who had been evicted from their homes in May.

At Fort Dickinson, under the date of July 12, 1784, Alexander Patterson, wrote to President Dickinson as follows†:

"Whereas I have, for some fifteen years past, been interested in the affairs of Wyoming—and more particularly so since the late Commotions became serious—I therefore humbly hope that it will not be deemed Impertinent if I assume the freedom to state some facts relative to the situation of this country as it now stands.

"What Happened before Colonel Moore left this place, he has undoubtedly faithfully represented to your Excellency and Council; since which we have been continually surrounded by a Body of armed men, who say that they are under the Direction of the sheriff of this County. There has not one day passed that they have not Committed some outrage upon the peaceable and Industrious Inhabitants, by Beating, Robbing and Plundering them of their property. They have stolen Thirty-one Horses out of the settlement, besides a Number of Cattle & sheep. This day they took Mr. Shoemaker, one of our Justices who had just returned from Sunbury and Entered into recognizance, and beat him in a Cruel and Barbarous manner. We have born with every Species of Insult.

"Their Horrid Threats to murder me and several Gentlemen at this place, has Induced me to keep a Guard of Near fifty men ever since Colonel Moore left this place, for the safety of our lives. We have carefully avoided all acts of Hostilities, and thereby, I hope, Evinced to the world our good Intentions. God knows that we wish to get Clear of those Runegadoes without Bloodshed, but I fear it is not Possible. They will commit some Crueltys that will Eventually bring

\*Fort Defence stood on the level plot shown in the foreground of the picture facing page 786, Vol. II

†See "Pennsylvania Archives," Old Series, X-619

on Bloodshed. There is nothing more they wish than to act the Part of the savage. They have Blacked their faces, and abused our People with Towmebacks; they have had recourse to the Law, but find its Operations too slow to answer their purpose; they are Determined to repossess themselves tho' at the risk of Life; they have Duped the state in their Pretence of applying to the Laws; they never Intended the least good to the state; they ought to be exploded from Citizenship—their actions has always shewn it.

"Your Excellency will Easily Perceive that this Business has cost me a large sum of money, and if effected will doubtless cost something Considerable. We have Various Reports of a Body of men coming from Connecticut. It will Doubtless be Necessary for this State to Interpose. I have, besides the support of the Guards alluded to, supported the familys of our People who hold Possession, with Bread to a Considerable amount.

"Permit me to give it as my opinion that Government ought to Interpose in our behalf, and give an Immediate support to our Possessions—the malcontents having done Flagrant offences sufficient to warrant such interposition for the safety of the Commonwealth. A small support now may Save the State a world of Trouble and Expence."

Shortly after Capt. John Armstrong retired, or was discharged, from the military service of the State, at Fort Dickinson, about June 1, 1784, he went up the Susquehanna to Tioga Point to see about certain lands in that locality in which he was interested under Pennsylvania claims. Returning down the river, he arrived at Wilkes-Barré on July 12th—the same day on which Alexander Patterson wrote to President Dickinson, as above noted. In a deposition\* which Captain Armstrong made before Chief Justice McKean, at Philadelphia, July 28, 1784, he testified as follows respecting affairs at Wyoming:

"On the 12th day of this present month, as he was traveling from Tioga to Sunbury, he was obliged by indisposition of health to stop at Wyoming (Wilkes-Barré), where he found the inhabitants in great commotion, a camp being formed by a number of people who, he understood, had arrived there from the State of Connecticut and other parts, at a place called Forty Fort. That he was there told that the said party had committed various acts of outrage on the inhabitants of that neighborhood, such as insulting and beating them, stealing their horses & cattle, &c.

"That this deponent having recovered a little, he went to Forty Fort by water, and on his landing there he was met by Giles Slocum, Waterman Baldwin, William Smith, John Inman, Edward Inman, Richard Inman, Ishmael Bennett, Sr., John Jenkins, Phineas Stevens, Daniel Peirce and others, in all about thirty or forty, armed with rifles, muskets, &c. After his being among them some time he found, by their general conversation, that they were determined to drive off all the people who had possessed themselves of lands in that country under titles from the Government of Pennsylvania, and that they only waited for reinforcements to enable them to execute this purpose. That he apprehends, from the conversation he then had with them, that their party at that time consisted of about sixty men. This deponent further saith, that he returned afterwards to his quarters [in Wilkes-Barré] contiguous to the late Garrison, and remained there a few days."

Occurrences of more than ordinary importance were now happening nearly every day in Wyoming Valley. The Pennamites under Patterson, hoping for substantial aid from the Government at Philadelphia, pretty generally confined their activities to the village of Wilkes-Barré where, if necessity demanded, they could easily and quickly avail themselves of the protection afforded by Fort Dickinson. The Yankees rendezvoused at Fort Defence (which they made as comfortable and secure as their limited facilities and conveniences would permit) and from it small parties of armed men were sent forth nearly every day to reconnoitre, and to spy upon and harass the Pennamites—especially those living at some distance from Fort Dickinson.

Concerning the doings of the Yankees in Wyoming, from about the middle of July till the 24th or 25th of the month, we learn something from certain affidavits, which were sworn to by a considerable number of Pennamites before Justice of the Peace John Seely, at Wyoming, on and about August 10, 1784.†

Abraham Goodwin, thirty-four years of age, who, with his wife Catherine (daughter of John and Lois King), had settled in the upper end of Kingston Township in the Spring of 1784, on lands which he had either leased or purchased

\*See "Pennsylvania Archives", Old Series, X: 623.

†See "Pennsylvania Archives", Old Series, X: 639, *et seq.*

from certain Pennsylvania claimants, deposed as follows:

"About the middle of July Giles Slocum, Gideon Church & eight others came to the house of the Deponent about Noon and Plundered the house of two Rifles and some Ammunition, and went off. About a week afterwards Came one Phelps and seven others, and Demanded of the Deponent's wife the keys of the Chest. Mrs. Goodwin being Terrified by their talk and appearance, opened the Chest, out of which they took some Ammunition. The Deponent also heard one Tyler swear they would storm the Fort and put every one to Death; the Children they would Tawmehack. The Deponent asked Timothy Underwood August 11, 1784, for his (Goodwin's) Rifle, and said Underwood cocked his Rifle to shoot the Deponent."

Mrs. Lois King, who, with her husband, John King, had settled in Wyoming Valley in the Spring of 1784, deposed:

"Her husband's house is just above Forty Fort. Some time in the middle of July Phineas Stevens, Edward Inman, Elisha Satterlee and Ishmael Bennett, Jr., came to her house and threatened to set fire to it, with many other threats to throw her into the river. Being afraid of her life if she staid, the deponent came down to the town of Wyoming [Wilkes-Barré] to ask advice as to what she should do. When she went back to her house she found the roof tore off and the house plundered. Benjamin Jenkins, Gideon Church and William Jacques were in her house when she returned from the fort.

"The deponent, when she went back, collected what few things she could find, and came down about half a mile below her home to the house of the Widow Harris. When she came to the Widow Harris' she saw Gideon Church, who had come on before her, and Waterman Baldwin. When she had passed a little distance from Harris' house Waterman Baldwin shot at her. The ball missed her, but went through the thigh of her dog that was walking close by her side. She knows Baldwin fired at her, for she turned around instantly and saw him with his gun in his hand and the smoke of the powder over his head."

Pamelia Taylor deposed:

"About the 16th of July came one Stevens and several others to the house of deponents' father, and threatened to kill the old man—that they would cut him into inch pieces and burn him; any other death would be too good for him. Further, they said they would drive every one to the fort, and they would put men, women and children to death; that they disregarded the laws—there were none for them or against them; that they had kept the ground by the point of the sword, and were determined to keep it so still."

Colonel Franklin states that on July 18th, Benjamin Harvey returned from his mission to Sunbury and Philadelphia, bearing a letter from Sheriff Antes to Colonel Franklin, "giving information that he could grant the Yankees at Wyoming, no relief without assistance, which he could not then obtain; that he had not been able to obtain orders to raise a military force—without which it was in vain for him to attempt to execute his warrants against the rioters at Wyoming, or to grant relief to the unhappy sufferers; that he (the Sheriff) had received no answer in writing to the letters which he had sent by the hands of Mr. Harvey to the Supreme Executive Council and to Chief Justice McKean." Colonel Franklin further states, in his "Historical Sketches": "Mr. Harvey also informed us that the Chief Justice sent directions verbally to the Sheriff to do his duty, and not to send to him for orders."

According to Colonel Franklin (who seems to have been in command of the Yankees at Wyoming at this time), Maj. Joel Abbott, commanding a detail of twenty-three armed men, was sent out from Fort Defence on Tuesday, July 20, 1784, for the purpose of inspecting the growing grain on the "Shawnee", or Plymouth flats, which had been sowed by the Yankees in the Autumn of 1783, was now believed to be nearing maturity, and which they purposed harvesting. News of the movements of this reconnoitering party having, by some means, reached Fort Dickinson, Alexander Patterson despatched about forty of his henchmen, under the command of Capt. Henry Shoemaker (one of the Northumberland County Justices of the Peace), to intercept the Yankees. This they did by going into ambush alongside the highway near Ross Hill\*, not far from Shupp's Creek, in the eastern end of Plymouth Township.

Major Abbott's party, unsuspecting of danger at that point, were marching quietly along, when, without warning, they were fired upon by their hidden

\*See pictures facing pages 52, 72 and 208, Vol. I, and 1090, Vol. II.

foes. Two young men of the party were shot—Elisha Garrett being instantly killed, and Chester Peirce\* being so severely wounded that he died the next morning. The Yankees immediately fired into the bushes, whereupon the Pennamites, without returning the fire, fled with precipitation and returned by devious ways across the river to Fort Dickinson. However, they left behind them at the scene of action two of their band—Henry Brink and Wilhelmus Von Gorden†—who had been badly wounded by the fire of the Yankees, while a third member of the band returned to the fort with one of his arms broken and swinging at his side.

Franklin says that "the Yankees were by this time convinced that they must either be massacred, quit the country or, *like Yankees*, defend themselves. They resolved on the latter. The first law of Nature—the law of self-preservation—called them to arms!" Therefore, on July 22d, they first sent a messenger from Fort Defence to Fort Dickinson, to inform Patterson and his adherents that all the Pennamites who had families in the valley were at liberty to leave the fort and, without interference, remove their families and take all their movables out of the valley. "Their families," says Franklin, "were at that time living in every part of Wyoming, and a number of the men came to Shawnee from Fort Dickinson on the 22d, took off their families and furniture, and promised to leave the settlement. However, they removed no farther than the Garrison at Wilkes-Barré."

Then, the same day, sixty-two Yankees in command of Colonel Franklin, marched forth from Fort Defence and proceeded down the west side of the river to Plymouth, dispossessing every Pennamite family—excepting, on the score of humanity, the families of Henry Brink and Wilhelmus Van Gorden, who had been wounded two days previously, as related, and were then lying at their respective homes. Crossing over to Nanticoke, Colonel Franklin and his men marched up towards Wilkes-Barré, turning out every settler who did not hold under a Connecticut claim. The majority of the people thus dispossessed made their way to Fort Dickinson.

Referring again to the affidavits of the Pennamites, we find the following:

"William Brink, one of the Constables near Wyoming, and particularly for the Shawanese Township, in the County of Northumberland, personally appeared before the Hon. Thomas McKean, at Philadelphia, July 27, 1784, and made oath that on Tuesday, July 20, he and divers other inhabitants of the aforesaid Shawanese Township were informed that divers persons from Connecticut and Vermont were coming to Wyoming armed, and under the command of a certain Maj. Joel Abbott; and that a certain John Franklin was also coming there with another party of armed men.

"That he, this deponent, and between twenty and thirty of his neighbors, assembled together in the township aforesaid, armed with their muskets and bayonets, and staid in a body until about three o'clock, when they concluded that the Connecticut and Vermont party were not coming, and they thereupon set out for Fort Dickinson. Having marched about half a mile beyond the flat lands, commonly called the Shawnee Flats, and were got into a wood very thick with brush, they were fired upon by a party of men who lay in ambush, and three of them were wounded two mortally and one slightly. That some of the party with this deponent returned the fire, and then they all retreated back across the Susquehanna River and up to the Fort [Dickinson], where they all—or at least the greater part—remained, until Thursday, July 22d, when this deponent's wife sent his son, about twelve years of age, with a horse for him to ride home; but he left his horse at the Fort and returned home by water in a canoe.

"At the river's side he found his wife and family, also Ezekiel Schoonover's, Joseph Montane's, James Grimes's, Peter Taylor's, Preserved Cooley's, John Cortwright's and Nicholas Brink's families, and some others, standing there, women and children, under the guard of John Swift, Giles Slocum, Waterman Baldwin, Elisha Satterlee, John Inman and some others, armed with rifles and guns, who had driven them from their habitations, without suffering them to bring

\*See page 711, Vol. II.

†Some years later Wilhelmus Van Gorden applied to the State of Pennsylvania for an annuity, on the ground that he had been wounded in the hip "in an action with the Connecticut settlers at Wyoming July 20, 1784, while serving under Capt. Henry Shoemaker."—See "*Pennsylvania Archives*", Second Series, XV: 770.

anything with them except the Clothes they wore, and a few bed clothes for two or three of them. That this deponent then spoke to John Swift, and the others, and told them they had had recourse to the Law, and did they now mean to act arbitrarily and by force. He thought they had been contented; but they severally replied that they expected no satisfaction from the Law, and were therefore resolved to take their own satisfaction; that they meant to kill every man they saw carrying arms.

"They then asked the deponent whether he intended to take his wife and family into the Fort, to which he answered that he did not, but to take them out into the country down to the Delaware. They then told him they meant to take the Fort, and to show no quarter to those whom they should find in it, men women or children. That this deponent thereupon went with his family to Justice Seely's, about four or five miles from that place, where they remained all night, and the next morning proceeded with his family, cattle, and a little provisions, together with a blanket and coverlid, to the house of Mr. Tillbury, near the Delaware River, in Northampton County, where he left them while he set out for Philadelphia—which was yesterday morning [Monday, July 26, 1784]." \* \* \*

Henry Brink, aged twenty-two years, deposed as follows:

"That on July 20 as he the said deponent was marching in company with one Wilhelmus Van Gorden from Shawnee towards Kingstown flats, being about 100 yards in front of Squire Shoemaker and some others, near two miles from Shawnee Garrison\*, the deponent spied a dog in the road before him. He then turned to Van Gorden and asked what was the meaning of that dog being in the road. Van Gorden said he did not know, but believed it belonged to the house above. The dog then turned into the bushes, and the deponent looking at the bushes saw them shake. He told Van Gorden he believed there were Yankees there, but Van Gorden said it was nothing but calves. Immediately on mentioning this the second or third time there were eight or nine guns fired at the said deponent and Van Gorden, four shots of which hit and wounded the deponent—two through the left arm, one in the breast and one through the right arm, and one shot wounded Wilhelmus Van Gorden.

"The deponent further saith, that after the first eight or nine guns were fired the Yankees raised the Indian yell, and fired about fifteen guns before any of the Pennsylvanians fired a gun. The deponent further says that he and Van Gorden never discharged their guns. Van Gorden's rifle fell off his shoulder when he dropped."

Pamela Taylor deposed:

"That on July 20 she went to [the house of Frederick Eveland] to see Wilhelmus Van Gorden, a man that was wounded by the Connecticut party. Among some discourse she heard the wounded man say to one Thomas Heath, Jr., that the Yankees fired first. Further, he said that as they were walking along the road he [Van Gorden] spied a dog in the bushes, and was turning towards Henry Brink, who was next to him, to tell him he believed it was a Yankee dog; that, just as he was going to speak, he and Brink were shot; and, looking towards Heath, who was sitting on the bedside, he said: 'You are the person that was going to blow out my brains as I was lying there wounded; and you would have done it had it not been for one of your party that struck away your gun and reprimanded you.'"

Catherine Courtright, aged twenty-two years, deposed:

"On July 20th I was at the house my mother lived in. Thomas Heath, Jr., and Phineas Stevens, with four others, came into the house, while there was a great body of men out about the street. This was just at dark. The party ordered me out of the house, immediately, when one of said party took a chunk of fire and tried to kindle a blaze in one corner of the house, but could not. Stevens at the same time ordered him to burn it down, and then went off. Soon after Leonard Cole came, and swore he would have satisfaction if he killed every Pennamite on the ground. Then he went off. Then one Thomas Heath, Jr., came and told about the shooting of Brink and Van Gorden. Heath said he drew his tomahawk and ran up to Van Gorden to tomahawk him, but Van Gorden begged for quarter. Heath said he then drew back into the bushes to load his gun again. Then guns began to be fired from all quarters.

"John Franklin, who was commander of said party, came to the door and ordered my mother and myself to be off by daylight, or be prepared for what would follow. One of the party said: 'Damn their souls, nail them up in the house and burn them all up alive!'"

Mary Cooley (the wife, undoubtedly, of Preserved Cooley), being duly sworn, deposed:

"About the 20th or 21st of July, as I was dressing the wounds of Henry Brink who had been shot in four places by a party of the Connecticut settlers, John Swift, William Slocum, Wm. Smith, Mason Fitch Alden & a number of other men, to the number of fifteen, came to my house. Swift ordered me to be out of the house by the next morning; I told him I could not go & leave the wounded man, & likewise ask'd him by what authority he ordered me out. Swift damn'd me and said it was by his own. Further, he said with a Severe oath, if I was not out by Nine o'clock to morrow he would burn the house over my head, I said I had but one life to lose; if it was my fate to be kill'd by him, I could not help it. Swift then ask'd where Mr. Cooley was; I told him I did not know but that he had kill'd him. Swift said, let him be where he would, if he could find him arm'd or unarm'd he would kill him—and then went off.

"The second Day after, Prince Alden, William Jones, Waterman Baldwin, Daniel Peirce, Phineas Stephens and one Bennet came to my house. Wat. Baldwin told me the half hour was

\*This was Shawnee Fort, mentioned on page 886, Vol. II. It was undoubtedly not much more than a ruin in 1784



Expired & I must march. I begged for time to move my things off. Peirce & Baldwin told me I should have none, & immediately Threw my things out of the house and marched me off with a Guard to the River, I begged of them to let me have my cows, which they utterly Refus'd. I ask'd Phineas Stephens & William Jones how they Expected to hold the Lands. They said no other way than by the Point of the Sword. Before I cross'd the River I saw William Smith, one Brown & Ishmael Bennet Plunder & carry off my meal, &c. I then Crossed the River and came to the fort for my further Safety."

Charles Manrow, aged thirty-five years, deposed:

"That on July 22, 1784, about 100 of the New England party, among whom were John Franklin, Giles Slocum, John Hollenback, John Ryon, one Burnham and Abraham Westbrook came to the house of this deponent, living in Stoke Township, near Nanticoke, in said County of Northumberland, all with arms. That John Franklin, when he came up to this deponent's house, spoke to him and ordered him to march; upon which the deponent replied that it was just night, and that he could not get his creatures so that he could get away. Giles Slocum immediately says: 'March away with your family up to the fort!' The deponent still desired to remain until morning, and go down the river, but Giles Slocum insisted that if he did not go that night, and should remain there till morning, he would *make a corpse of him*—and afterwards went away towards the fort. That this deponent, not thinking himself safe to stay in his house, left it and his family in it, and returned to his family about a week after."

Hannah Schoonover deposed as follows:

"On July 22nd, about sunrise, I saw Waterman Baldwin, Doctor [George] Minard, and a number of others belonging to the Connecticut party, coming towards my house. I stepped out of the door and ordered my sister-in-law to stay in the house and bar the door with an iron bar which was used for that purpose, and by no means to open the door for them. When they came up Waterman Baldwin asked me if there were any men in the house or about it. I told him there were not. He then asked me to open the door. I told him I would not. He then said he would soon find a way to open it, and he broke it open. Said Baldwin then asked me to open the chests, and I told him I would open none for him nor no other person. He then broke open the chests and plundered them of all the most valuable effects.

"Baldwin with his party then went off, and in about an hour after returned with a number more; then ordered me to take my effects and march off to the fort, or through the Swamp. I refused to do either; upon which they took and threw all my goods out of the house, and went off. Immediately afterwards one Inman came with three or four others, and ordered me to go with them to Shawnee Garrison. I refused, and they told me that if I did not I should fare worse. When I saw there was no help for me I went with them down to the Garrison, where I saw John Franklin with about forty men. Said Franklin commanded the party, and told me to march through the Swamp or to the fort. If I did not, I would be abused."

William Hartman deposed as follows:

"About July 22d Josiah Pell, three of the Inmans, one William Jones, and a number of others of the Connecticut claimants, came to the house of the deponent with John Franklin their commander, who ordered him to move off immediately. The deponent heard numbers of the party say they intended to drive all the inhabitants into the fort, and after they had done that they intended to storm the fort and kill every man, woman and child. The deponent further heard Elijah Harris say that a number of them lay in ambush to shoot the Pennsylvanians who were coming up that way, and would have killed them all, but were discovered by a dog, which caused them to fire sooner than they would have done; and that their party had the first fire, and shot down but two—Wilhelmus Van Gorden and Henry Brink."

In the morning of Friday, July 23, 1784, Colonel Franklin and his command marched into the village of Wilkes-Barré and prepared to lay siege to Fort Dickinson. Franklin, in one of his "Plain Truth" articles and in his "Brief," previously mentioned, states: That when the Yankees entered the village the Pennamites fired upon them several times with the field-pieces in the fort, but they received no injury; that the fort was equipped with two 4-pounder cannon (field-pieces) two swivel-guns and one wall-piece; that four small block-houses on the River Common, occupied as outposts, formed part of the defenses of the fort; that these outposts and the fort contained in the aggregate about 100 men.

The only firearms possessed by the Yankees were muskets, rifles and pistols, but nevertheless they surrounded the fort and its outposts. The same day they took possession of a grist-mill, about a mile from the fort, at Mill Creek, and the only one then in the valley that was in condition to be operated. They also took possession of several houses in the village, at no great distance from the fort, which they occupied as places of defense. In order to dislodge the Yankees

from these houses, the Pennamites made a sortie from Fort Dickinson on July 24th, and, setting fire to one or two houses adjacent to those occupied by the Yankees, a general conflagration took place, in which twenty-three houses were burnt to the ground.

Franklin says: "This did not intimidate, but exasperated, the Yankees, and on the same day, July 24th, Capt. John Swift was detached with twenty-six Yankees to take post on the west of the garrison to annoy the enemy in their block-houses on that quarter, when he attacked two of the block-houses near the bank of the river, thirty-five rods from the garrison, guarded by ten men in each. The enemy were compelled to retire to the garrison, when Swift took possession of their posts. We surrounded them on every quarter, and we entrenched so near their garrison that we silenced their field-pieces and compelled them to block up their port-holes. *By this time the wheels of Government began to move!*"

On Sunday, July 25th, William Smith, a son of William and Margery (Kellogg) Smith (early Connecticut settlers in Wyoming Valley), and one of the Yankees in the detachment commanded by Captain Swift, was killed by a shot from Fort Dickinson.\*

The investment of Fort Dickinson by the Yankees was still effective on July 27th, when a letter was sent to the occupants of the fort, reading as follows†:

"Gentlemen,

"Wyoming, July 27th, 1784.

In the name and behalf of the Inhabitants of this place, who held their Lands under the Connecticut Claim, and were lately, without Law, or even the Colour of Law, drove off from their Possessions and Property in a hostile and unconstitutional manner—we, therefore, in the name of those injur'd and incens'd Inhabitants, demand an immediate Surrender of your Garrison into our hands, together with our Possessions and Property; which, if Compl'd with, you shall be treated with Humanity and Commiseration; otherwise the Consequences will prove fatal and bloody to every person found in the Garrison. We give you two Hours for a decisive answer, and will receive the same at Mr. Bailey's.‡

[Signed] "JOHN FRANKLIN, in behalf of the injured."

"To the Officers at the Garrison in Wyoming. By the hands of M. Hollenback."

Referring once more to the affidavits mentioned, we learn that at Philadelphia, under the date of July 28, 1784, Capt. John Armstrong, who had just returned from Wilkes-Barré, deposed before Chief Justice McKean as follows:

"The party from Connecticut fired upon the fort, where some of the settlers under Pennsylvania, whose lives had been threatened, were assembled for safety. That on Thursday last, the twenty-second day of this present month, a number of men, women and children flew into the Fort for protection, who reported that they were expelled their houses by an armed force, plundered of every species of property, and that their lives were threatened by the settlers under the State of Connecticut and a party lately from Vermont. That on the twenty-third of this month a large party appeared embodied near Fort Dickinson, and soon after fired upon the inhabitants, who had fled there for safety.

"This deponent further saith, that reflecting on the unhappy situation of the women and children who lived near to the Fort, in being exposed to the fire of both parties, he begged of a widow, that had two sons with the aforesaid party, to desire that they would cease firing, until she and some more in a similar situation could be removed to a place of safety, which she accordingly did; and thereupon they sent her word that there should be no firing for two hours. He

\*His remains were interred the same day in the old grave-yard on East Market Street, Wilkes-Barré, and a grey Hagstone bearing the following inscription was subsequently erected at his grave: "1784 | HERE lies the Body of | WILLIAM SMITH | Mortals attend he was | call'd forthwith | He left the world at—| twenty-five | A warning to all | that's yet alive | His zeal for justice tho | hard to relate | It caus'd his flight from | his mortal state."

†About 1867 the remains of William Smith, and the old gravestone above mentioned, were transferred to the new Wilkes Barré cemetery—now known as the "City Cemetery"—on North River Street, where, twenty-five or thirty years ago, the present writer copied from the original stone—which was then standing there, and may be still—the inscription as herein printed.

‡Miner states in his "History of Wyoming", page 360, that William Smith (known as "Big William") was shot through the body while attempting to obtain water from the river, during the investment of Fort Dickinson by the Yankees in the latter part of September, 1784. Undoubtedly Mr. Miner fell into an error in stating that September was the month in which the death of this man occurred, inasmuch as Colonel Franklin recorded the incident in his journal at the time it took place—*viz.*, July 25, 1784.

\*See "Pennsylvania Archives", Old Series, X: 621.

†Mr. Benjamin Bailey is here referred to. His house, at that time, was at the corner of North Main Street and Public Square.

then went to assist a certain Mrs. Spaulding, a lone woman, to remove her family and property, but he had scarce left the gate of the Fort when he was fired upon by the aforesaid Connecticut party. That they continued to fire upon the inhabitants, wounded a boy of about twelve years old, an old man above sixty-five years of age, and shot at a very young boy riding on a horse, and wounded the horse; and that Hostilities had not ceased on Sunday morning, the twenty-fifth instant, when he left the place."

Samuel Kerr deposed as follows:

"On July 23rd Lord Butler took him, the deponent, prisoner to John Franklin where he received considerable abuse and was ordered to turn off from his premises. Likewise Ishmael Bennet threatened to blow out his brains if ever he, the deponent, was seen on the ground again."

Mrs. Catherine Sims, aged thirty years, a resident of the village of Wilkes-Barré, and undoubtedly, the wife of William Sims, who was an inmate of Fort Dickinson during its investment, deposed as follows:

"In the forenoon of the twenty-third of July last, the deponent saw a number of the Connecticut settlers coming from the Woods southward of the house in which the deponent lived in Wyoming [Wilkes-Barré]. As they directed their course towards the house, the deponent fastened the door. When they came up they ordered her to open the door & let them in; she refused, and then they attempted to force the door open, but failing in that, they burst open & broke a Window, at which one entered & opened the door inside & let the rest in. William Slocum burst open the Window. When the party came in they turned her out, & ordered her to go into the Fort, which she said she would not do, as she had rather stay in her own house.

"They then went to the Window and began to fire upon the Fort. They fired several guns upon the fort before one shot was returned. William Slocum and William Ross were the only two of the party that Deponent knew. After firing pretty briskly for about half an hour they went off, leaving the Deponent and her children in her house. The next morning Giles Slocum and Phineas Pearce came to the Deponent's about breakfast time, and asked for Deponent's Husband. She informed them that he was not at home. Giles Slocum looked about the house, and observed to the Deponent that she had removed some of her Effects; she answered no, that she had taken her Bed & slept with her children in the Cellar, as she was afraid to stay up stairs. Giles Slocum and Phineas Pearce, who both had fire-arms, went into the Garden and crept through the potatoes up to the head of the Garden toward the fort, and laid down under the fence.

"While Slocum & Pearce lay in the Garden, Phineas Stephens and two others came to the door and, seeing the Deponent's two Cows at the door, Stephens ordered the other two that were with him to take off the Cows. The Deponent entreated them at least to leave her one Cow, but they would not. The deponent took hold of the Rope of one of the Cows, but Stephens struck her away, & ordered her to remove with her children, for if he caught her in the house again it would be worse for her. The deponent was forced to remove. While she was trying to get a few of her things out of the house, Nathan Carey, Richard Inman, one Hibbard, one Gore, Wm. Ross, Nathan Walker & many others came up to the house. A short time after she removed into the fort. A smart firing begun soon after.

"The Deponent before she went to the fort went to John Franklin who commanded the Connecticut party to endeavour to get her Cows. He gave her no satisfaction. Every thing the Deponent left in her house was plundered and her garden destroyed."

Elizabeth Van Norman deposed as follows:

"On Saturday, the 24th of July, as I was helping Mrs. Sims to move her effects to the fort, I heard Richard Inman & William Hibbard, in Company with a Number of others, Declare that as long as there was six of them Living they would lay in the woods and would kill and Destroy all they could. At the same time Richard Inman told me to move away, for there was one of their men gone to John Swift for orders to shoot at Women & Children. During this time the Connecticut People kept up a constant fire towards the fort. The Tuesday following, as I was fetching a Pail of Water, there was Eight guns fired at me by the aforesaid Connecticut Party."

The Supreme Executive Council met at Philadelphia, on Saturday, July 24, 1784, when several letters from Northumberland County were read. They had been brought to the city by Justice David Mead, were addressed to Lieut. Col. James Moore, and gave accounts of the recent disturbances at Wyoming—dwelling in particular on the skirmish at Ross Hill, on July 20th. The Council immediately ordered that the Sheriff and magistrates of Northumberland County "be directed and required to exert every legal means in their power to suppress these or any future outrages, and if possible, bring the authors of them to immediate punishment." The Council also ordered that Col. Thomas Craig\*, Lieutenant of the county of Northampton, be instructed "to hold some part of the militia of the said county in readiness to march at a moment's warning,

\*See note, page 670, Vol. 11.

should the temper of the malcontents at Wyoming make a military interference necessary."

The same day Lieut. Col. John Armstrong, Jr., Secretary of the Council, wrote to the magistrates and the Sheriff of Northumberland County as follows:\*

"We are sorry to learn that the disturbances in the neighborhood of Wyoming have within these few days revived under so serious a form & that the two parties have proceeded to actual hostilities. In this situation it becomes the duty of Council to require you, by every legal means in your power, thoroughly to investigate the facts & to proceed with the utmost vigor & impartiality so that every Person committing an outrage upon the peace of the County & the dignity of the State may be duly punished. The more effectually to countenance these proceedings Council have thought proper to direct the Lieutenant of Northampton County to hold a militia detachment in immediate readiness to proceed to your aid, should any assistance of this kind be thought necessary."

This letter was placed in the hands of David Mead, who, without delay, set off for Sunbury. Meanwhile Capt. John Armstrong and Constable William Brink were hastening from Wilkes-Barré to Philadelphia, where Brink arrived July 26th, and the next day went before Chief Justice McKean and made the affidavit printed on page 1398. Armstrong having left Wilkes-Barré on July 25th, reached the city on the 28th, and the same day made the affidavit printed on pages 1395 and 1400.

When the Supreme Executive Council met on July 29th, a number of papers including the depositions of Armstrong and Brink—relating to the disturbances at Wyoming, were laid before it. Chief Justice McKean (having just been reappointed to his office) attended in Council, and was instructed to issue writs forthwith upon the depositions of Armstrong and Brink. The Council then adopted the following preamble and resolutions:†

"The Council taking into consideration the evidence before them, and the emergency not permitting to wait any longer for the sense of the Honorable the General Assembly—

"Resolved, That the peace and good order of Government are interrupted by sudden and dangerous tumults and riots near Wioming in the county of Northumberland for the suppression of which the immediate aid of the militia is expedient and necessary.

"Resolved, That the Lieutenant of the county of Northampton be directed immediately to draw forth a detachment of 300 infantry and twelve or fifteen light dragoons, properly officered and equipped, from the militia of the said county.

"Resolved, That the Sheriff of the county of Northumberland immediately raise the posse of that county, and that the Lieutenant thereof add his authority to that of the Sheriff, so that the aid of the militia of the said county may be forthwith and effectually obtained, as the exigency requires.

"Resolved, That the militia and posse aforesaid act under the direction of the Commissioners hereinafter appointed for suppressing the tumults and riots aforesaid, and in duly executing the laws of the State.

"Resolved, That the Hon. John Boyd‡ and Lieut. Col. John Armstrong, Jr., § be appointed Commissioners for carrying into execution such measures as shall be judged necessary and ex-

\*See "Pennsylvania Archives", Old Series, X: 295.

†See "Pennsylvania Colonial Records", XIV: 167.

‡JOHN BOYD, JR., who, at the time of his appointment, was a member of the Supreme Executive Council, was born in Chester County, Pennsylvania, February 22, 1750, the third son of John and Sarah Boyd, who had immigrated to America from the North of Ireland, in 1744. Some time prior to the erection of the county of Northumberland, the Boyd family removed from Chester County to what is now the borough of Northumberland. William Boyd, who was a Second Lieutenant in the 12th Pennsylvania Regiment, Continental Line, and was killed at the battle of Brandywine, September 11, 1777, and Lieut. Thomas Boyd, who was an officer in the Sullivan Expedition, and was taken prisoner and put to death by the enemy (as related on page 1215, Vol. II), were sons of John and Sarah Boyd.

John Boyd, Jr., was commissioned a Second Lieutenant in the 12th Pennsylvania Regiment, Continental Line, October 16, 1776. Col. William Cooke (not "Cook", as erroneously printed in the note on page 818, Vol. II) commanded the "12th" at that time, and among its line officers were Capt. Alexander Patterson and Lieutenants Blackall William Ball, Christian Gettig and John Armstrong, mentioned hereinbefore. Lieutenant Boyd was promoted First Lieutenant and transferred to the 3d Pennsylvania Regiment, Continental Line, in July, 1778, and was promoted Captain-Lieutenant, August 13, 1779. During his connection with the 12th and 3d Regiments, Captain Boyd took part in the battles of White Plains, Germantown, Brandywine and Stony Point. At the last-mentioned place he was one of the fifty men who composed the "forlorn hope" led by Gen. Anthony Wayne. January 17, 1781, Captain Boyd was retired from the 3d Regiment and appointed Captain of a company of Pennsylvania Rangers raised in Bedford County, Linn, in his "Annals of Buffalo Valley", Pennsylvania, says that some time in 1781 Captain Boyd marched with his Rangers, numbering about forty men, on an expedition to the Juniata River. Near Raystown they were surprised by a large body of Indians, who, after a sharp fight, compelled the Rangers to flee in disorder, leaving Captain Boyd, severely wounded in his head, a prisoner in the hands of the savages. He was placed in charge of an old Oneida squaw, who dressed his wounds and attended him with care during the march of the war party back to Canada. She accompanied him to Quebec, where he gained admission to a hospital, and, attended by a British surgeon, soon regained his health. He remained at Quebec until he was exchanged.

Captain Boyd was retired from the military service of the State in the latter part of 1783, and about that time became a member of the Pennsylvania Branch of the Society of the Cincinnati. In 1784 and later years he was frequently referred to as "Major" Boyd. He was a member of the Supreme Executive Council of Pennsylvania in 1784,

pedient for the support of the civil authority, by establishing peace and good order in the county of Northumberland.

"Resolved, That John Van Campen\*, Esq., be appointed Commissary to furnish provisions to said troops."

Immediately upon the adoption of the foregoing resolutions, Colonel Armstrong sent a copy of the same to the Lieutenant of Northampton County, Col. Thomas Craig, at Easton, together with a letter reading as follows‡:

"Captain Boyd and myself have already directed a supply of ammunition to be forwarded to you. We shall exert ourselves to procure an immediate conveyance for it. The resolutions which regard the county of Northumberland are dispatched thither by Express, & we hope that an immediate co-operation may be brought about. I have now to request, from personal as well as public motives, that you will make choice of such officers as, from your acquaintance with them, will best merit your nomination & the confidence of the State. \* \* \* We propose to set off to-morrow [Thursday, July 30th] or next day, at farthest, and hope to find ourselves enabled to proceed without any great delay.

On the same day (July 29th) Colonel Armstrong wrote to the Sheriff at Sunbury, and sent with the letter, several writs to be executed at Wyoming. He also wrote to Capt. William Wilson, Lieutenant of the county of Northumberland, as follows‡:

"Enclosed you have a copy of some resolutions of Council of this day. They are of such a nature as to require your greatest possible industry & attention.

"In addition to them I have to tell you—that Council, from the confidence they have in your capacity & Attachment, wish you to engage for the supply of the Troops which may be called forth by your Order. The price they propose to give is 10½ pence per Ration. The quantity to be procured must depend upon your own Calculations—for as this business will be subject to much Contingency, it is impossible for Council to hazard a single conjecture on that score.

"I have also to communicate their wishes that you will not only pay the greatest attention to the Character of the Officers nominated to the Command of the men (& by all means avoid such as have been distinguished by their predilections to either side of the Question), but that you will also come on with the troops yourself to the ground opposite to ye mouth of Nescopeck Creek, where we will endeavour to meet you with the Northampton Detachment. As it is impossible to calculate with much precision upon the movements of Militia, we cannot venture to name the day on which we shall be there, but the probability is that we shall reach it before you, as it is our intention to move as expeditiously as possible. If so, we will communicate with you by letter, or otherwise, & direct to what other point you are to shape your movements.

"The Sheriff of your County will receive the Orders of Council to co-operate with us, & under the countenance we shall afford, be prepared to execute the writs which have been issued by the Judicial authority.

"You will remember, also, to bring with you whatever ammunition or other public stores that may be deposited at Sunbury. If you should have no powder, you will make a purchase of such quantity as will be necessary for your party, as it might be imprudent to come forward without it.

"I have only to add, yt. if you should be at the place of Rendezvous before us, you will take such steps as will best secure you against disasters of any kind. All this command, however, you are to exercise with great address, & let it appear to be rather the effect of advice & persuasion, than the result of authority."

At Philadelphia, on July 29th, President Dickinson, of the Supreme Executive Council, issued a letter of instructions to Commissioners Boyd and Armstrong, reading as follows§:

"You are so well acquainted with the intentions of Council in appointing you Commissioners, that it is unnecessary to say much to you upon the subject. You will use the utmost diligence to forward the embodying and equipping of the Militia, so that they may march with all possible expedition. We doubt not but you will so effectually guard, that, in their movements, the Troops

\*85 and '86, and in December, 1787, was a member of the Pennsylvania convention which ratified the Federal constitution. He was a Presidential Elector in 1792, and was appointed by President Washington an Inspector of Internal Revenue for Pennsylvania. He was Register of Wills and Recorder of Deeds for Northumberland County from December, 1805 to January 18, 1809. At the close of the war, Captain Boyd engaged in mercantile business at Northumberland in partnership with Capt. William Wilson. They also built at Chisquisaque, in 1791, a mill which they operated for a number of years.

†Captain Boyd was initiated a member of Lodge No. 22, Ancient York Masous, at Sunbury, Pennsylvania, January 27, 1780, being the first person made a Free Mason in this Lodge. In the following July he became one of the original members of Pennsylvania-Union Lodge, No. 29, A. Y. M., referred to in first paragraph on page 1346. He was re-admitted to membership in Lodge No. 22, May 2, 1787, and was Worshipful Master of the Lodge in 1789, 1799, 1800 and 1801.

‡Captain Boyd was married May 13, 1794, to Rebecca, daughter of Col. John Bull, of Northumberland, and they became the parents of five daughters and two sons. Captain Boyd died at Northumberland, February 23, 1831.

§Colonel ARMSTRONG was at this time Secretary of the Supreme Executive Council.

\*A resident of Northampton County, Pennsylvania, whose name is several times mentioned in these pages. He agreed to furnish rations to the troops for the sum of ten and one half pence per ration.

†See "Pennsylvania Archives", Old Series, X: 303.

‡See *ibid.* 304.

§See "Pennsylvania Archives", Old Series, X 591.

are not exposed to any surprizal; and that the Militia of the Counties of Northampton and Northumberland may support each other.

"You will act in such manner as to convince the Insurgents that while we are determined to have Justice rendered to all persons without distinction, we are also resolved to preserve peace and good order within the Commonwealth. If this end cannot be attained without employing force, you will give such orders as shall appear to you most advisable for executing the laws of the State and impressing a just Respect for them."

Returning now to Wilkes-Barré, we find that on July 29th, the following-named persons arrived here from Sunbury, to wit: John Scott, Coronor of Northumberland County; Thomas Hewitt, a Justice of the Peace; and William McCord, an influential citizen of the county. From the headquarters of the Yankees (by whom they were well received) these gentlemen, on July 30th, addressed a Communication to Alexander Patterson, Blackall W. Ball and Samuel Read, at Fort Dickinson, in which they set forth that, at a recently-held meeting of the magistrates, county officers and a number of the leading citizens of Northumberland County, the "distressed situation" of the inhabitants of Wyoming—"both New Englanders and Pennsylvanians"—had been taken into consideration and Messrs. Scott, Hewitt and McCord had been appointed a committee to repair to Wyoming and "request both parties to cease hostilities until the further mind of the Council and Assembly be known."

In conclusion the committee wrote: "In pursuance of the above, we, the subscribers, are arrived for that purpose, and do crave a conference with you, either by committee—to meet a committee from the other party—or otherwise, as you shall think most proper. We would wish you to be as expeditious as possible, as we are under an obligation to make our return as soon as possible."

To this communication Messrs. Patterson, Ball and Read responded immediately, as follows\*:

"We are honored by yours of this date, and conceive ourselves much obliged by the trouble you and the magistrates of this county have taken in this instance. There will be no hostilities commenced on our parts, and we shall be happy to see you *at the Garrison* when you think proper to honor us with a visit. Everything that may tend to the good of this Government, and the safety of the lives of the citizens, shall be strictly observed on our part. We wish a conference with you, as soon as may be, *at this place*. Capt. [Andrew] Henderson waits upon you for an answer, or to accompany you to the Garrison."

To this the committee sent a reply by the hands of Captain Henderson, to the effect that they would like to meet the representatives of the Pennamite party at three o'clock in the afternoon of that day at the inn of John Hollenback; and stating, further, that the committee had "the utmost assurance from Mr. John Franklin, Mr. John Swift, Mr. Phineas Peirce and others" that those persons who should represent the Pennamites at that meeting would be "treated with the utmost civility." To this Captain Patterson and his associates answered:

"We would be happy to meet you at Mr. Hollenback's, But we wish first to know whether *you are the only Persons that we are to meet*; and whether you, as an Embassy from the Magistrates of this County, are restricted from having Egress and Regress to any part of said County. Permit us to observe, that we cannot conceive it consistent with our duty to meet at the place appointed, being at too Great a distance from the Garrison."

In reply to this the Sunbury Committee of Mediation sent to the fort a messenger carrying a flag of truce and a brief communication to the effect that, inasmuch as the committee was "not permitted to enter the Garrison," and as the house of Mr. Hollenback was declared "to be too far from the Garrison," the occupants of the garrison were desired to send a committee as soon as possible under a flag of truce, to the house of Mr. Slocum, to meet the Sunbury Committee. To this a reply was sent the same day (Friday, July 30th), signed by Alexander

\*See "Pennsylvania Archives", Old Series, X: 625.

Patterson, B. W. Ball, Samuel Read and Andrew Henderson, and reading as follows:

"We received your last, per Flag. We will meet you instantly at the place appointed. In the interim we expect all hostilities to cease. It shall be strictly observed on our part, but we are sorry to inform you that this instant our people were fired upon."

Colonel Franklin states, in one of his "Plain Truth" articles, that the meeting arranged for through the foregoing correspondence duly took place, and "a cessation of arms was agreed on between the Yankees and the party in the Garrison." Two days later (Sunday, August 1st), at three o'clock in the afternoon, the same parties met again by agreement, under a flag of truce, at the house of Giles Slocum, (on River Street, just north of South Street), and later in the day the Sunbury Committee set out on their homeward journey.

As noted on page 1401, Lieutenant Colonel Moore was in Philadelphia, when, on July 24th, the Supreme Executive Council resolved that the County Lieutenant of Northampton should be instructed "to hold some part of the militia of the said County in readiness to march at a moment's warning," etc. The resolves of the Council were placed in the hands of Colonel Moore, and he immediately repaired to Easton.

Upon his arrival there he received some fresh news from the seat of war at Wilkes-Barré, brought by Isaac Van Norman; whereupon Colonel Craig (the County Lieutenant) and Colonel Moore, conceiving that in all probability it would soon be necessary to send a force of militia to Wyoming, resolved to immediately embody some twenty or twenty-five volunteers, place them under the command of Capt. William McDonald\*, and send them forward to some point of vantage on the Sullivan Road, there to go into camp, guard the only approach to Wyoming Valley from Easton and the lower end of Northampton County, and await further orders.

Captain McDonald and his party (several of whom were New Jerseymen), accompanied by Isaac Van Norman, marched from Easton on Wednesday, July 28, 1784, and following the Sullivan Road, proceeded to a point on the road about one-half mile from the south-eastern end of Locust Hill†, in what is now Tobyhanna Township, Monroe County, Pennsylvania. Here there was a clearing of some size—made about a year before‡—in which there stood a small log house, occupied then or later by a man named Brown. This place was forty-three miles from Easton and twenty-two and three-quarters miles from Fort Dickinson, at Wilkes-Barré. About the time the party reached this point—which was in the afternoon of Friday, July 30th—they were joined by Colonel Moore.

Leaving this vanguard of Northampton County Pennamites at Locust Hill, let us turn our attention again to Wilkes-Barré, where, on July 30th, as before stated, representatives of the Pennamites in Fort Dickinson, under the command of Alexander Patterson, and of the Yankees garrisoned in certain houses in the village of Wilkes-Barré, under the command of John Franklin, held a conference with the Committee of Mediation from Sunbury.

From Colonel Franklin's "Brief" and "Plain Truth" articles we learn that late in the evening of July 29th an express from Easton arrived at Wilkes-Barré,

\*Colonel Franklin, in his "Brief", refers to McDonald as "a noted villain from New Jersey who had been active in driving off [from Wyoming] the Yankee women and children, and had made his escape from the valley the morning the Yankees surrounded the Garrison."

†LOCUST HILL, sometimes erroneously called Locust Ridge, is referred to hereinbefore on pages 1172 and 1175. It is a distinct hill, having a base of about a mile in diameter and an elevation of 600 or 700 feet above the surrounding country. It was originally covered mostly with locust trees, but to-day there are very few growing there. On its south-easterly face it is free from rocks and ledges. The old Sullivan Road, still a traveled highway at that point, runs along the face of the hill near its base. The hill is about four miles east by south from the village of Thornhurst, on the Lehigh River.

‡Undoubtedly by one of the settlers mentioned by Dr. Schopf.

with a letter for the Pennamites in Fort Dickinson, informing them that Captain McDonald's company of volunteers had set out from Easton on July 28th, and would probably march to Wilkes-Barré. Before the express was able to reach the fort he was intercepted by some Yankee scouts in the outskirts of Wilkes-Barré, and the letter which he carried being secured and read, the leaders of the Yankees were aroused to immediate activity. It was soon agreed that a company of forty or more men, under the command of Capt. John Swift\*, should march forth from Wilkes-Barré "to view and watch the movements" of the

\*JOHN SWIFT was the third child and second son of Elisha and Mary (Ransom) Swift. Elisha Swift who was the eldest child of Jabez and Abigail Swift, was born at Sandwich, Massachusetts, May 16, 1731.

Heman Swift (born at Sandwich in 1733; died at Cornwall, Connecticut, November 14, 1814) was a brother of Elisha Swift. At an early age he became a Lieutenant in the Provincial forces during the French and English War, serving on the northern frontier. During the Revolutionary War he served as Colonel of a Connecticut regiment in the Continental Line. After the war he resided in Cornwall, Connecticut, where he held various civil offices. For twelve years in succession he was a member of the Governor's Council, and at the same time, or later, was a Judge of the Litchfield County Court.

About 1735 Jabez Swift removed with his family from Sandwich to Kent, Litchfield County, Connecticut. He was a Representative from Kent to the General Assembly of Connecticut in 1757, '58, '59 and '60, while his son Elisha held the same office in 1768, '69 and '70.

Elisha Swift was married at Kent December 13, 1756, to Mary Ransom, (born December 4, 1737), and they became the parent of the following-named children: (i) *Heman*; (ii) *Roxalana*; (iii) *John*; (iv) *Philetus*; (v) *Alice*; (vi) *Phila*; (vii) *Jabez*; (viii) *Severus*; (ix) *Levis*; (x) *Elisha*.

Elisha Swift, Sr., made his first appearance in Wyoming, so far as existing records show, in June, 1772, when he came as a settler under the auspices of The Susquehanna Company. At Wilkes-Barré, on October 2, 1772, he and his sons Heman and John signed the memorial to the Connecticut Assembly printed on page 751, Vol. II. Shortly afterwards the family took up their residence in Kingston Township, where on July 20, 1772, Elisha Swift had purchased from John Jenkins, Sr., an original proprietor, "House Lot No. 14", containing upwards of four acres and lying near the bend of the river, in what is now the borough of Forty Fort. In February, 1773, he bought for £100 certain lands in Wilkes-Barré which originally had been allotted to Thomas Stephens.

In 1773, Elisha Swift presided as Moderator at several town-meetings, and when the town of Westmoreland was organized in March, 1774, he was elected to several offices. In December, 1774, he was a member of the School Committee of the town, and in the Summer of 1776, was a member of the Westmoreland Committee of Inspection. He died at his home in Kingston Township in the Winter of 1776-'77. His widow continued to reside in Kingston until after the battle of Wyoming, when, it is presumed, she returned to her old home in Connecticut, accompanied by her younger children—at all events their names do not appear in later Wyoming records.

(i) *Heman Swift* first came to Wyoming in 1772. In March, 1776, he was one of the Westmorelanders who offered their services as soldiers to the Continental Congress, as related on page 870, Vol. II. In the following August (being then in his twentieth year) he was appointed by Congress and duly commissioned Ensign of the "First Westmoreland Independent Company", commanded by Capt Robert Durkee. (See page 892, Vol. II.) How long he continued in the military service, or what ultimately became of him, the present writer has been unable to ascertain.

(iv) *Philetus Swift*, next younger brother of John Swift, was a private in the 2d Connecticut Regiment, Continental Line, commanded by his uncle, Col. Heman Swift, in the Revolutionary War. In later years he became a Brigadier General of militia.

(iii) JOHN SWIFT, son of Elisha and Mary (Ransom) Swift, was born June 17, 1761, at Kent, Litchfield County, Connecticut, and accompanied the other members of his father's family to Wyoming Valley, where they removed hither in the Summer of 1772—he being then eleven years of age. Four years and three months later he enlisted as a private in the "Second Westmoreland Independent Company" (see page 894, Vol. II), commanded by Capt. Samuel Ransom—who was in some wise related to his mother. He served in this company up to the time it was united with Captain Durkee's company and placed under the command of Capt. Simon Spalding, as narrated on page 978, and then he served under Spalding at Wilkes-Barré until January 1781.

Upon the reorganization of the Connecticut Line in January, 1781, John Swift became a private in the company commanded by Capt. John Durkee, Jr., in the 1st Regiment, Connecticut Line, commanded by Col. John Durkee, the founder and namer of Wilkes-Barré. He continued in this regiment (see page 1329) until it was mustered out of the Continental service in the Summer or early Autumn of 1783.

Upon leaving the army John Swift went to his old home (Kent) in Connecticut, where, undoubtedly, his mother and his younger brothers and sisters were then living. There he was married to *Roxalana Sawyer*, March 6, 1784. About that time the people of Connecticut were beginning to hear a good deal concerning the pernicious activities of the Pennamites at Wyoming, and soon thereafter John Swift determined to take a trip to the valley, ally himself with the distressed Yankees, and aid their cause to the best of his ability. He joined them while they were occupying "Fort Lillopee", and in a very short time, by reason of his bravery, earnestness, good judgment, and loyalty to his associates and their cause, he became one of the Yankee leaders in Wyoming, and was dubbed "Captain". He was at that time only twenty-three years old.

During the next few years Captain Swift took a very active part in Wyoming affairs, and his name appears often on the pages hereinafter. He made his home in Kingston Township, whither he had brought his wife after the close of the Second Pennamite-Yankee War. In April, 1788, he sold his land in Kingston to John Pierce, and removed with his family to Athens, Pennsylvania, where he owned several lots of land. As noted on page 806, Vol. II, John Jenkins, Jr., and John Swift purchased a township of land in Ontario County, New York, the same now being Palmyra, Wayne County, New York, on the southern shore of Lake Ontario.

During the Summer of 1789, Captain Swift moved into this township, erecting the first house—which was of first-hand—a store house, at what is now the corner of Main and Canal streets, Palmyra. The district of Tolland (which embraced what is now Palmyra) held its first town-meeting in April, 1796, and Captain Swift was chosen Supervisor. The dis-



BRIG. GEN JOHN SWIFT

(Photo-reproduction of a portrait in oils.)



"band of ruffians from New Jersey and elsewhere"—as Colonel Franklin puts it.

The party chosen for this reconnoissance was composed of the following—named tried, true and "effective" Yankees: Capt. John Swift (Commander), Maj. Joel Abbott, Prince Alden, Jr., Waterman Baldwin, Lord Butler, Ishmael Bennet, Jr., Jonathan Burwell, Leonard Cole, Gideon Church, Reuben Cook, Nathaniel Cook, Joseph Corey, John Fuller, John Gore, Justus Gaylord, Elisha Harding, Thomas Heath, Jr., Elisha Harris, John Hurlbut, Richard Hallstead, William Hyde, Edward Inman, William Jenkins, Benjamin Jenkins, William Jackson, Dr. George Minard, William McClure, Abram Nesbitt, Abraham Pike, John Platner, William Ross, Thomas Read, Elisha Satterlee, William Slocum, Walter Spencer, Phineas Stephens, Thomas Stoddard, Daniel Sullivan, William Smith, Jr., Moses Sill, Jeremiah White and Nathaniel Walker—forty-two in all.

Late in the night of July 29th, or early in the morning of the 30th, Captain Swift detached from his party Gideon Church, Jonathan Burwell,———Jenkins, and eight or ten others, with Waterman Baldwin\* in command, and sent them out on the Sullivan Road as scouts. Some time during the morning of Friday, the 30th, this detachment arrived at the house of Eliphalet Emmons, at Bear Creek, ten miles from Wilkes-Barré. Emmons, and his wife Silence, occupied a small log house and kept a tavern—undoubtedly one of the places mentioned by Dr. Schöpf in his journal. Making inquiries there relative to the Easton party, and learning nothing, Baldwin and his men proceeded on their way. They went as far as the Lehigh River, without making any discoveries,

trict assumed the name of Palmyra in 1797. In 1799, John Swift was Superintendent of Highways. The first saw-mill in the place was erected by him, and for a few years he was engaged in mercantile business. John Swift's wife was the first woman who ventured residence in this then unbroken wilderness. There were still many Indians wandering through that section of New York.

John Swift gave lands for the first saw-mill, the first graveyard, the first school-house and the first church edifice in Palmyra. From 1790 till 1812, he was connected with every enterprise of consequence—pecuniary, political and religious—which had its being in Palmyra. When the militia system of New York was reorganized John Swift was commissioned Captain, and at his house the first "training" of the company which he commanded took place. He was promoted through the various grades of military rank in Ontario County until, at least as early as October, 1808, he became Brigadier General commanding the Ontario County Brigade in the 5th Division of the New York Militia. In the War with Great Britain (1812-'14) General Swift was commissioned a Brigadier General of New York Volunteers. During the campaign on the Niagara frontier in the Summer of 1814, he led a detachment of troops on a reconnoitering expedition to Fort Greene. They surrounded and captured a picket-guard of sixty men, and while in the act of receiving the arms of the prisoners one of them shot General Swift through his breast. An attack from a superior British force occurred about this time, but General Swift rallied his men and began what proved to be a successful engagement, but he soon fell to the ground exhausted. He was borne to a nearby house, where he died July 13, 1814, aged fifty-three years and twenty-five days. "Never," declared a writer of the day, "was the country called upon to lament the loss of a firmer patriot or braver man." He was buried near where he died, but after the war the citizens of Palmyra disinterred his remains and deposited them in the old cemetery of their village. The Legislature of New York voted a sword to his oldest male heir, and also directed that a full-length portrait of General Swift should be hung up in the City Hall of New York. The sword was handed over to Asa Ransom Swift, General Swift's third child and eldest son, who was the first male child born in Palmyra. Upon his death the sword passed into the possession of his son, Henry C. Swift, a resident of Phelps, New York.

At Washington, D. C. under date of April 7, 1814, the Hon. Timothy Pickering, then a Representative in Congress from Massachusetts, but who, when he lived at Wilkes-Barré, had known John Swift very well, wrote to him as follows: enclosing a copy of his (Pickering's) speech on the "Loan Bill." "I learn from my friend Mr. Howell of Canandaigua that you live in his neighborhood, and that you entertain those political opinions which, had they generally prevailed for the last seven years, would have saved our country from the oppressions of embargoes and other measures destructive of its best interests, and from the calamities of war."

General Swift and his wife Rhoda (Sawyer) Swift, were the parents of the following-named children: Sally, Polly, Asa Ransom, Marcus G. B. (died at Fall River, Massachusetts, February 22, 1902), and Orson Ross. After the death of Mrs. Rhoda (Sawyer) Swift, which occurred subsequently to 1794, General Swift was married to Hepzibeth Treat Davidson, and they became the parents of the following-named children: Alexander Hamilton, Elizabeth Martha, and John Leonard.

The following article was printed in *The Susquehanna Democrat*, Wilkes-Barré, February 22, 1823. "Drowned. In the Ocean last, in Sodus Bay, Lake Ontario, Asa Ransom Swift and Ashley Van Duzer, Esquires, of Palmyra, Ontario County, New York. A long communication on this subject was handed to us soon after this event took place, but a press of other matters has hitherto excluded it from our columns. We have concluded to abridge the article and insert merely the substance, without going into all the particulars.

"Capt. Asa R. Swift, one of the persons drowned, was the eldest son of Gen. John Swift, formerly of Luzerne County, whose gallantry as a soldier and virtues as a private citizen will long be remembered by his fellow citizens. General Swift was treacherously killed during the late war by a British prisoner after his surrender to a detachment of Americans commanded by General Swift.

"His son, Asa R. Swift, the immediate subject of this memoir, served as a First Lieutenant of cavalry in a twelve months' campaign during the late war, and was in service at the time of his father's death. He was afterwards promoted to a captaincy, and, as well for his own gallantry and good conduct as from respect to the memory of his father, the Legislature of New York presented him with an elegant sword, as a testimonial of the high estimation in which they held his character and services. As a private citizen he was much esteemed, and as a faithful, brave and meritorious officer he was much respected and highly valued."

\*WATERMAN BALDWIN, as noted on page 902, Vol. II, was born at Norwich, New London County, Connecticut January 8, 1758, the third child of Isaac and Patience (Rathbun) Baldwin. Isaac Baldwin, born June 12, 1730, was a descendant in the fourth generation of Henry Baldwin, who was a freeman in 1652 at Woburn, Massachusetts. Patience

and then retraced their steps to Emmons', where they arrived shortly after sunrise on Saturday the 31st.

About a half-hour later who should walk up to the tavern but Isaac Van Norman, on his way from the Pennamite camp at Locust Hill to Wilkes-Barré, presumably for the purpose of notifying the occupants of Fort Dickinson of the presence at Locust Hill of a body of men friendly to their interests. Van Norman being known to the Yankee scouts as a Pennamite who, only a short time before had been living in Wyoming, they questioned him sharply and learned that a force of twenty-five Pennamites was stationed at Locust Hill. They learned, also, "that there was a dispute among the men at the Hill as to whether or not they should then advance towards Wyoming, or remain where they were."

Captain Swift, with all the members of his command (except the scouts, who were in the neighborhood of Bear Creek), left Wilkes-Barré in the afternoon of Saturday, July 31st. The men departed quietly and without any display, in order not to attract the attention or arouse the suspicions of the Sunbury Committee of Mediation, still on the ground. Marching to the western border of Bear Swamp, about nine and a-half miles from Wilkes-Barré, Swift and his men bivouacked there. The next day, (Sunday, August 1st) they were joined by Waterman Baldwin and his scouting party, and were informed of the presence of the Pennamites at Locust Hill. Thereupon a discussion arose as to whether the party should wait there at Bear Swamp, the coming of the Pennamites return to Wyoming, or "advance to Locust Hill and attack and disperse such men as were there collected."\* It was unanimously voted to advance, and

Rathhun, who became the wife of Isaac Baldwin, was of Exeter, Rhode Island, where she was born September 13, 1734. Isaac and Patience (Rathbun) Baldwin were the parents of eleven children. They lived for some time at Canterbury, Windham County, Connecticut, whence they removed to Wyoming Valley in 1772 or '73 and settled in Pittston Township. Upon the organization of the town of Westmoreland in March, 1774, Isaac Baldwin was elected one of the Surveyors of Highways. He was living in Pittston at the time of the battle of Wyoming, and with other survivors he and his family fled from the valley after the surrender of the various forts.

Inasmuch as the name of Isaac Baldwin does not appear in the existing Wyoming records of 1779—1782 it is quite probable that he did not return to the valley until early in the year 1783. He and his sons Thomas, Waterman and Isaac, Jr., signed in February, 1783, the petition to the New York Legislature before mentioned. Isaac Baldwin removed to Newtown (now Elmira), Tioga Co., New York, prior to 1791, in which year he died there, on June 9th. His wife died there July 24, 1823.

*Rufus Baldwin*, eldest child of Isaac and Patience (Rathbun) Baldwin, came to Wyoming with the other members of his father's family. His name appears in the Pittston tax lists of 1776, 1777 and 1778. In March, 1776, he was one of the Westmorelanders who offered their services as soldiers to the Continental Congress, as related on page 870, Vol. II.

*Thomas Baldwin*, second child of Isaac and Patience, was born in 1756. He, also, was among those who offered their services as soldiers, as mentioned above. Upon the organization of Captain Durkee's Westmoreland Independent Company (see page 892), Thomas Baldwin enlisted and was appointed 3d Sergeant. He served with this company until it was united with Ransom's company and placed under the command of Captain Spalding, and then he continued in the Continental service as a Sergeant under Spalding until some time in 1782. He took part in numerous battles, including the battle of Wyoming. He settled in Sheshequin, in what is now Bradford County, Pennsylvania, in May, 1783; but he did not remain there very long. While there a son—Vine—was born to him, who was said to be the first white child born in the Sheshequin Valley after the Revolution. Later Thomas Baldwin removed with his family to a farm near the present town of Ashland, Chemung County, New York, where he lived until his death.

*Isaac Baldwin, Jr.*, a son of Isaac and Patience, was living in Newtown, New York, in 1795, in which year he sold to Eliza Satterlee 100 acres of land in Pittston, Wyoming Valley. In July, 1802, at Newtown, he sold to Isaac Dow Tripp "Town Lot No. 47", in Wilkes-Barré. His wife was Alice, daughter of Jonathan and Anna Haskill of Wyoming Valley.

*Afa Baldwin*, fourth child of Isaac and Patience, was married (first) to Benjamin Jenkins, and (second) to John Harding. See pages 805 and 993, Vol. II.

*Ada Baldwin*, fifth child of Isaac and Patience, was born in Connecticut September 30, 1763. She became the wife of William Jenkins of Sontport, New York, and died March 1, 1845.

**WATERMAN BALDWIN**, third child of Isaac and Patience, came with his parents and the other members of their family to Pittston, he being then about fifteen years of age. In 1776 he served a short term of enlistment in a Connecticut regiment in the Continental army, and January 7, 1777, he enlisted as a private in the Westmoreland Independent Company commanded by Capt. Robert Durkee. (See pages 894 and 902, Vol. II.) With this company he served—participating in the several battles and the various hardships which it experienced—until it was consolidated with Captain Ransom's company and placed under the command of Captain Spalding.

He was still a member of Spalding's company when it was at Fort Wyoming, Wilkes-Barré, in January, 1781, but upon the reorganization of the Connecticut regiments of the Continental Line, in January, 1781, Waterman Baldwin was assigned to the company of Capt. John Durkee, Jr., in the 1st Connecticut Regiment, commanded by Col. John Durkee. With this regiment he remained until its term of service expired, in 1782, when he returned to Wyoming Valley. In February, 1783, he was one of the Signers of the petition to the Legislature of New York, previously mentioned. He was married to Celinda Hazen, and they had two daughters and two sons. John, the elder son, was married to Mary Jenkins, and Henry, the younger son, was married to a daughter of Wilkes Jenkins.

\*See "Pennsylvania Archives", Old Series, X: 656.

so, after nightfall, the party marched to within about a mile and a-half of the camping-place of the Pennamites, and bivouacked.

The next morning, (Monday, August 2d), between nine and ten o'clock, Captain Swift advanced with his men to within a short distance of the camping-place of the Pennamites, unobserved by the latter, and shortly afterwards, without warning, began an attack upon them. As to the character and results of the fight which ensued, the following extracts, from depositions\* made about the time the affair occurred, will best tell the story.

Abraham Pike, one of Swift's party, deposed as follows: "Finding the party lying and sitting in a dispersed manner under the trees and bushes, they [the Yankees] fired upon and drove some of them into the house of one Brown, and others into the woods, from whence they began to return the fire; that this engagement lasted for some considerable length of time; that John Swift then called off his party, and returned with them to Wyoming."

Lieut. Col. James Moore deposed as follows:

"That being at Locust Ridge, in the county of Northampton, with a small party of men there stationed in consequence of the directions of Commissioners John Boyd and John Armstrong, Jr., Esquires, on Monday, the 2d day of August last, about ten o'clock in the morning, he, the deponent, was alarmed by the discharge of fire-arms; that upon seeking the cause of it he discovered the men of McDonald's party running toward the house without arms, and followed by others who were firing upon them as they fled; that among the number of those who took refuge in the cabin, in which the deponent was, came Jacob Everett,† who soon afterwards received a ball in his forehead, by which he expired in about half an hour; that the firing continued after this for some time, by which two men were wounded; that after it had ceased, the body of the abovementioned Everett was interred near the hut in which he was killed."

Harmon Brink deposed as follows:

"On Monday, the 2d day of August [1784], he was in a house at a place called Locust Hill, in Northampton County, where Col. James Moore lay sick at that time; there were several others lying under the trees, and under the shade before the door. The deponent heard two or three guns fired, and immediately heard one Michael McCarty (who was under the shade before the door) call to the deponent to come and carry him away, for he was wounded and was not able to get into the house. The deponent went to help him in, and asked him how he came to be wounded, not suspecting any evil-minded persons being around. As he spoke to the wounded man there were thirty or forty guns fired towards the house, which the deponent supposed to be chiefly at him. He then called to the rest that were around to make the best of their way into the house. After the people were got into the house one Jacob Everett, standing opposite a window, was shot through the head, and died in a few minutes. Two others, besides the first-mentioned were wounded. After the Connecticut claimants (which I afterwards found then to be) had continued their firing on us about two hours, they retreated back towards Wyoming."

John Stickafoos deposed as follows:

"On the 2d day of August last he was at a place known by the name of Locust Hill, in the County of Northampton, in company with several people. That in the forenoon of said day the deponent was asleep under the shade of a tree, and was alarmed by the firing of musquetry; upon which he fled to a small log cabin which was near. That the persons who fired killed a certain Jacob Everett, by shooting him through the head, and wounded three others, *viz.*: Michael McCarty, John Shuboy and David Morris. That the persons so surrounding continued to fire one hour and a-half longer. That he supposed they consisted of twenty or thirty men, some of whom he knew, *viz.*: Jonathan Burwell and William Slocum. That he has good reason to believe that said Burwell and Slocum, with their associates, who perpetrated this unprovoked murder, were all of the party called the Connecticut claimants."

Col. John Armstrong, Jr., and Capt. John Boyd, writing to President Dickinson from "Learns," under the date of August 7, 1784, had the following to say about the fight at Locust Hill.‡

"The late affair at Locust Hill was one of the most impudent and unprovoked attacks that has yet been made, and shall become an early object of our enquiries. The circumstances were as follows:

"Colonel Moore, agreeably to a plan which we had concerted in Philadelphia, had collected about twenty volunteers, with whom he had taken possession of a little height about midway in the Swamp, merely to command the avenue by which we proposed to march. The Colonel

\*See "Pennsylvania Archives," 656, 657, 661, 667, 632.

†Colonel Franklin states that Everett was a New Jersey man.

‡See "Pennsylvania Archives, Old Series, X: 632.

had lain there some hours, believing himself to be perfectly secure (as they were still in Northampton County), when, without any provocation on his part or previous notice on theirs, he was fired upon by the insurgents, driven into a little hut, and there obliged to sustain a two hours' attack of great violence, in which three of his men were wounded and one killed. The assailants then withdrew into the Swamp, and the Colonel retired hither.

"This little rencounter would have been much more equal had not Moore himself been ill of a fever, and his party so much dispersed."

Upon reading the foregoing depositions of Colonel Moore, Harmon Brink and John Stickafoos, and the letter of Commissioners Armstrong and Boyd, one could easily conceive that the Pennamites gathered at Locust Hill were on a Sunday School excursion, for no mention is made in those documents of the fact that McDonald and his men were supplied with fire-arms and ammunition, which they used against the Yankees as effectively as the circumstances permitted. It was their use of fire-arms that caused the fight to last for about an hour and a-half. They defended themselves well, and the Yankees were unable either to dislodge them from Brown's log house, or to force them to surrender. However, only one of the Yankee party was wounded—Dr. George Minard\* being shot in one of his legs.

About noon, Captain Swift and his men ceased firing at the Pennamites in the log house and in the woods beyond (to which some had retreated), and without further ceremony marched off in the direction of Wyoming. About five o'clock in the afternoon they arrived at Emmons' house at Bear Creek, where they partook of food which had been prepared for them in advance of their coming. Two hours later they again took up their line of march, and upon reaching the place where they had spent the preceding Sunday, they bivouacked for the night. Bright and early the next morning (August 3d) they set off for Wilkes-Barré, where they arrived in the course of three or four hours.

\*His name frequently appears in the early Wyoming records as "Doctor Miour" and "George Minor." His surname was Minard, and he was probably originally of New London, Connecticut, a descendant of William and Lydia (Richards) Mynard. (See Caulkin's "New London", page 334.) In 1787 he was living at Manville, Connecticut, and through his son Lemuel he lodged with the Confirming Commissioners, at Wilkes-Barré, a claim for certain "original proprietor's" rights in the township of Newport.

At Wilkes-Barré, under the date of June 12, 1793, Col Zebulon Butler, of a Committee representing The Susquehanna Company, certified that "George Minard was one of the first 200 settlers in the Susquehanna Purchase, and had his right in Wilkes-Barré; but, by reason of absence, lost that right. But, by order of the Company, he is entitled to a suffering right, to be taken up in any of the Proprietors' townships." (See page 713, Vol. 11.)





## CHAPTER XXV.

PENNSYLVANIA MILITIA REACH WILKES-BARRÉ FROM EASTON—A DISASTROUS TRUCE ARRANGED—HOSTILITIES AGAIN PROVOKED—SEVENTY-TWO YANKEES SENT TO THE EASTON AND SUNBURY JAILS—THE INJUSTICES DONE CONNECTICUT SETTLERS EXCITE GENERAL INDIGNATION—JOHN FRANKLIN'S OATH—FORT DICKINSON EVACUATED BY THE HATED ARMSTRONG AND HIS MILITIA, THUS ENDING THE SECOND PENNAMITE-YANKEE WAR—GREAT REJOICING AS THE SETTLERS RAZE THE FORT.



"On rolls the stream with a perpetual sigh;  
The rocks moan wildly as it passes by;  
Hyssop and wormwood border all the strand,  
And not a flower adorns the dreary land."

*Bryant.*

"This hand, to tyrants ever sworn the foe,  
For freedom only deals the deadly blow;  
Then sheaths in calm repose the vengeful blade,  
For gentle peace in freedom's hallowed shade."

*Adams.*

Upon the departure of the Yankees from Locust Hill, August 3, 1784, Colonel Moore, Captain McDonald and their Pennamite associates made preparations to march back to Easton. However, upon arriving at Sebitz's, or Learn's, they ascertained that the Northampton County militia, who were to

proceed to Wyoming under the direction of Commissioners Boyd and Armstrong, were about to rendezvous at Sebitz's, whence they would begin their march to Wilkes-Barré. Whereupon Colonel Moore decided that he and McDonald's band would remain at that point until the arrival of Boyd and Armstrong.

The reader will recall that the Sunbury Committee of Mediation set out from Wilkes-Barré, on their homeward journey, in the afternoon of August 1st. They had accomplished about half their journey, when they met David Mead, Robert Martin and Christian Gettig, Esquires, Justices of the Peace, and Col. Henry Antes, Sheriff, of Northumberland County, on their way to Wilkes-Barré. The Committee of Mediation retraced their way and journeyed with Justice Mead and his party hither, where they all arrived late in the afternoon of August 2d. The next day, to their amazement, they learned of the Locust Hill fight, which had taken place only a few hours before their arrival at Wilkes-Barré.

After looking the ground over, Justices Hewitt, Mead and Martin served, on August 5th, the following notice on John Franklin, Phineas Peirce, Giles Slocum and John Swift, as representatives of the Yankees.\*

"In obedience to our instructions from the Supreme Executive Council of the State of Pennsylvania, we have repaired to this place, and find two parties in actual hostilities. Therefore, in the name of the Commonwealth, we command you—and that without delay—to deliver to us the arms of your party, together with such a number of your men as we shall think proper, to put in charge of the High Sheriff of the county until the pleasure of the Chief Justice in this case shall be known; and if required, those that remain, to be bound to the peace and good behavior, with sufficient security."

Without delay Franklin and his associates replied to this communication in the following words:

"We received yours of the present date as Magistrates, and as such we revere you in your exalted sphere; and as you have, in the name of the Commonwealth of Pennsylvania, made a demand for our arms, we declare our promptitude to comply with your requisition. We shall rely, Gentlemen, upon your honors, that we shall have the benefits of the laws of this State in all respects for the future—at the same time lamenting the neglect of the law in times past, which has been the occasion of all the hostilities with which we are charged."

The same day, Justices Martin, Hewitt and Mead sent to Fort Dickinson, addressed to Alexander Patterson, B. W. Ball, Samuel Read and Andrew Henderson, a communication reading as follows:

"In consequence of our instructions from the Supreme Executive Council of the State of Pennsylvania, we have demanded of the Connecticut party their arms, and such a number of their men, as we think proper, to be put in charge of the High Sheriff of the County until the pleasure of the Chief Justice in the case shall be known; and those that remain to be bound to the peace, &c.—*which they have complied with*. Therefore, in the name of the Commonwealth, we demand the same of you and your party; also, the delivery to us of all State property, *and your flag to be taken down!*"

Colonel Franklin, in his "Brief", makes the following reference to the occurrences at Wilkes-Barré on August 5-7, 1784. "The Justices informed us that they were clothed with authority to execute the laws and to quell all hostilities. That as they had found us under arms, they required us to give up our arms and surrender our persons submissive to the laws of the State, and they engaged that they would also disarm Patterson and the Pennsylvania party at the garrison, and that our possessions should be restored to us according to law. That they had come to Wyoming for that purpose. We complied with their requisitions on August 5th—gave up our arms and surrendered our persons.

"The Justices proceeded to the garrison, accompanied by the Sheriff and the Coroner. They returned in a short time and informed us that Patterson

\*See Pennsylvania Archives", Old Series, X: 629.

and his party were obstinate, had refused to surrender themselves to the Sheriff (he having warrants against many of them), or to give up their arms. We demanded protection of the Justices, offered to give bail for our appearance at Court, or remain in the custody of the Sheriff, if required. The Justices told us that we had complied on our part; that they were fully satisfied with our peaceable disposition. They also requested us to cease all hostile measures, to withdraw from the neighborhood of the garrison and repair to our several houses, farms and possessions, secure the grain then on the ground, and prepare to bring back our families.

"They also informed us that about 400 Northampton militia were on their march—or, at least, had collected to come—to Wyoming to quell the disturbances, and that they, the said Justices, should send an express to have the militia proceed immediately; that Patterson and his party would positively be taken and dispersed from Wyoming; that when the militia should arrive they would undoubtedly call upon us to assist in putting the laws into execution. They also advised us to send for our families to return to our possessions, &c. *We accordingly dispersed to our former several places of abode, and proceeded securing the grain, &c., in peace.*"

At Wilkes-Barré, on August 6, 1784, Justices Hewitt, Mead and Martin prepared and signed a communication to the Supreme Executive Council, which read as follows:\*

"In obedience to the Instructions of Council of 24th July, we Repaired to this Place and found the Two Parties in actual Hostilities, and yesterday made a Demand of the Connecticut Party a Surrender of their arms and submission to the Laws of this State, which they Complied with, reference being had to the Inclosed papers.

"We also made a Demand of the same nature of the Party in the Garrison, but have Received no direct, but evasive, answers—at the same time expressing fear of their lives; in reply to which they were promised Protection agreeable to Law in every respect, but they still hold the Garrison and have not Dispersed.

"We Believe that a Due execution of the Laws will be the most effectual measure to Quiet the Country. As to the Pretended Claim or Title of the Connecticut Party, we have nothing to fear, and are Convinced that, had it not been *through the cruel and Irregular Conduct of our Own People*, the peace might have been established long since, and the Honor and Dignity of Government supported as well."

This document was placed in the hands of Capt. John Paul Schott of Wilkes-Barré, who immediately set out for Philadelphia by way of the Sullivan Road and Easton.

The next day (August 7th), the Justices made further efforts to get at the Pennamites in Fort Dickinson, but with no more success than before—as is shown by the following affidavits, sworn to before Justices Mead and Martin, at Wilkes-Barré, August 7, 1784.

"*Charles Manrow*, Constable, doth depose and say, that he this day went to the Garrison at Wyoming, or as near as he could, and was ordered to stand by Elisha Cortright, who asked him his business. When this deponent replied that he wanted admission to the Garrison in order to serve civil processes for debt, said Cortright replied that he would inform Captain Patterson of his business that he might have an answer. He (Manrow) stood there a few minutes, and then received orders to be gone. Delaying a little, he received a second order to be gone immediately. He accordingly went, being afraid to make any further attempt to serve the processes."

"*Samuel Kerr* doth depose and say, that this day, soon after the Constable attempted to serve processes, and could not on any person in the Garrison, considering himself a friend of theirs, at the request of the Justices went to the Garrison in order to persuade them to submission to the law, and to admit the civil officer to serve process therein; and after using many arguments with sundry of the principal men, received for answer by Captain [Preserved] Cooley that Captain Patterson desired him to inform this deponent to go home about his business—if any he had that no person should be admitted into the Garrison."

\*See "Pennsylvania Archives", Old Series, X: 630.

Without further ado, Justices Mead and Martin wrote the following letter to Commissioners Boyd and Armstrong, which they placed in the hands of an express, who, the same day (August 7th), hurried off to Easton.

"We are sorry to have occasion to write to you on so disagreeable a subject as the hostilities of this place. We have dispersed the Connecticut party, but our own people we cannot [disperse]. Yesterday, when we despatched a message to Council, we had some expectation of introducing the laws of Government here; but this day, when a civil officer attempted the service of legal process on persons in the Garrison, admission and service were denied—the proper depositions of which we have taken in order to transmit them to the Chief Justice. Therefore, we think it our indispensable duty to request you *to come forward with the militia*, with as much despatch as possible!"

Upon the refusal of the Peunmites in Fort Dickinson to yield obedience to the demands of the law, the Northumberland magistrates permitted the Yankees to resume their arms for self defence.

Let us now turn our attention to Commissioners Armstrong and Boyd. On Sunday, August 1, 1784, they arrived from Philadelphia at Easton, where they found that Colonel Craig, the County Lieutenant, was carrying on, under somewhat discouraging circumstances, the work of enlisting the Northampton militia for the Wyoming expedition.\* On August 2d, at Easton, the Commissioners wrote to President Dickinson, as follows:

"In our haste to accomplish some part of the preparatory business which we have taken upon ourselves we have only time to inform your Excellency & Council that we got to this place early on yesterday & that we purpose to leave it early on to-morrow.

"There has a late Account been received from Wyoming which left them in almost the same situation as those Accounts we saw in Philadelphia. A 2d summons has been sent to Patterson, offering Money to Him & his followers, if they surrender, & threatening them all with the sword if they do not. Some Women & one Child have been wounded within a few days.

"We propose to write you again in a day or two—when we shall be better able to determine the temper as well as preparation of the Troops with whom we are to act, & of whom our accounts (at this moment) are not the most promising."

The Commissioners arrived in the morning of August 4th, at Sebitz's, where they found Colonel Moore and his party, and also some of the militia who had been summoned to take part in the Wyoming expedition. During that day and the next two days other militia arrived at the rendezvous, so that by the morning of Saturday, August 7th, a force of nearly 400 had assembled. On the 7th Captain Schott arrived at Sebitz's, en route to Philadelphia from Wilkes-Barré, with the letter from the magistrates to the Supreme Executive Council, to which reference has heretofore been made. The Commissioners opened and read this letter, and then prepared the following letter to President Dickinson, which Captain Schott agreed to deliver with the letter which he had brought from Wyoming, upon his arrival at Philadelphia.

"Till to-day we have had no easy mode of communicating with your Excellency nor was our intention such as would have authorized the trouble and expense of employing an Express. We are this morning however so fortunate as to meet with Captain Schott by whom we must beg leave to state in a very hasty way the proceedings which have already been taken & those we have it in contemplation yet to take.

"Upon our arrival at Easton we found neither the temper nor preparation of the militia such as we had expected to find them. The first (to which no service would be very acceptable)

\*Muster-rolls of two of the companies that took part in this expedition have been preserved. (See "Pennsylvania Archives", Second Series, XIV. 589, 590.)

(1) "Muster Roll of Capt. John Van Etten's company of the 5th Battalion of Northampton County Militia, commanded by Col. Nicholas Kern, on the expedition to Wyoming, 1784. *Captain*, Johannes Van Etten; *Lieutenant*, Cornelius Decker; *Sergeants*, Jacob Decker, Adam Shenk and Jasper Edwards; *Corporals*, Lodwick Hover and Abraham Decker; *Privates* [twenty-one in number, among whom were], Andrew Dingman, James Van Etten, Gideon, Levi, David and Cornelius Cortright, Benjamin and Elijah Decker, Gilbert, Moses and Alexander Van Gorden, David and James Vanaken, and Peter Quick." All the officers and men of this company were enlisted for service July 31, 1784.

(2) "Muster Roll of Capt. Lewis Stecher's company of the 6th Battalion of Northampton County Militia, now in the service at Wyoming, commanded by Col. Nicholas Kern, commandant. *Captain*, Lewis Stecher; *Ensign*, George Cross; *Sergeants*, John Knooss and George Neighard; *Corporal*, John Deets; *Privates* [twenty-eight in number, and, judging by their names, all Pennsylvania Germans].

"August 20, 1784. Mustered then Capt. Lewis Stecher's company of Northampton County Militia, as specified in the above roll.

[Signed] "PHILIP SHRAWDER, Deputy Muster Master."

All the officers and men of Stecher's company were enlisted for service on either July 30 or 31, 1784.



had been particularly set against this by the agency of some fellows who, with influence enough to mislead the people, have had wickedness enough to misrepresent the object & intentions of Government. We everywhere met the following objections: 'That it was the quarrel of a sett of Land jobbers; that the whole Country was not worth the life of a single man, or the labor of the many who were now called out to quiet it; & that they were drawn forth not merely to support the laws, but to extirpate the whole race of Connecticut claimants &c. &c.'

"Idle and absurd as these objections were, & much as Colonel Craig & others had exerted themselves to obviate them, yet such was their effect upon the minds of the people that not more than one-third of the number warned appeared at the place of Rendezvous—& among these but very few declared themselves to be perfectly willing to go farther. Disagreeable as we felt this want of disposition, it was not however more unpromising than their almost total want of preparation. Out of 70 men who came from the 6th Northampton Battalion, there were but 40 who had brought their arms—accoutrements, kettles, &c., &c., there were none.

"This must have necessarily produced a delay, had one not arisen from another source. Colonel Craig, having in the first instance counted upon a more exact compliance with his orders than they afterwards met, had made a very extensive arrangement of three detachments, which were to move by different routes very widely apart & entirely out of reach of each other. This supposed that each would be equal if not superior to the whole force of the insurgents, which your Excellency will find generally stated at 250 or 300 men. We need, therefore, enter into the reasoning which induced us to alter this plan, & instead of committing ourselves by detail, to bring the whole force to some advanced point, from which we might operate as contingency would direct. This place, which entirely commands the entrance of the Swamp, was thought the most proper for this purpose, & we have accordingly drawn them hither.

"In this situation an account of the half finished negotiation of the Northumberland Magistrates has found us. We could wish it had been more complete, but from some private evidence which we shall soon be at liberty to communicate, we are led to apprehend that the principles upon which it has been conducted were neither very fair to individuals nor honorable to the State, & cannot, therefore, be either very lasting or satisfactory. Some part of this opinion we have formed upon the magistrates own letter to your Excellency, which we took the liberty to open and which we again enclose. We propose, therefore, to proceed immediately and endeavor to execute the further intentions of Council. We shall move the troops at sunset, and hope to get through the Swamp at daybreak to-morrow."

About sunset, on Saturday, August 7th, the Pennamite forces, headed by Commissioners Armstrong and Boyd, began their march for Wyoming from Sebitz's. MacDonald's Locust Hill party formed part of the command, but Lieut. Colonel Moore proceeded to Philadelphia in company with Captain Schott.

As the Commissioners set off on their march, they sent forward an express, bearing letters addressed to the Pennamites in Fort Dickinson and the Connecticut settlers in Wyoming, and stating (according to Colonel Franklin, in his "Brief") "that they (the Commissioners) were on their way to Wyoming clothed with authority from Government as Commissioners of Peace, to quell disturbances, repress violence from whatever quarter, establish order, and restore the reign of Law; that they should do the most perfect and impartial justice; that the innocent should meet with protection, and the guilty be brought to punishment. They demanded an immediate cessation of hostilities and the surrender of the arms of both parties."

On their way through the Great Swamp, the Commissioners were met by the express from Wilkes-Barré bearing the request from Justices Mead and Martin to the Commissioners "to come forward with the militia, with as much despatch as possible." In consequence, the march of the little army was quickened, and it reached Wilkes-Barré in the middle of the afternoon of Sunday, August 8th. Proceeding down Northampton Street to the River Common, it deployed before the wooden walls of Fort Dickinson.

A formal demand for the surrender of the fort being made by the Commissioners, it was complied with forthwith, and thereupon detachments of the Northampton militia were put in possession of the fort and the neighboring block-houses. The same day the Commissioners, at their request, were furnished

by Alexander Patterson and his lieutenants with a document reading as follows:\*

"List of the Men who have been shut up in the Garrison at Wyoming with the Subscribers and the Numbers of Arms & ammunition Public & private property.

Luke Brodhead,	Gabriel Ogden	William McKinney
James Melvin	George Tanner, Junr.	William Miller
Daniel McLaskey	Joseph Montanye	Alex. Hoover
Joseph Cavana	James Covert	Abm. Hammond
Joseph Marshall	John Potman	Alex. Strickland
Abm. Courtright	James Johnson	Jacob Van Horn
Elisha Courtright	Ehpm. Van Norman	George Yoman
John Courtright	Isaac Van Norman	John Pinsell
Ezekiel Schoonover	John Van Norman	Daniel Swartz
Peter Cousan	Henry Wynn	Joseph Biggers
Saml. Vangorden	Obadiah Walker	John Boreland
Enos Randle	Jacob Woodcock	George Tanner
Laurence Kinney	Richard Woodcock	Edward Cavana
Garrett Shoemaker, Jun.	James Culver	Garrett Shoemaker
Jacob Tillbury	Isaiah Culver	James Stagg
Abraham Tillbury	Preserved Cooley	Richard Savage
Peter Stagg	Peter Taylor	Laurence Osbourne
Jacob Cramer	Silas Taylor	Patrick Dunlevey
Jacob Klyne	Ebenezer Taylor	Joseph King
David McCartyney	Benj. Hillman	Nicholas Brink
John Lasley	John Hillman	————— Juba
Robert Clark	William Sims	

"2 Four-Pounders.....	State Property.
1 Swivel.....	ditto
1 Wall Piece.....	Private property.
98 stand of arms.....	Public property.
33 stand of Arms.....	Private property.
1 Box of Cartridges.....	State property.

"We the subscribers do Certify upon our Honor, that the above is an exact and true Return of the Men, arms & ammunition that were in Fort Dickinson on the arrival of the Commissioners from the Supreme Executive Council of Pennsylvania at this place.

[Signed] "ALEXANDER PATTERSON  
"BLACKALL W. BALL  
"SAMUEL READ  
"ANDREW HENDERSON."

"Wyoming, August 8, 1784.

The attention of the reader is drawn to the fact that several of the men whose names appear in the foregoing list of Pennamites had served during the Revolutionary War, as privates either in Captain Spalding's Westmoreland Independent Company (see page 980, Vol. II) or in Capt. John Franklin's company of Connecticut Militia, stationed at Wilkes-Barré (see pages 1229 and 1230, Vol. II)—some of them being as follows: John Boreland or Boreland, Preserved Cooley, Abraham Tillbury, Jacob Tillbury, Isaac Van Norman, Obadiah Walker and Richard Woodcock.

Colonel Franklin, writing about the surrender of Fort Dickinson, said: "It was reported to us that Patterson and the other rioters at the Garrison were all made prisoners; that they would either be committed to gaol, or required to give security for their appearance at Court; that they were to be sent from Wyoming, and that the Yankees who had been forcibly dispossessed of their property were to be reinstated in their possessions. I suspect that at this time Patterson and his host of rioters entered bail for their appearance at Court to answer the indictments for 'riot, assault and false imprisonment' of sundry inhabitants of Wyoming, which indictments had been found at the Court of Oyer and Terminer, held at Sunbury in June, 1784†.

"The next day" [to wit, August 9th], continues Colonel Franklin, "Messrs. Armstrong and Boyd, through the medium of Robert Martin and David Mead,

\*See "Pennsylvania Archives", Old Series, X: 321.

†At Wilkes-Barré, August 12, 1784, in pursuance of written direction that day received from Chief Justice McKean-Justice John Seely delivered to Sheriff Henry Antes of Northumberland County a list of all the indicted Pennamites (thirty-eight in number) who had entered bail before him: the said Seely.

Esquires, requested me to call all the Connecticut party to assemble under arms. I wished to know the occasion for this, and Messrs. Giles Slocum and Simon Spalding had an interview on the subject with Mead and Martin, who stated that Armstrong and Boyd had communicated to them that they were clothed with authority from Government, and had instructions to disarm both parties who had been under arms at Wyoming; that they had already disarmed Patterson and his party, and laid them under sufficient security to answer for the crimes alleged against them; that they were fully satisfied with our good conduct and peaceable disposition in laying down our arms and showing our submission to the Justices on August 5; that they' (Armstrong and Boyd), however, wished for an ocular demonstration of our submission, that they might make a favorable report to Government, and *had pledged their honor* that not any advantage should be taken of our assembling; that they should require us to lay down our arms; that some of our leading characters who had warrants against them would be required to give bail for their appearance at Court—in which case they should not have any difficulty with respect to securing bail; that our arms would positively be restored to us within ten days; that we should be reinstated in our possessions according to law," &c.

Captain Spalding and Giles Slocum having reported to John Franklin the result of their interview with Justices Mead and Martin, Franklin and the other Yankee leaders held a conference, and it was decided that the Yankees should assemble with their arms at Wilkes-Barré in the morning of August 10th. "I gave notice to Armstrong and Boyd", writes Colonel Franklin, "that we should meet at a certain place named at ten o'clock the same day, to comply with their requisition, but I wished an interview with them previous to laying down our arms. This was granted, and I waited on them at the Garrison and requested to know the reason for their requisition. They gave the same information that Mead and Martin had given—that no advantage would be taken of our resigning our arms, &c., that there were warrants against four of our leading characters, who would be required to give bail for their appearance at Court; that the others would be set at liberty, our arms would be restored to us within ten days, and that the Justices of the County would proceed to execute the laws for forcible entry and detainer, and restore us to our possessions."

At this interview, Franklin delivered to Commissioners Armstrong and Boyd a list of the Yankees in Wyoming who had borne arms during "the late outrages." This list is printed in "Pennsylvania Archives", Old Series, X: 638, and with some corrections in spelling, and a change to an alphabetical arrangement, it reads as follows:

Abbott, Joel	Cook, Nathaniel	Hopkins, Robert
Alden, Mason, Fitch	Cook, Reuben	Hurlbut, John
Alden, Prince, Jr.	Corey, Joseph	Hebard, William
Baldwin, Waterman	Cole, Leonard	Halstead, Richard
Butler, Lord	Cary, Nathan	Hyde, William
Budd, Frederick	Cary, Samuel	Inman, Edward
Blanchard, Benjamin	Comstock, Peleg	Inman, John
Blanchard, Laban	Drake, Elisha	Inman, Richard
Bennett, Ishmael	Franklin, John	Johnson, Ebenezer
Bennett, Elisha	Fuller, John	Jenkins, John, Jr.
Burnham, Asahel	Gore, Avery	Jacques, William
Bennett, Ishmael, Jr.	Gore, John	Jenkins, William
Brown, Cornelius	Gaylord, Justus	Jackson, William
Brown, James	Harding, Elisha	Jones, William
Burwell, Jonathan	Heath, Thomas, Jr.	Jenkins, Benjamin
Church, Gideon	Harris, Elisha	McClure, William

Minard, George  
Nesbitt, Abram  
Neill, Thomas  
O'Neal, John  
Peirce, Phineas  
Peirce, Daniel  
Phelps, Joel  
Phelps, Noah  
Pell, Josiah  
Pike, Abraham  
Platner, John  
Ross, William

Roberts, Sale  
Rosecrance, ————  
Read, Thomas  
Ryon, John  
Swift, John  
Slocum, Giles  
Slocum, William  
Satterlee, Elisha  
Stephens, Phineas  
Smith, Benjamin  
Smith, William, Jr.  
Spencer, Walter

Stoddard, Thomas  
Sullivan, Daniel  
Stiles, Joseph  
Sill, Moses  
Tyler, Joseph  
Underwood, Timothy  
Wade, Nathan  
Westbrook, Abraham  
White, Jeremiah  
Walker, Nathaniel

(Total. 82)

Again taking up Colonel Franklin's narrative of the occurrences of August 10th, we have the following: "I returned from my interview with Messrs. Armstrong and Boyd and informed our party as to what had taken place. They were fully satisfied. We met at the hour and place appointed. Armstrong and Boyd, accompanied by about 400 militia, appeared a short distance from us. We marched into an open field\* and grounded our arms, then marched from them a small distance, paraded in form, and halted. The militia surrounded us, and Colonel Armstrong ordered them to advance and take up our arms. Then Colonel Armstrong addressed himself to us in a sovereign manner, to the effect that we must consider ourselves his prisoners. Upon viewing the militia I found that the party [of Pennamites] from the Garrison, who had driven off our families, and who we expected were prisoners, were paraded under arms to guard us. We were soon after marched to the vicinity of the Garrison, to the tune of 'Yankee Doodle', played by the drummers and fifers of the militia."

Colonel Armstrong, on horseback, took up his position "in imposing state," facing the Yankee prisoners, and then ordered his Adjutant to call off the names composing the list of those who had borne arms during "the late outrages;" which list, as previously mentioned, had been delivered to Colonel Armstrong by Colonel Franklin. When the Adjutant called the name of a man who was known to Armstrong as having been a member of the Locust Hill party, Armstrong nodded his head towards Giles Slocum's house†, whither the man was immediately sent under guard; and when the name was called of one who had not been at the Hill—so far as known to the Pennamites—Armstrong nodded towards Col. Zebulon Butler's house‡, whither the man was sent—and so on, until all the names had been called and the men who responded had been duly divided off.

Colonel Franklin had not designated the men of the Locust Hill party on his list, and their names were not all known to the Pennamites. Moreover, several of the party who were known to the Pennamites as having been at the Hill, did not put in an appearance at Wilkes-Barré on August 10th—their names being as follows: John Swift, Ishmael Bennett, Jr., Elisha Satterlee, Phineas Stephens, Moses Sill and George Minard (who was still disabled by the wound which he had received). In consequence, it came about that only thirty of the "Hill" party were consigned to the Slocum house, their names being: Joel Abbott, Prince Alden, Jr., Waterman Baldwin, Lord Butler, Jonathan Burwell, Gideon Church, Nathaniel Cook, Joseph Corey, John Gore, Justus Gaylord, Elisha Harding, Thomas Heath, Jr., Elisha Harris, John Hurlbut, Richard Hallstead, Edward Inman, William Jenkins, Benjamin Jenkins, William

\*The place was a large level field lying between Old River Road and Careytown Road (now Carey Avenue) in the present Twelfth Ward of the city of Wilkes-Barré. This locality was chosen—undoubtedly by the Yankees—because it was somewhat remote from Fort Dickinson.

†On River Street, just above South Street. A few years later it was the home of William Slocum

‡At the corner of River and Northampton Streets.

Jackson, Abram Nesbitt, Abraham Pike, John Platner, William Ross, Thomas Read, William Slocum, Walter Spencer, Thomas Stoddard, Daniel Sullivan, Jeremiah White and Nathaniel Walker.

So far as the present writer knows, the names of only a few of the forty-six men who were consigned to the Butler house have been preserved. They are: John Franklin, Giles Slocum, Phineas Peirce, John Jenkins, Jr., Ebenezer Johnson, John Inman, Richard Inman, Nathan Cary, Samuel Cary, Josiah Pell and Robert Hopkins.

Colonel Franklin, writing about the imprisonment of the Yankees on this occasion, stated: "Thirty, who had been in the action at Locust Hill, were confined in a house owned by Mr. Slocum; while myself and some forty others were confined in the house of Colonel Butler—both of which had been occupied as part of the Garrison. We were all robbed of our knives, while the Locust Hill party—so called—were immediately put in irons. The house of Colonel Butler, in which more than forty were confined, was full of human excrement and all manner of filth, having been occupied by a large number of Patterson's party as a block-house during the siege.\*

"Yet however numerous, we were compelled to lie down in the filth, with sentinels set over us, and suffered to rise during the night only under penalty of death. The doors and windows were made fast, and there was no avenue for fresh air. We were kept without food for twenty-four hours, our friends not being suffered to bring us either food, drink or clothing. In a word, during the confinement of the prisoners at Wyoming they were treated in the most cruel and barbarous manner. They suffered with hunger and were suffocated in a nauseous prison for the want of fresh air, and were insulted by a banditti of ruffians. The prisoners [in the Butler house] were not even suffered to go out of their house for the term of nine days to perform the most necessary calls of Nature.

"The first night of our confinement small parties of militia were sent through the settlement, who made prisoners of all the Connecticut party they could find, whether they had been under arms or not. Armstrong and Boyd had also pledged their honors that those who were our enemies should not be set to guard us; but their honor proved a cheat in that case, for our enemies were set over us with our own rifles, to guard and insult us. The second day (August 11th) of our confinement, near night, we were furnished with a scant half meal of bread and beef. The next day following, John Franklin, Ebenezer Johnson, Phineas Peirce and Giles Slocum were admitted to bail (entering security for their appearance at the next term of Court at Sunbury), and were released from confinement. They (Armstrong and the others in authority) *refused to take bail for any of the other prisoners.*"

It may be stated, on the testimony of Elisha Harding and others of the Locust Hill party, that the men who were confined in the Slocum house were treated with the same degree of severity as the men in the Butler house, with the exception that their imprisonment lasted for a shorter time.

During the 9th, 10th, 11th and 12th days of August, Justices John Seely and Henry Shoemaker were kept busy at Wilkes-Barré taking the depositions, under oath, of twenty-five or more Pennamites, relative to certain alleged seditious

\*From about the middle of May until late in November, or early in December, 1784, Colonel Butler was absent from Wyoming Valley—for the greater part of the time being with his wife at her former home in New York State.

†Not Jehiada Pitt Johnson, as stated by Miner in his "History of Wyoming", page 356.

language and acts of a number of Wyoming Yankees. These depositions are printed in full in Vol. X of "Pennsylvania Archives", Second Series, and the following extracts from some of them will give the reader a good view—at least from the standpoint of the Pennamites—of some of the goings on here at that period.

James Landon, aged thirty-four years, deposed as follows:

"That John Franklin and John Jenkins several times lately, with Joel Phelps, had ordered this deponent to move out of the house he lived in since last Spring in Shawanese Township, for that they would suffer no one to live in this country who would not join them. That Elijah Phelps and one [Frederick] Budd, about three weeks ago [July 20, 1784], came to deponents house and took away his rifle gun (threatening that if he did not let them have it they would taken ten times the value of it), and also his powder-horn and about one-half pound of powder and ten or twelve bullets; and they said they intended to disarm the Pennamites.

"That about an hour afterwards deponent went to John Franklin and told him about his gun being taken from him. With Franklin there was one Richard Inman, who said to deponent: 'If you will join us you shall have your gun.' That Franklin told him (the deponent) he should not have his gun—neither did he ever get it again—and said he must either go and join those at the Fort [Dickinson], or get out into the country, and added: 'By the eternal God! if we have to storm the Garrison we will sacrifice every man we find therein that has taken up arms against us.' \* \* \* That whilst the Fort was being besieged deponent heard Caleb Forsythe say that if the Pennsylvanians were so stubborn, and would not deliver up the Fort, they would be put to the sword, and he did not know whether they would spare women and children. And deponent heard Waterman Baldwin say that if they could not hold the lands at Wyoming by law, they would by force of arms."

John King, of Kingston Township, deposed as follows:

"That on August 6, 1784, William Jacques came to the house of deponent with John Swift, William Slocum and Elisha Satterlee, and gave him notice that he should move out of his house and begone off the premises and leave the place in two days, or that they would burn the house down, or words to that effect; and then they gave a great shout and rode off. That on this 11th day of August, deponent, with Abraham Goodwin [his son-in-law], was riding along the road coming to Wyoming, when a man, whose name deponent has since been informed is Timothy Underwood, was standing by a house where one Woodworth lives. He was armed, having a rifle with him belonging to Abraham Goodwin. Upon Goodwin calling to Underwood to bring to him the rifle—which Goodwin said was his—Underwood made no answer, but put the rifle to his shoulder and presented [aimed] it at Goodwin and this deponent; whereupon they put themselves on the defence, and Underwood perceiving it, went behind the house and ran off."

Henry Birney, aged forty-four years, deposed as follows:

"About the beginning of July [1784] deponent, living in Shawanese Township in said county, saw John Swift, Elisha Satterlee, William Jacques, and a number of other persons, and at different other times, pass along the road near where this deponent lives, with arms in their hands, to and fro to what they called headquarters, about a mile distant from his house. That this deponent had frequent conversation with Swift and Satterlee and one Joel Phelps, who had ordered him often to go out of his house, and threatened that if he did not go away and move into the Fort they would abuse him by beating him, &c.—insomuch that he was afraid of his life.

"That Daniel Peirce and others frequently told deponent that they intended to storm the Fort where the Pennsylvanians were, if they did not deliver it up in a few days; and that the Pennsylvanians in the Fort must abide by the consequences if they were stormed therein. That Daniel Peirce, Elisha Satterlee and others swore that they were determined to clear the ground at Wyoming [Wilkes-Barré] and the other settlements in the vicinity, of the Pennsylvanians, for they would not suffer any of them to remain thereon."

Isaac Taylor, deposed as follows:

"That on August 8, 1784, he heard Phineas Stephens say that if the Connecticut claimants could not now obtain their lands they would lie in ambush and fight as long as they lived. I likewise heard one Abraham Pike swear by his Maker (on hearing of Ezekiel Schoonover coming into Shawnee) that he would shoot said Schoonover. I told Mr. Schoonover of said Pike's design, and he kept out of his way. This was done by Pike this day—August 10."

Mary Long deposed:

"That on August 4, 1784, Benjamin Harvey said I should move out of my house. If I did not, the Yankees would set it on fire. I likewise heard a number of the Connecticut people say that if the lands at Wyoming were not given back to them, they would fight as long as there were three of them living."

John Kraun, deposed as follows:

"On Saturday, August 7, he heard Leonard Cole say they had sought for law these nine months, but could find none, and were now determined to find law; also, that it was against the orders of Government to keep a fortification, and, if it [Fort Dickinson] was not demolished,

they would demolish it and would likewise take Alexander Patterson, for he deserved to be torn to pieces by horses. On Monday following deponent heard Nathaniel and Reuben Cook say they had killed but few, and would give them another Indian blast."

Thomas Brink, deposed as follows:

"That about July 30, 1784, he was at the house of Lucy Harvey, at the lower end of Shawanese Flats, in company with Jonathan Marsh, where also was one Benjamin Harvey; and said Harvey, speaking of the laws of Connecticut Government and the laws of Pennsylvania, and comparing them with one another, got up in a rage and damned the laws of Pennsylvania and them that made them. That four or five days ago (August 7 or 8) a certain Reuben Cook, in this deponents house at Shawanese, told him that the houses standing near the hill on the Shawanese Flats must be pulled down, for they should not stand there—and in particular, James Bencotter's house, for neither he nor his family should stay there.

"That some time last week [August 6 or 7] the High Sheriff of said County, Henry Antes, Esq., having three other persons in company with him, passing by this deponent's house stopped there to feed his horse. Deponent, desirous to know how matters were like to go on, asked a few questions of Sheriff Antes, who informed deponent that he had ordered the New England people to take their arms and go to their possessions, and take care of their grain and grass, for that people were not to stand still and be killed; that there was to be no more turning out of houses by either party, but matters were to be decided by Law. The Sheriff said that the people here (and the deponent apprehended that by 'the people' he meant those in the Fort) had a wrong apprehension of the militia that were coming up to their assistance, for that they (the militia) were coming up to put the Law in force; that two Justices had been left at Wyoming, and another would be sent immediately, and that would make a Quorum."

Jonathan Marsh, deposed as follows:

"That about August 7, at the house of Thomas Brink, in Shawanese Township, he heard Henry Antes say that he had ordered the Yankees to come home and take their respective possessions as heretofore, and ordering them to go to harvesting the grain and cutting the hay; and further, he said he had ordered the Yankees to take their arms, for men were not to stand still and be killed. That a short time after the scurrage of Locust Hill, in Northampton County, deponent heard Thomas Heath, Jr., and Ishmael Bennet, Jr., boasting and laughing, and said that they were there themselves; that they came on the Pennsylvanians in three parties, and approached very nigh them before the Pennamites saw them, and fired on them and left eight of the Pennsylvanians on the ground to keep possession."

At Philadelphia, under the date of August 10, 1784, President Dickinson wrote to Commissioners Armstrong and Boyd, at Wilkes-Barré, as follows\*:

"We have received your Letter by Captain Schott, and are in Hopes that, when the Insurgents are convinced of the determined Resolution of the Government to insist upon a due submission to the authority of the people of Pennsylvania, they will desist from further violences.

"As soon as they are in that Disposition, you will please to have the proper legal steps taken, that those who have disturbed the Peace (of whatever party they are) may be rendered answerable for their Conduct. It shall be our Endeavour, as it is our Duty, to impress this Principle, that it is extreme folly for men to expect, they shall promote their real Interests by a Contempt for the Laws of their Country.

"*The Fortifications at Wyoming we would have leveled and totally destroyed, & the Cannon and arms removed to Sunbury, & there safely deposited.*"

This letter was brought to Wilkes-Barré by an express, who reached here on Saturday, August 14, 1784. On that day, at Wilkes-Barré, Robert Martin, Esq., one of the Northumberland County Justices of the Peace, hereinbefore mentioned, wrote the following letter† to Gen. James Potter and Col. William Montgomery, the two Northumberland County members of the Pennsylvania Council of Censors‡. Justice Martin forwarded the letter to Messrs. Potter and Montgomery, then at Philadelphia, by the hands of Ebenezer Johnson.

"I beg leave to give you a detail of matters at this place. I must confess I am much *disappointed as to the conduct of the Commissioners*, to wit: Captain Boyd and Colonel Armstrong. Esquire Mead and myself repaired to this place in obedience to our instructions from the Council."

\* \* \* At our arrival we found that both the Pennsylvania and Connecticut parties had actually proceeded to hostilities, which we are well assured began a few miles from the Garrison on Shawnee Plains about July 20 last. Which party first began the fire at that time we cannot with certainty say; but we view both parties guilty of hostilities. It can be proved that previous to this numbers of the Connecticut party had been fired upon by the other party, when they were about their lawful business.

"Soon after we came to this place we called on the Connecticut party, in the name of the Commonwealth, to lay down their arms and submit themselves to the laws; which they accord-

\*See "Pennsylvania Archives", Old Series, X: 307.

†See Miner's "History of Wyoming", page 357.

‡See later mention for fuller references to this body.

ingly did, and at the same time declaring their willingness at all times to be law abiding. We accordingly made a demand of the like nature on Patterson and his party. Their answer was that they would comply, but said they would every one be murdered by the Connecticut party. We, in answer to them, said we did not apprehend the least danger from their opponents, as they had solemnly engaged to us they would not molest or hurt one of them on any pretense whatever. We further assured them that we would not ask them to deliver their arms to us before we put the arms of the Connecticut party on board the boat\*, within sight of the Garrison—but all our arguments and proposals were to no purpose.

"Then, as we were of the opinion that it would not be prudent to disarm one party and not the other, we returned to the Connecticut party and informed them that they were at liberty to take up their arms and disperse, and go to their habitations about their lawful business; which we believe they did. Our proposals to both parties were, that if they would submit to the laws and deliver up their arms to us, we would put as many of the leading men of both parties, as we should see proper, in custody of the Sheriff, to be taken to Sunbury.

"Had these proposals been complied with by Patterson and his party, we should have had no use for the Commissioners or the militia—which plan we thought most likely to answer the objects of Government and quiet the minds of the people, and at the same time we would be acting up to our instructions from Council.

"We had solemnly engaged to the Connecticut party that, on their submission, they should have equal justice with the other party, and the benefit of the Law—which engagement we made known to the Commissioners on their arrival, who approved of our conduct, and assured us that they had been sent here to do complete justice, without distinction of parties. This gave us the highest expectations that matters would soon be settled in such a manner as would do honour to Government; but to our astonishment, no sooner had the Connecticut party yielded themselves prisoners and laid down their arms to the Commissioners, than they were marched under a strong guard, and crowded into two small houses, unfit for the reception of any human being. At the same time, to the great mortification of those prisoners, and contrary, as they say, to the promise of the Commissioners, they were insulted by the other party, with their arms in their hands—which we think by no means accords with the declaration of the Commissioners, that they were sent here to do complete justice.

"It appears very clear to us that *the proceedings now at this place are carried on in so unfair, partial and unlawful a manner*, that we despair of establishing peace and good order in this part of the country; therefore, for my own part, I think it not prudent to act for the future in my office unless properly supported, as we are very sure nothing short of law, impartially distributed without distinction, will restore peace and quiet the minds of the people in this place.

"Sorry we are, and with reluctance we mention the partial proceedings here by the officers of Government; but at the same time we think it our indispensable duty to bear testimony against them. *We are much alarmed at the horrid abuse of power* lodged in the hands of designing and biased men. We fear eventually it may bring on an intestine war between the States—to prevent which we hope the authority of Pennsylvania will execute justice to every citizen thereof. The Connecticut party have generally declared themselves as such by taking the oath of allegiance to this State, as directed by law.

"*God forbid that I should have any desire or inclination to favor the Connecticut party or their claims!* I can honestly declare that I should be as well pleased to see them legally removed from this place as any man in the State, *as my interest here is under the Pennsylvania right.* It must appear, to every one acquainted with this circumstance, that it is much to my interest to have them dispossessed.

"I again say, that I have nothing in view respecting the unhappy disputes here but to do equal justice to every person, as I hope my conduct will at all times stand the test, and I be esteemed a faithful servant to the Government. Gentlemen, you may make what use you please of this letter, either public or private."

On the same day that the foregoing letter was written, preparations were completed at Wilkes-Barré to march the thirty Locust Hill men to the jail of Northampton County, at Easton, distant sixty-five miles, via the Sullivan Road. The prisoners, still handcuffed, were formed in column of twos, and between each two were placed the same number of militia men. All were bound together by a long rope running from the head to the rear of the column, and they were flanked on both sides by a strong guard of armed militia, with bayonets fixed.

When they were ready to take up the line of march, Colonel Armstrong gave orders to the guards that, if any one prisoner should attempt to make his escape, the whole body of prisoners should be put to death immediately, and the Government would "indemnify" the guards for such procedure. Notwithstanding these orders, and all the precautions taken by the guards, three of the captives escaped while en route to Easton, and were not recaptured—Joel

\*To be taken down the river to Sunbury.





THE START OF THE YANKEE PRISONERS TO EASTON, (1784)



Abbott and Waterman Baldwin, by superior activity, escaping at Sebitz's, or Learn's, and William Ross taking French leave at Heller's.

The remaining twenty-seven unfortunates were safely conducted to their destination and lodged in jail, where they were confined together in two small rooms. The Easton jail of that period was a two-story stone structure, which had been erected about 1753, and stood on the east side of South Third Street, near the present Pine Street. The daily rations of the Yankee prisoners were limited to one pound of bread per man, and a modicum of water; "but", wrote (in 1838) Elisha Harding, who was one of the prisoners, "I must record the generosity of a Jew, Michael Hart by name, who, by Jewish custom, was taught to feed the poor. Every Friday he sent two young women to the jail with two wooden vessels filled with fresh beef soup and with beef and bread—a very comfortable meal. He has been long dead, but his memory will live with me while I have life."

On August 19th, the forty-two Yankees who had been confined in the house of Colonel Butler for nine days were taken out, bound together with ropes, in a team, and marched off down the river to Sunbury jail, under a strong guard of militia, commanded by Col. Nicholas Kern, of Northampton County. Lieut. John Armstrong (see page 1347) was one of the subordinate officers of this military escort.

Colonel Franklin states that Sheriff Antes proposed at Wyoming to take charge of all the prisoners who were to be sent to Sunbury, and be accountable for them, but was not permitted to do so.

At Sunbury, under the date of Sunday, August 22, 1784, Colonel Kern wrote to Colonel Armstrong, at Wilkes-Barré, as follows\*:

"I have to inform you of my arrival at this place with the prisoners under my command. Yesterday morning Josiah Pell and another made their escape; the remainder I delivered to Sheriff Antes, called the roll, and saw them put in prison. The Sheriff said the prisoners were now under his care. A few minutes after I saw many of the prisoners at liberty, and this morning when I went to the gaol I found eleven of the number I delivered absent. Inclosed you have their names. You have much to fear from those men, as I presume they are gone to Wyoming. I march to-morrow for Northampton."

At Sunbury, on August 23, 1784, Capt. William Wilson, Lieutenant of Northumberland County, wrote to Colonel Armstrong, as follows:

"The prisoners arrived here yesterday, and after they were delivered into the Sheriff's custody he gave them permission to go at large, which alarmed the inhabitants exceedingly. One of the magistrates last evening ordered them to be closely confined, and ten of them are missing this morning. There are a number of the prisoners now at the Sheriff's house, and I have the greatest reason to imagine that he has paroled some of them. In consequence of an application from the most respectable people here, I have ordered a Sergeant's guard to be mounted at the gaol. This step I hope will meet with your approbation, as the present condition of the gaol is such that it renders a measure of that nature indispensably necessary."

Immediately upon receipt of the two foregoing letters, Colonel Armstrong despatched them to President Dickinson, accompanied by a letter reading as follows†:

"The enclosed letters contain some intelligence very closely connected with the peace and happiness of this unfortunate country; and which, if I may hazard an opinion, will deserve the immediate attention of Government. I have, therefore, despatched them to your Excellency by express.

"The whole of the militia has been dismissed some days since, and your Excellency's orders concerning the works, arms &c., executed. These events, you will readily conceive, have left the Pennsylvania claimants in a very disagreeable situation; which, joined to the conduct, will induce, I'm afraid, to a very general desertion of the country, or, what is perhaps more to be dreaded, an immediate appeal to arms. I would only further observe to your Excellency that

\*See "Pennsylvania Archives", Old Series, X: 654.

†See "Pennsylvania Archives", Old Series, X: 653.

the hands which have been already loosed by the Sheriff are among the most dangerous of the whole number; and that I have every reason to believe they will be joined to those of [John] Swift and [Joel] Abbott before this letter can reach Philadelphia.

"Enclosed is a list of those persons who have attached themselves to the fortunes of those two desperate villains [Swift and Abbott], and are now collected at Bowman's Creek."

With respect to two of the matters treated of in the foregoing letter, we would say: (1) Although President Dickinson, in pursuance of a vote of the Supreme Executive Council, had ordered that Fort Dickinson and the block-houses adjoining it should be "leveled and totally destroyed", yet Commissioners Armstrong and Boyd had not strictly carried out those orders, but had effected the demolition only of the block-houses and a small part of the fort. (2) About the time of the arrival of Commissioners Armstrong and Boyd, at Wilkes-Barré, John Swift, Ishmael Bennett, Jr., Elisha Satterlee, Phineas Stephens, Moses Sill, George Minard, William McClure and one or two others, who had been members of the Locust Hill party, retired up the Susquehanna to the neighborhood of Bowman's Creek, twenty-six miles from Wilkes-Barré. There they were joined, later, by Joel Abbott, Waterman Baldwin and William Ross, upon their escape from the custody of the Northampton militia while en route to Easton. Some days later other Yankees, who had been active in the hostilities against the Pennamites, attached themselves to the Bowman's Creek party.

Captain Boyd was temporarily in Philadelphia when Colonel Armstrong wrote the last-mentioned letter to President Dickinson, and on August 27th the latter, before he had received the letter in question, wrote to Colonel Armstrong that it was the sense of the Council that, until further measures could be pursued, "the wheat lately reaped on the disputed lands should be secured for the use of the persons who sowed the same"; and Colonel Armstrong was directed to "immediately give strict directions for this purpose."

Three days later, having received Colonel Armstrong's letter and enclosures, President Dickinson wrote to him, as follows:

"We have received your Letter of the 24th Instant with the inclosures, & have this Day put them into the Hands of a Committee of the General Assembly.

"That Committee is appointed for the purpose of bringing in a Bill to prevent any Interruption by suit of Certiorari, or other writ, to legal proceedings for restoring forthwith to the persons who were violently dispossessed in May last the Lands & Tenements which they then occupied.

"This Measure is adopted in Conformity to the sentiments of the Board & the Chief Justice, as well as of the Legislative Branch of government, and the Insurgents may be convinced, by considering the circumstances existing at the Time when it was adopted, that nothing but a Regard for Equity has prompted it. If they repeat their violences, they will at length render themselves answerable to public Justice for so many offences, that they must expect a very different Treatment, which it is in the Power of this Commonwealth to inflict at the Instant when it is in her Inclination.

"We therefore desire that you will order the men who are collected at Bowman's Creek immediately to disperse; & to inform them and others what will be the Consequences to themselves if they continue to disturb the Peace of the State.

"Captain Boyd proposes to set off for Wyoming in a Day or two, who will bring more particular Intelligence."

On the same day (August 30, 1784) that this letter was written, the Yankee prisoners in the jail at Sunbury were released under bail, and they returned to Wyoming Valley as expeditiously as possible. Colonel Franklin states that several of them upon arriving here "were fired upon by the Pennsylvania party, and were obliged to fly from Wyoming"—undoubtedly to Bowman's Creek.

At Philadelphia, September 7, 1784, the Pennsylvania Assembly considered "the subject of reinstating those *tenants* in Northumberland County who" had been forcibly dispossessed of their lands; whereupon it was resolved that "the President and the Supreme Executive Council be requested to appoint

Commissioners to obtain the most exact knowledge they can get of the names of the widows and children of such persons as were lately settled at or near Wyoming, and who have fallen fighting against the savages; and also of all such others as did actually reside on the lands at or near Wyoming when the Trenton Decree was given." \* \* \*

On September 9th the Supreme Executive Council "took into consideration the resolutions of the General Assembly, authorizing them to appoint Commissioners to proceed to Wyoming for the purpose of obtaining the most exact knowledge possible of the claims of the people," and resolved that the Hon. John Boyd, Lieut. Col. John Armstrong, Jr.,\* Lieut. Col. James Read, and John Okely, Esq., be appointed Commissioners for carrying into execution the said resolutions—any two of the Commissioners being empowered to act in the premises. On September 10th President Dickinson wrote to these gentlemen as follows:

"You will perceive by the resolutions of the General Assembly of the 7th instant, and our Act of yesterday, inclosed, that you are appointed Commissioners for executing a Trust of Great Importance. Relying on your Integrity, Prudence & Zeal for the public interest, we shall only say that we wish the business may be soon completed. It may be of considerable use if you could obtain a list of the names of those persons not claiming under Pennsylvania who have settled at or near Wyoming since the Decree made at Trenton." \* \* \*



BRIG. GEN. JOHN ARMSTRONG, JR.

From a portrait in oils in the War Department, Washington, D. C.

\*JOHN ARMSTRONG, JR., was born at Carlisle, Pennsylvania, November 25, 1758, the youngest son of John Armstrong, Sr. The latter was born in Ireland in 1725, and, coming to this country prior to 1748, settled in that part of Lancaster County, Pennsylvania, which in January, 1750, became Cumberland County. His name first appears in the annals of Cumberland County as that of a surveyor under the Proprietary Government. As noted on page 259 Vol. I, he was not only a surveyor, but a member of the Provincial Assembly, in 1754. He was also, about that period, a Justice of the Peace and an Elder in the first Presbyterian Church organized in Carlisle. The town of Carlisle, the county-seat of Cumberland County, having been laid out in 1751, was, together with its adjacent lands, resurveyed in 1762 by John Armstrong.

As early as the Spring of 1756 John Armstrong, Sr., held a Commission as Lieut. Colonel of the First Battalion of the Pennsylvania Regiment, and in August, 1756, he was selected to command an expedition against the Indian town of Kittanning, in what is now Armstrong County, Pennsylvania—which county was erected in March, 1800, and named for John Armstrong, Sr. Kittanning was the headquarters of "King" Shingas and "Captain Jacobs" of the western Delawares, and the Indians who resorted there were chiefly Delawares and Shawanese who were friendly to the French. (See note "H" on page 326, Vol. I.)

Armstrong's expedition marched from Fort Shirley, in what is now Huntingdon County, August 30, 1756, and consisted of 307 men. Among the Captains in command of companies was Hugh Mercer, mentioned in the note on page 361, Vol. I. Early in the action at Kittanning Mercer was wounded in the arm, but was carried off by some of his men to a point of safety; while later in the day Colonel Armstrong was wounded in his shoulder "by a large musket-ball." The Indians were defeated, and those who were not killed were dispersed, while their town was destroyed. Colonel Armstrong's official report concerning this expedition is printed in full in "Frontier Forts of Pennsylvania", II: 453, and is complete and interesting.

On account of this victory, the Common Council of Philadelphia, on January 5, 1757, addressed a complimentary letter to Colonel Armstrong, thanking him and his officers for their gallant conduct, and in addition presented him with a piece of plate. A silver medal was also struck by order of the Council, bearing on the obverse, in addition to an appropriate sculptured design, the legend: "Kittanning destroyed by Colonel Armstrong, September 8, 1756." On the reverse of the medal the arms of the corporation were shown, with this inscription: "The gift of the corporation of Philadelphia." These medals were presented to Armstrong and all the commissioned officers of his expedition. A small sum of money was also presented to each officer. In June, 1779, a stockaded fort was erected at Kittanning by order of the Continental authorities, and was named Fort Armstrong in honor of Colonel (then Brig. General) Armstrong.

Lieut. Colonel Armstrong was promoted and commissioned "Colonel commanding" the "First Battalion of the Pennsylvania Regiment", December 2, 1757, and the same day Capt. Hugh Mercer was promoted Lieut. Colonel of the battalion. As to some of the military activities of Colonel Armstrong in 1763, see pages 426 and 427, Vol. I. He appears to have been always ready, in those perilous times on the frontiers of Pennsylvania, to go on the war-path against the inimical Indians. That he had no particular love for them is shown by a letter to Governor Penn of Pennsylvania, which he wrote at Carlisle in February, 1768. It was undoubtedly called forth by the Act of Assembly mentioned on page 447, Vol. I, and it read in part as follows: "They [the inhabitants] tell us that the Government always manifest a greater concern at the killing or death of an Indian than at the death or killing of any of them [the inhabitants]; that the Indians first break the peace, and have, since the last establishment thereof, killed a considerable

number of Pennsylvanians at different times and places, and that no lamentation has been made, nor exertion of the power of Government to bring those savage butchers to account."

Colonel Armstrong was, at the breaking out of the Revolutionary War, a member of the Committee of Correspondence of Cumberland County. He was commissioned a Brigadier General by the Continental Congress, March 1, 1776, being the first officer of that rank to be commissioned by the Congress. It having been resolved by Congress in the Summer of 1775 that a certain number of Brigadier Generals for the Continental army should be appointed and commissioned, Washington, at his headquarters in Cambridge, Massachusetts, wrote to the Congress on August 23, 1775, relative to the appointment of these officers, as follows: "Col. John Armstrong of Pennsylvania . . . served during the last war in most of the campaigns to the southward, was honoured with the command of the Pennsylvania forces, and his general military conduct and spirit [were] much approved by all who served with him; besides which his character was distinguished by an enterprise against the Indians which he planned with great judgment and executed with equal courage and success. It was not till lately that I had reason to believe he would enter again on publick service."

Colonel Armstrong was in Philadelphia when he was appointed and commissioned Brigadier General, and having accepted the appointment and received his commission on March 2nd he was directed by the President of Congress to repair immediately to South Carolina to take command of the Continental troops there. In August, 1776, General Armstrong was at Charleston, South Carolina. He resigned his commission April 4, 1777, and the next day was appointed a Brig. General of the Pennsylvania militia. In the following October he commanded the Pennsylvania militia engaged in the battle of the Brandywine. He also commanded them at the battle of Germantown. At this time he also held the office of Lieutenant of Cumberland County. January 9, 1778, he was promoted Major General of the Pennsylvania militia, and served in that rank till the close of the war. He was a Delegate from Pennsylvania in the Continental Congress in the years 1778-'80. He died at Carlisle, March 9, 1795.

John Armstrong, Jr., in the Summer of 1775, being then in the seventeenth year of his life and a student at the College of New Jersey (Princeton), enlisted in the regiment of Pennsylvania militia commanded by Col. James Potter of Northumberland County. Later in the same year he served as a volunteer in the Canada Expedition and at Quebec. The next year—in June or July—he became an aide-de-camp to Brig. Gen. Hugh Mercer (see page 361, Vol. I), with the rank of Major, and served as such until Mercer's death, January 3, 1777. He was then—about March, 1777—made an aide-de-camp on the staff of Gen. Horatio Gates, and was with him until the close of the campaign against Burgoyne (which ended at Saratoga, October 17, 1777), and during the ensuing Winter and the next Spring.

When in the Summer of 1780, General Gates was appointed by Congress to the command of the Southern army, Armstrong accompanied him as his Adjutant General and served in that capacity until, by reason of the ignominious defeat of Gates by Cornwallis near Camden, South Carolina, August 15, 1780, Gen. Nathaniel Greene was appointed to supersede Gates. Armstrong then became Greene's Adjutant General, with the rank of Major. Gates lost his laurels by his defeat, and was compelled to undergo a trial by court-martial; but, having been acquitted in 1782 of the charges upon which he had been tried, he was given a commoand suitable to his rank, and Armstrong again became a member of his staff, still with the rank of Major.

Under the date of October 15, 1782, Major Armstrong, being then in Philadelphia, applied to the Supreme Executive Council of Pennsylvania for the office of Secretary of the Council. In his application (see "Pennsylvania Archives", Old Series, IX: 650) appeared the following paragraph: "I am sufficiently aware that I stand unsupported by any claim which another applicant may not urge with equal propriety. My pretensions rest chiefly upon my attachment to the State and my reverence for the Government. To these I may add (and perhaps to some effect) a long, unwarded service in the field—convinced that to a patriotic Council the claims of a soldier can neither be offensive nor indifferant."

At that time the main body of the American army was encamped along the Hudson in the neighborhood of Newburgh, New York, at which place Washington maintained his headquarters until the army was disbanded in November, 1783. Throughout the Winter of 1782-'83 the conditions in the country were full of danger. There was no assurance that the war would not be renewed, and it was necessary still to maintain the army. The patience of the soldiers had been marvelous; but now that peace was believed to be at hand they were growing weary of want and penury. The officers had been promised half-pay for life, by a resolution of Congress passed in 1780, but no move had been made to carry out the pledge. In fact, Congress had done nothing for the claims of the army, and it seemed highly probable that it would be disbanded without even a settlement of the accounts of the officers.

Alarmed and irritated by the neglect of Congress, destitute of money and credit, and of the means of living from day to day, and oppressed with debt, the Continental officers presented a memorial to Congress, in December, 1782, in which they urged an immediate adjustment of their dues. The friends of the army in Congress did the best they could in the proposed adjustment of arrears of pay and the question of future pensions, "but party politics had too much weight even upon a question which should have been settled upon the single principle of common justice." While Congress was discussing the subject and lamenting its inability to do the proper thing, affairs at Newburgh put on a more threatening aspect than ever. The almost universal judgment of the officers was that Congress would disband the army, and what, in that event, would become of their hard-earned pay, so long overdue. In their opinion it was clearly the policy of Congress to postpone all action in the matter till after the peace, and then turn the soldiers adrift to starve, or live as best they could on the charity of the country.

At no time during the Revolution was the American cause in a more desperate situation than in the early part of 1783. "The camp at Newburgh was a powder magazine, which needed only a torch, applied at the right place and the right moment, to produce a terrible explosion." The torch was lighted, but fortunately there was a strong hand ready to extinguish it on the instant.

On March 10, 1783, an anonymous address was circulated among the officers at Newburgh, calling a meeting of the general and field officers and of one officer from each company and one from the medical staff, to consider the late letter from their representatives at Philadelphia, and to determine what measures, if any, should be adopted to obtain that redress of grievances which they seemed to have solicited in vain. It was written with very unusual skill and in language calculated to excite the anger and awaken still further the resentment of the officers of the army, who with much justice felt that they had sacrificed their comfort and were now treated with scorn and contumely. "Can you, then, consent to be the only sufferers by this Revolution—was the language of the address, and, retiring from the field grow old in poverty, wretchedness and contempt. Can you consent to wade through the vile mire of dependency, and owe the miserable remnant of that life to charity, which has hitherto been spent in honour.

"If you eat, go! and carry with you the jest of Tories and the scorn of Whigs; the ridicule and (what is worse) the pity of the world. Go, starve, and be forgotten! But if your spirit should revolt at this—if you have sense enough to discover, and spirit enough to oppose, tyranny under whatever garb it may assume (whether it be the plain coat of republicanism or the splendid robe of royalty)—if you have not yet learned to discriminate between a people and a cause, between men and principles—awake! Attend to your situation, and redress yourselves! If the present moment be lost, every future effort is in vain; and your threats then will be as empty as your intreaties now. I would advise you, therefore, to come to some final opinion on what you can hear and what you will suffer. If your determination be in any proportion to your wrongs, carry your appeal from the justice to the fears of Government."

This document was read by the officers with strong manifestations of approval. But Washington met the crisis with firmness, although with a spirit of conciliation, and on the day following dissemination of the address he issued a general order forbidding an assemblage of his officers at the call of the writer of an anonymous circular, and directing the representatives of the officers to assemble on March 15, to deliberate upon what further measures ought to be adopted as most rational and best calculated to obtain the just and important object in view. On the day after this order was issued, a second anonymous address from the same writer appeared. In this paper he affected to consider Washington's order as a sanction of the whole proceeding which he, the anonymous writer, had proposed. But, to learn the truth, the army had to wait only until Saturday the 15th.

On that day the officers assembled in the "temple" at Newburgh, and General Gates was called upon to preside at the meeting. At the appointed hour Washington appeared. "The scene is one of the most dramatic in our history," says A. C. McLaughlin in his "The Confederation and the Constitution". "As he [Washington] took his place at the desk he drew his written address from his coat pocket, and his spectacles, with his other hand, from his waist-

coat pocket, and then addressed the officers in the following manner: 'Gentlemen, you will permit me to put on my spectacles, for I have not only grown gray, but almost blind, in the service of my country' This little address, with the mode and manner of delivering it, drew tears from many of the officers."

The paper which Washington then proceeded to read was a manly, eloquent, telling appeal to the patriotism, judgment and patriotic generosity of the officers. It was a stinging rebuke for the cowardly conspirators who were plotting to disgrace the army and ruin the country.

"My God!" exclaimed Washington, "what can this writer have in view by recommending such measures? Can he be a friend to the army? Can he be a friend to this country? Rather, is he not an insidious foe—some emissary, perhaps, from New York—plotting the ruin of both, by sowing the seeds of discord and separation between the civil and military powers of the Continent? And what a compliment does he pay our understandings, when he recommends measures, in either alternative, impracticable in their nature? \* \* \* Let me conjure you, in the name of our common country, as you value your own sacred honor, as you respect the rights of humanity, and as you regard the military and national character of America, to express your utmost horror and detestation of the man who wishes, under any specious pretences, to overturn the liberties of our country, and who wickedly attempts to open the flood-gates of civil discord and deluge our rising Empire in blood!"

"Upon the conclusion of the address," says McLaughlin, "the whole assembly was in tears. Washington withdrew, and resolutions were then adopted expressing unshaken confidence in the justice of Congress and the country, declaring that the officers of the American army received with abhorrence and rejected with disdain the *inflammatory proposals of the anonymous circular*, and respectfully requesting Washington to urge upon Congress the prompt attention to their claims. And thus that body of officers, in a moment, damed with infamy two publications which, during the four preceding days, most of them had read with admiration and talked of with rapture."

These two circulars were soon referred to and are still known as the "Newburgh Addresses." McMaster, in his "History of the People of the United States," says: "Who wrote the Newburgh Addresses was long as much in dispute as who wrote the Letters of Junius. Gordon, whose 'History of the American Revolution,' came out a few months later, says that they were known to be the work of Maj. John Armstrong, Jr. But Johnson, the author of a life of General Greene, many years later attributed them to the last man who would have written them—Governour Morris. This was too much for Armstrong, and, in a review of the book that came out in the *United States Magazine* for January, 1823, he labored hard to prove a claim to the authorship of the Addresses. He was successful. But he gained small credit. There is now no doubt that Armstrong wrote them, that Gates set him on, and that Barbara, the Assistant Adjutant General, copied and distributed them through the army."

At Salem, Massachusetts, under the date of May 6, 1823 (see the "Pickering Papers," XV: 303, mentioned on page 29, Vol. of this work), Col. Timothy Pickering, who was Quartermaster General of the American army in 1783, and was present in the "temple" at Newburgh on March 15, wrote to Gen. John Brooks, Governor of Massachusetts, as follows: "You will have seen that Judge Johnson, in his 'Life of General Greene,' has ascribed the Newburgh anonymous letters to Governour Morris as the author. His reasoning on the subject is absurd in the extreme. A review of his work has appeared in the *United States Magazine* (New York) for January last, of which review General Armstrong is the reputed, and doubtless the real, author. The review pronounces that those letters were written by Armstrong. I had never a doubt of it; nor do I suppose that a single officer in the army ever doubted it. About a month ago, in transferring some pamphlets and papers from a trunk to a closet, I met with the manuscript copy of the letters taken at the time by one of my clerks from the copies circulating among the officers. On the cover of my copies it is noted, in my own hand, that the letters were 'written by John Armstrong, Jr.' But the reviewer, at his 43d and 44th pages, gives a letter from General Washington, dated at Philadelphia, February 23, 1793, in which Washington states that, at the time of writing his address [of March 15, 1783], he "did not regard Armstrong as the author of the letters."

The letter written by Washington to Armstrong, as stated above, contained, among other matters, the following (see the "Pickering Papers," XLI: 318): "I do hereby declare that I did not, at the time of writing my address, regard you as the author of said letters. \* \* \* I have since had sufficient reason for believing that the object of the author was just, honorable and friendly to the country, though the means suggested by him were certainly liable to much misunderstanding and abuse."

Upon reading the foregoing extract it is easy to conclude that Washington did not, in 1793, know who had written the "Newburgh Addresses"; and as he died nearly seven years later it is quite probable that he never learned the name of the author.

"O Jove, why hast thou given us certain proof

To know adulterate gold, but stamp'd no mark—

Where it is needed most—on man's base metal?"

—Euripides, "Medea," 553.

In his "Autobiography," written some sixteen or seventeen years before his death, in 1821, the Hon. Charles Biddle (mentioned on page 1384, and in a biographical note in the ensuing chapter), makes the following reference to John Armstrong, Jr., whom he succeeded as Secretary of the Supreme Executive Council of Pennsylvania in 1787. "Armstrong wrote the anonymous letters addressed to the officers and soldiers at the conclusion of the war. He showed me others he had written, which were not published. Armstrong has very superior talents, but they are almost useless, he is so extremely indolent."

The ink was not much more than dry on the Newburgh Addresses when the Supreme Executive Council of Pennsylvania took up the application of Major Armstrong for the office of Secretary of the Council, and on March 25, 1783, elected him to the office. It must have been about that time that he began the study of law under the direction of the Hon. John Dickinson (as mentioned on page 1320); later in the same year he became a member of the Pennsylvania branch of the Society of the Cincinnati; about that same time the brevet rank of Lieutenant Colonel was conferred upon him by Congress, and, as noted on page 1441, he was appointed (in October, 1784) a Brigadier General of the Pennsylvania militia. General Armstrong served continuously as Secretary of the Council until 1787, when, being elected by the Pennsylvania Legislature on March 24th a Delegate to the Continental Congress (then meeting in the city of New York), he, on April 10th, prayed the Council to "grant him such occasional leaves of absence from the Board as might be proper and necessary to the discharge of his new trust." The Council granted the requisite permission, but on October 23, 1787, elected the Hon. Charles Biddle, previously mentioned herein, Secretary in the place and stead of Armstrong.

In the latter part of 1787 Armstrong was appointed by Congress one of the Judges for the Northwestern Territory, but he declined the office. He served in Congress as a Delegate from Pennsylvania until the Old, or Continental, Congress held its last meeting in October, 1788. The Federal Constitution having been ratified by the several States of the Union, Washington was inaugurated as the First President of the United States at the City of New York on April 30, 1789, the oath of office being administered by Robert R. Livingston, Chaoellor of the State of New York. Near that date, General Armstrong was married to Aida Livingston, youngest sister of the Chancellor, and soon thereafter he purchased a farm in the northwestern corner of Dutchess County, New York, a short distance below Barrytown, on the Hudson, and near what is now Red Hook, within the precincts of the old Livingston Manor. He called his place "Rokeby"; and there he established his home, devoting himself to agriculture.

In 1799, General Armstrong was elected to the United States Senate from New York, as successor to John Laurance, who had resigned. Armstrong held this office until 1801, when he resigned and was succeeded by De Witt Clinton, some years later, Governor of New York. Clinton resigned in 1803, and Armstrong again took the senatorial seat, only to give it up the next year in order to succeed his brother-in-law Robert R. Livingston (the former Chancellor) as Minister Plenipotentiary of the United States to France, his appointment being made by President Jefferson, June 30, 1804. Soon thereafter, accompanied by his secretary, Nicholas Biddle of Philadelphia, General Armstrong sailed for France. At the cathedral of Notre Dame, Paris, December 2, 1804, Armstrong and his secretary were present (officially representing the United States), to see Napoleon Bonaparte crown himself and his wife, Josephine, "Emperor and Empress of the French."

General Armstrong held the office of Minister for six years, and from 1806 to 1810 he also acted as United States Minister to Spain. Returning to this country in 1810, or early in 1811, he was, on July 6, 1812, appointed by President Madison a Brigadier General in the United States Army. He accepted the appointment nine days later, received his

commission and was placed in command of the forces defending the city of New York. Four days later war was declared by the United States against Great Britain.

About the time of the return of Armstrong to the United States, the following item was printed in *The Gleaner* (Wilkes-Barre, July 5, 1811), written by its editor, the Hon. Charles Miner: "General Armstrong, the reputed author of the incendiary address to the army—so justly celebrated for its manner, and so righteously execrated for its matter—shrunk from the patriotic eye of Washington and remained in the shade until the terror of that great man ceased to awe him to silence. In the twilight that succeeded, he came forth. \* \* \* An embassy to France rewarded his early defection from the principles of our Chief. Like Roderick Dhu, some vigorous and noble traits of character have shot forth amid the wild luxuriance of his vices. His restless spirit will never be still. We claim no merit for the prediction, but mark it: We have only introduced the prelude to the history of the revolution of his [Armstrong's] fortunes!"

Armstrong served as Brigadier General—acceptably, so far as we can now learn—until January 13, 1813, when he was appointed Secretary of War by President Madison, who, less than two months later, was to enter on his second term as President. Hardly had Armstrong entered the Cabinet," state Wiley and Rines in their history of the United States, V, 385, "when he set the members of the Administration at odds, \* \* \* and the President found the task of maintaining discipline in the Cabinet as great as it was in the army. Armstrong quarreled with Monroe [then Secretary of State and later Madison's successor in the Presidency] regarding the appointment of the latter to the chief command of the army [as Secretary of War], to which Monroe thought himself entitled. Armstrong then offended [Albert] Gallatin [of Pennsylvania, Secretary of the Treasury], who of all men was the most important to the Administration in this crisis. Armstrong represented everything antagonistic to Gallatin. His methods were arbitrary and underhanded; he was needlessly lavish in his expenditures, and used his patronage for only one possible purpose."

Dr. K. C. Babcock, in his "The Rise of American Nationality," says, referring to the appointment of Armstrong as Secretary of War: "Monroe desired the War portfolio, since the State Department did not furnish such an outlet for his talents; while the most active field of his activity was closed to him. Although for political reasons Madison did not comply, jealousy and suspicion between Monroe and Armstrong had a detrimental effect upon the military service." Madison knew Armstrong well; his record and personality were not closed books. He admitted that he hoped for, rather than expected, satisfactory results from the appointment. From the start however, he gave him neither respect nor confidence.

Within two months after Armstrong became Secretary, Brig. Gen. James Wilkinson (mentioned in the (§) note on page 1440) was promoted Major General, and a few months later he succeeded Maj. Gen. Henry Dearborn in command of the United States forces in northern and western New York. Dr. Babcock, in his book hereinbefore referred to, says that "Wilkinson, who was about all that an officer should not be, was perhaps the scurviest knave who ever wore the straps of a General in the United States Army; a man of low morality and shady reputation, conceited, insubordinate and untrustworthy, who happened to have been friendly with Armstrong in the Revolutionary army. Gen. Winfield Scott in later years referred to him as an 'unprincipled imbecile.'"

Wilkinson established his headquarters at Sackett's Harbor, on the eastern shore of Lake Ontario, but early in September, he went to Fort Niagara, mentioned on page 298, Vol. I. On his return from there, a month later he found that Secretary Armstrong had arrived at Sackett's Harbor on September 5th, and established a war department on the frontier. This aroused the jealous rage of Wilkinson, and soon the trouble between the two men became serious. Neither believed that Montreal could be taken, and each attempted to shift on the other the responsibility for the failure. "Whatever Armstrong suggested, Wilkinson opposed." On December 18, 1813, the British captured Fort Niagara (which they held until the end of the war), and, having increased their force and let loose their auxiliary Indians on Lewiston and the adjacent country, they laid waste the Niagara frontier with fire and sword. Other disasters and defeats which followed, soon weakened the numbers as well as the spirit of the American forces. Wilkinson considered Armstrong responsible for the failure of the campaign, and believed that the Secretary had secretly attempted to ruin him. Determined to fasten the guilt upon the Secretary in the most public manner, he wrote a letter at Plattsburg, New York, and, with great effrontery, demanded a trial by court-martial. On March 24, 1814, orders were received by Wilkinson relieving him from duty under the form of granting his request for a count of inquiry.

At this time the British fleet had been in full command of Chesapeake Bay for nearly a year and a-half, yet there was neither fortification of consequence nor army of appreciable size or efficiency for the protection of Washington, the fourteen-year-old capital-city of the country. Secretary Armstrong seemed to think that since there was no strategy impelling the British to capture Washington, they would not make the attempt. However, aware of a threatened invasion, President Madison began to press Armstrong early in May to take precautionary measures, and the matter was discussed by the Cabinet; nevertheless, by the first of July there was not in the whole region thereabout a fort, a breastwork, a trench or a battery, even on paper, save old Fort Washington, some eight or ten miles south of Alexandria, on the Potomac.

In the *New York Evening Post* of August 8, 1814, a letter from the city of Washington was printed, in which the following paragraph appeared: "The citizens complain loudly of the defenceless state of the District. Armstrong is suspected and cursed by almost every person here. Deputations have been sent to the President, both from this city and Georgetown. They have declared to the President their total want of confidence in Armstrong, and demanded in strong terms that steps be immediately taken to place the District in a state of defence. Armstrong and some others in power will be well watched. If any disaster befall the District through their neglect or disaffection to the seat of Government, they may not, from the present temper of the people, find it easy to escape."

Eleven days after the publication of these comments on the Secretary of War, a British force of some 4,000 veteran soldiers, under the command of Maj. Gen. Robert Ross, late of the Peninsular army, landed from a fleet of transports at Benedict, Maryland, on the western bank of the Patuxent River. Marching thence to Bladensburg, some five or six miles north-east of Washington, on the East Branch of the Potomac, they encountered an improvised army of Americans, composed of about 1,400 regular soldiers and sailors and 1,200 raw militiamen—"a mass of men suddenly assembled without organization, discipline or officers of any, the least, knowledge of service." The battle of Bladensburg was fought in the afternoon of August 24, and of course the Americans were defeated, and their retreat towards Georgetown and the woods of Virginia across the Potomac was that of "a panic-stricken mob." In the early evening of the same day the enemy encamped just outside the city of Washington, while President Madison and his Cabinet and more than half the inhabitants of the city fled to Virginia. Shortly afterwards a detachment of the enemy, headed by General Ross and Admiral George Cockburn, marched into the city. The Capitol, the White House, the Treasury Building, the Navy Yard buildings and other structures were burned either on that day or the next. In fact, the only public building that escaped the fury of the invaders was the wooden structure used for the Post Office and the Patent Office.

Late in the afternoon of the 25th one of the severest wind storms in the history of Washington broke over the city. Trees were uprooted, roofs were ripped off houses, and other damage was done. After the storm was over Ross and Cockburn decided to depart, and by midnight were well on their way to Benedict, where they re-embarked on their ships on August 30th. Although they had been in Washington less than twenty-four hours they destroyed public property estimated to have been worth more than \$1,500,000. As they left the city they set fire to the long wooden pier across the Potomac at that point.

Philip Freneau, the "poet of the Revolution," summed up the Washington campaign in the following verses:

"A veteran host, by veterans led,  
With Ross and Cockburn at their head  
They came—they saw—they burned—they fled!  
They left our Congress naked walls—  
Farewell to towers and Capitols,  
To lofty roofs and splendid halls!"

News of the capture and sacking of Washington did not reach New York City until August 27th, when the event was referred to by an afternoon paper of that date in these words: "Six months ago no one could have thought such an event could possibly have taken place. But this is an age of wonders! It is possible that, after being two years at war, our capital, the seat of our General Government, should have been left so defenceless? In less than one month



At Philadelphia, on the same day that the foregoing letter was written, the Pennsylvania Council of Censors\* met and issued the following mandate:

"The Council of Censors, in the name and by the authority of the people of Pennsylvania, to the General Assembly of the State of Pennsylvania *Send Greeting*:

"We demand of you that you, without delay or excuse, forthwith send into this Council of Censors the documents and papers hereunder mentioned, now, as it is said, in your keeping. That is to say, the report of the committee appointed the 9th of December last to inquire into

from the sailing of the expedition from Bermuda the British general has fixed his headquarters in the heart of our nation. Where have our men of affairs been all this time?"

During the occupancy of Washington by the enemy, President Madison and his Secretaries had been traveling around hunting for each other and seeking safety. Finally, in the course of a few days, Madison returned to Washington, and, summoning his Secretaries, began the work of restoring government. Armstrong had not yet returned, and Monroe was appointed Secretary of War *ad interim*. About that time the militia held a meeting and declared they would no longer serve under Armstrong. Soon thereafter the latter rode into Washington from Frederick, Maryland, when Madison proposed, as a compromise, that Armstrong should retire temporarily, until the storm of criticism of the President and his Secretary of War, on account of the mismanagement of the war should blow over. But Armstrong declined this arrangement, resigned his portfolio on September 27, 1814, and published the reasons for his act in a plain-speaking letter in the *Baltimore Patriot*.

In April, 1843, the following estimate of General Armstrong was printed in the *United States Gazette*, apropos of his death. "General Armstrong distinguished himself as Minister at Paris, but he lost nearly all his credit by the loss of Washington City, when he was Secretary of War, where he was charged with total neglect to defend the capital of the nation after he had been earnestly solicited to supply the means. That was the end of Armstrong's public career. He appeared to lose no opportunity to assail, and he was a vigorous writer, evidently more skilled in theory than in the practice of war, and understanding better when an officer should do than how to do it himself."

Henry Adams, the historian, wrote of him a considerable number of years ago: "Whatever were Armstrong's faults, he was the strongest Secretary of War the Government has yet seen"; while in Lamb's "Biographical Dictionary of the United States" it is stated "that the energy he [Armstrong] infused into the regular army lasted for half a century."

It is an interesting coincidence that, on the very day that General Armstrong resigned his office of Secretary of War, an American privateer, the brig *General Armstrong* of New York, in command of Capt. Samuel Chester Reid, after a severe and long-drawn-out battle with three British war-ships, was destroyed in the harbor of Fayal, one of the Azores, on the other side of the Atlantic.

General Armstrong retired to his farm near Red Hook and spent his remaining years in literary work. His published works include: "Letters of Versus, addressed to a Native American" (1797); "A Biographical Sketch of the late Robert R. Livingston" (1820); "Notices of the War of 1812" (two volumes, 1836); the lives of Gen. Anthony Wayne and Gen. Richard Montgomery (Armstrong's brother-in-law), published in Jared Spark's "Library of American Biography"; a review of General Wilkinson's "Memoirs"; treatises on agriculture, gardening and other subjects. He had also completed a military history of the Revolutionary War, when the manuscript was accidentally destroyed by fire.

General Armstrong died at "Rokeby", near Red Hook, April 1, 1843, and his remains lie in the cemetery at Rhinebeck, Dutchess County, marked by a mausoleum erected by two of his grandsons in 1903.

†JAMES READ was born in Newcastle County, Delaware, in 1743, the third son of John Read. The latter was born in Dublin, Ireland, in 1688, the son of an English gentleman of large fortune. Emigrating to this country he became one of the founders of Charlestown, Cecil County, Maryland, on the headwaters of Chesapeake Bay. This was about twelve years after the middle State had begun. John Read held various military offices during his life. He died June 17, 1756, on his plantation in Newcastle County, where he had resided for some years. His eldest son, George Read, was one of the signers of the Declaration of Independence.

James Read was a merchant in the South Ward of Philadelphia in 1774, and became City Lieutenant of Philadelphia April 10, 1777. The same year he became Captain of the "South Ward" Company in Col. William Bradford's battalion of Philadelphia militia, and in July, 1777, was promoted Major of this battalion. August 2, 1777, he was transferred as Major, to Col. Jonathan Bayard Smith's battalion. He took part in the battles of Trenton, Princeton, Brandywine and Germantown. He was appointed by Congress, November 4, 1778, one of the three Commissioners of the Navy for the middle States, and on January 11, 1781, was invested by the same body with sole power to conduct the affairs of the Navy Board. Early in 1780 he was Lieutenant Colonel commanding the First Battalion, Philadelphia Militia, but later in the year was transferred to the command of the Second Battalion. He was appointed to the office of flour inspector in Philadelphia, April 22, 1785, and by successive reappointments held this office until 1796, or later. (For an interesting account of his duties and responsibilities as Flour Inspector, see "Pennsylvania Archives", Old Series, XI: 755.) Colonel Read died in Philadelphia, December 31, 1822. His grandson, the Rev. James Read Eckard, D. D. (born in Philadelphia, November 22, 1805), was Professor of Rhetoric at Lafayette College during the present writer's student days there.

†JOHN OKELV was born in Bradford, England, March 22, 1721. He sailed from London, March 15, 1742, as a member of the "Sea Congregation", mentioned in the note on page 216, Vol. I. This colony of Moravian Brethren arrived in Philadelphia June 7, 1742, and after some days spent there proceeded to Bethlehem, where they arrived June 21st. John Okely helped to found the Moravian Church there, and also the girls' college. Bishop Spangenberg (see page 217, Vol. I, and other pages) regarded him with great affection, and spoke of him as his son.

For many years Okely was scribe and land agent of the Moravian estates in Pennsylvania, but when the troubles between the American Colonies and the mother country began he left the Brethren and joined the Episcopal Church. In 1774 he was appointed a Justice of the Peace by Gov. John Penn, and in 1775 was a member of the Committee of Correspondence of Northampton County, Pennsylvania, composed of six citizens chosen by the electors of the County. He was also a member of the Committee of Safety of the County, and with three other men represented the County in the Provincial Congress which convened at Philadelphia, January 23, 1775. He is on record as having, on May 6, 1775, in conjunction with his fellow members of the Committee of Safety, directed the formation of militia companies in Northampton County, and advising that each man "be provided with one good fire-lock, one pound of powder, four pounds of lead, a sufficient number of flints, and a cartridge-box." At Bethlehem he had charge of the prisoners who were held there by the Continental authorities, and as a Deputy Quartermaster in the Continental service he had charge of the procuring and purchasing of supplies of food for the prisoners as well as for the troops.

In 1788 Mr. Okely removed from Bethlehem to Lancaster County, Pennsylvania, where he engaged in farming. He was married (1st) in Philadelphia, March 9, 1743, to Johanna Robbins, who died March 3, 1745. On the 7th of the following October he was married (2d) to Elizabeth Horne, a Moravian. She died at Bethlehem December 23, 1775, and on February 8, 1780, Mr. Okely was married (3d) to Margaret, daughter of George Moore of Lancaster, Pennsylvania. She died April 3, 1789, leaving two children: (i) *Elizabeth*, born in 1782, and (ii) *John M.*, born in 1785. Mr. Okely died on his farm May 15, 1792.

\*The first Constitution of the State of Pennsylvania, adopted in September, 1776 (see page 881, Vol. II), provided that a COUNCIL OF CENSORS, consisting of two persons from each city and county, was to be elected in 1783 and in every seventh year thereafter, whose duty it would be to make inquiry as to whether the Constitution had been preserved inviolate during the last septenary, and whether the executive and legislative branches of the Government had performed their duties as guardians of the people, or had assumed to themselves, or exercised, other or greater powers than they were entitled to by the Constitution. For these purposes the Council was empowered to send for persons, papers and records, and was authorized to pass public censures, order impeachments and recommend to the Legislature the repeal of such laws as appeared to have been enacted contrary to the principles of the Constitution.

the charges contained in a petition from a number of the inhabitants of Wyoming, and the papers and affidavits accompanying the same; and the letter from Zebulon Butler and others of Wyoming, read in the Supreme Executive Council May 28, 1784, and which was by them transmitted to the House.

"Signed by order of the Council of Censors, now sitting in the State House, in the city of Philadelphia, on this 10th day of September, A. D. 1784.

[Signed] "FREDERICK A. MUHLENBERG,  
"President of the Council of Censors."  
"Attest: SAMUEL BRYAN, *Secretary*."

The General Assembly coolly and deliberately disregarded and ignored these demands of the Censors, whereupon the latter, on September 11th, delivered the following solemn and scathing denunciation of the measures pursued against the Wyoming settlers, and ordered that the same "be printed\* by Francis Bailey, with the report concerning the deviations of the Legislative branch of the Government."

"It is the opinion of this Council that the decision made at Trenton early in 1783 [Decr., 1782], between the State of Connecticut and this Commonwealth, concerning the territorial rights of both, was favorable for Pennsylvania. It likewise promised the happiest consequences to the Confederacy, as an example was thereby set of two contending sovereignties adjusting their differences in a Court of Justice, instead of involving themselves, and perhaps their confederates, in war and bloodshed.

"It is much to be regretted that this happy event was not improved on the part of this State, as it might have been; that the persons claiming the lands at and near Wyoming, occupied by emigrants from Connecticut, now become subjects of Pennsylvania, were not left to prosecute their claims in the proper course, without the intervention of the Legislature; that a body of troops was enlisted (after the Indian war had ceased and the civil government had been established) and stationed at Wyoming for no other apparent purpose than that of promoting the interests of the claimants under the former grants of Pennsylvania; that these troops were kept up and continued there without the license of Congress, in violation of the Confederation; that they were suffered without restraint to injure and oppress the neighboring inhabitants during the course of the last Winter; that the injuries done to these people excited the compassion and interposition of the State of Connecticut, which thereupon demanded of Congress another hearing and inquiry in order to investigate the private claims of the settlers at Wyoming (formerly inhabitants of New England), who, from this instance of partiality in our rulers, might have been led to distrust the justice of the State, when, in the meantime, numbers of these soldiers and other disorderly persons, in a most riotous and inhuman manner, expelled the New England settlers before mentioned from their habitations, & drove them towards the Delaware, through unsettled and almost impassable ways, leaving these unhappy outcasts to suffer every species of distress; that this armed force, stationed as aforesaid at Wyoming (as far as we can see without any public advantage in view), has cost the Commonwealth the sum of £4,460 and upwards for the bare levying, providing and paying of them, besides other expenditures of public money; that the authority for embodying these troops was given privately, and unknown to the good people of Pennsylvania, the same being directed by a mere Resolve of the late House of Assembly, brought in and read the first time on Monday, 22d September, 1783, when, on motion and by special order, the same was read the second time and adopted; that the putting of this Resolve on the secret journal of the House, and concealing it from the people, after the war with the savages had ceased and the inhabitants of Wyoming had submitted to the government of the State, sufficiently marks and fixes the clandestine and partial intent of the armament—no such caution having been thought necessary in the defence of the Northern and Western frontiers during the late war; and lastly, we regret the fatal example which this transaction has set, of private persons, at least

The powers of the Council were to continue one year, and included the right to call a convention to meet within two years, if deemed absolutely necessary, for amending any Article of the Constitution that might appear defective, or for adding such Articles as might appear necessary for the preservation of the rights and happiness of the people.

At the general election in October, 1783, members of the Council of Censors were chosen conformably with the Constitution, as follows: From the city of Philadelphia, George Bryan and Thomas Fitzsimons; Philadelphia County, Frederick A. Muhlenberg and Gen. Arthur St. Clair; Bucks County, Joseph Hart and Samuel Smith; Bedford County, Daniel Espy and Samuel Davidson; Chester County, Gen. Anthony Wayne and James Moore; Lancaster County, John Whitehill and Stephen Chambers; York County, Col. Thomas Hartley and Richard McAllister; Westmoreland County, John Smilie and William Findley; Cumberland County, James McLene and Geo. William Irvine; Berks County, James Read and Baltzer Gehr; Northampton County, Capt. Joho Arndt and Simon Driesbach; Washington County, James Edgar and John McDowell; Northumberland County, Col. William Montgomey and Col. Samuel Hunter (who, dying April 10, 1784, was succeeded on July 7th by Gen. James Potter).

The Council of Censors met at Philadelphia at various times during the year 1784, adjoining finally on September 25th, at which time it issued a lengthy address to the freemen of the Commonwealth, which was published in full in *The Pennsylvania Packet* (Philadelphia), October 7, 1784, and read in part as follows: "Having finished the period of our appointment, and having completed, as far as we are able, the new and important business assigned to us by the terms of the Constitution and the choice of the people, we are about to return to our private employments. \* \* \* If with heart and hand united we will all combine to support the Constitution, and apply its injunctions to the best use of society, we shall find it a source of the richest blessings. We would earnestly recommend this to you. Give it a fair and honest trial, and if, after all, at the end of another seven years, it shall be found necessary or proper to introduce any changes, they may then be brought in and established upon a full conviction of their usefulness, with harmony and good temper and without noise, tumult or violence.

\*It was published in full in *The Pennsylvania Packet*, Philadelphia, September 24, 1784. 5,000 copies of the document were also printed in the form of a broadside, for free dissemination among the people of the Commonwealth.

equally able with their opponents to maintain their own cause, procuring the influence of the Commonwealth in their behalf, and the aid of the public treasury.

"We deplore the opprobrium which from hence has resulted to this State, and the disaffection and prospect of dissension now existing with one of our sister States. We deplore the violation of the Confederation, and the injury thereby done to such of the Pennsylvania claimants of lands at Wyoming, occupied as aforesaid, as have given no countenance to, but on the contrary have disavowed, these extravagant proceedings. In short, we lament that *our Government have in this business manifested little wisdom and foresight*; nor have acted as the guardians of the rights of the people committed to their care.

"Impressed with the multiplied evils which have sprung from the imprudent management of this business, *we hold it up to censure*, to prevent, if possible, further instances of bad government, which might convulse and distract our new-formed Nation!"

At a meeting held at the State House September 21, 1784, the Censors gave further formal expression of their sentiments with respect to the General Assembly, and a minute of the action then taken (which was ordered to be entered in full on the records of the Council) was published in *The Pennsylvania Packet* (Philadelphia) of September 28, 1784. It read in part, as follows:

"One of the principal duties of the Council of Censors being to enquire into and investigate the acts and proceedings of the legislative and executive branches of Government, in order to ascertain whether they have performed their duty as guardians of the people; and a glaring abuse of great magnitude having presented itself to our view, *viz.*: The proceedings of the Legislative body with respect to the settlers from New England at Wyoming. \* \* \*

"In the course of this enquiry, and in order to ascertain the truth of the high-toned complaints of these people to Congress, we requested the present General Assembly to transmit to this Council certain specified documents, particularly divers affidavits taken at Wyoming last Winter by a committee of their own body, in consequence of a petition presented to the House December 8, 1783, by Zebulon Butler and others, setting forth the injuries and oppressions they had suffered; to which request no answer being received by this Council at noon the next day, we thereupon, in proper and firm terms, in writing, signed by our President, demanded of the General Assembly the papers which had been the day before *requested* of the House. The General Assembly by vote refused the same; and as to the peremptory demand, they did not suffer it to lie on their table.

"This Council is not so ignorant of human nature as not to suggest to itself why a person accused should be backward to furnish evidence against himself; but that the Representatives of the State in Assembly should thus keep back from the Council of Censors, fully authorized by the Constitution 'to send for persons, papers and records', public documents in their possession, is a conduct that their constituents must hear with surprise and indignation. But suppression of evidence has not availed in this case. This unwarrantable concealment by the wrongdoers themselves has but the more decidedly convinced this Council of the truth of the complaints of the settlers at Wyoming, and of the utter neglect of the Government to protect the oppressed settlers. \* \* \*

"We hold up to the censure of the community at large this obstruction against the proceedings of this Council, as tending to render the Council of Censors not only *useless* but *contemptible*, and as tending to conceal from their constituents public abuses, however enormous or wasteful of the public treasure and dishonorable to the Commonwealth."

On the same day that the foregoing accusation was published, the General Assembly broke up without adjournment. The unconstitutional introduction of a bill for enfranchising non-jurors was carried by the Speakers vote, and led about twenty of the members (among whom were Col. Frederick Antes, of Northumberland County and Col. Jacob Stroud and Robert Brown of Northampton County) to rise, break up the session and deliver to the Speaker a written dissent with respect to the action of the House. On the 12th of the ensuing October, a general election took place in the State, and, on October 25th, according to the terms of the Constitution, the new Assembly met and organized, John Bayard being elected Speaker.

We will here state that on September 15th, the Assembly passed an "Act for the more speedy restoring the possession of certain messuages, lands and tenements in Northumberland County to the persons who lately held the same." The principal provisions of the Act were as follows:

"Whereas several persons at or near Wyoming, in the County of Northumberland, were, in the month of May last, violently dispossessed of the messuages, lands and tenements which they then occupied, and which are still detained from them by force; and the peculiar

circumstances of these cases require that the possession of the premises, so forcibly entered and detained, should be without delay restored to the persons who occupied them as aforesaid; Be it therefore enacted \* \* \* that it shall and may be lawful for the President and the Supreme Executive Council to direct the Justices of the Peace in and for the County of Northumberland to proceed forthwith in executing the laws relating to forcible entries and detainers; and that their proceedings therein \* \* \* shall not be in any manner whatever superceded, impeded or delayed by writ of certiorari or other writ issued by the Supreme Court, or any Judge thereof, or by any other Court whatever. That this Act shall continue in force until the end of the next session of the General Assembly (beginning in October, 1784), and no longer."

Returning now to Wilkes-Barré, we find that Col. John Armstrong, Jr., left here on Saturday, September 11, 1784, for Easton, where, on September 14th, he wrote to President Dickinson, as follows:\*

"Before your Excellency's last letter reached Wyoming I had taken some measures for dispersing such part of the insurgents as remained in arms about the mouth of Tunkhannock Creek†; and though my intentions were far from being fulfilled, yet I have every reason to believe that a discovery of them has not been without its effect, as they have since removed themselves much higher up the river. Colonel Moore will have the honour to inform your Excellency of the steps which were taken to bring about this purpose.

"The fears which I expressed in a former letter to Council (and which had grown entirely out of the Sheriff's conduct at Sunbury) have been in some degree justified by the conduct of the people then released. They have in some instances taken up their arms and retired into the neighboring hills; in others, they have threatened the civil officers and refused to submit to the laws. But in no instance has any real violence been committed, excepting one—the offender in which case was brought to immediate justice. In this situation I left the settlement on Saturday last, and proposed to have returned immediately to Philadelphia, but meeting Captain Boyd at this place I have at least suspended my intentions for a day or two. \* \* \* I have forwarded some depositions upon the affair of Locust Ridge to the Chief Justice."

Being now in Easton, let us look in on the twenty-seven Wyoming Yankees imprisoned in the old stone jail. We find them still in irons and confined to two small second-story rooms; and we learn that, early in September, chafing under the restraints and burdens imposed upon them, they addressed to the Supreme Executive Council the following communication:‡

"Gentlemen: Suffer us, your humble Petitioners, to lay before your Honourable Body our distress'd Situation; on account of our Confinement, in this sultry season of the year, about thirty of us confined in two small Rooms, in Irons, and nothing to live upon but one pound of bread a Day, which has impair'd our health to that degree that we are able just to walk our Room at present. But one week more such cruel Treatment will most certainly reduce us to the shades of Death, and land us in the world of Spirits. This, Gentlemen, is no chimera, but God's Truth; for our animal spirits, together with our flesh, are almost exhausted by the severities which we undergo in our imprisonment, and no one to administer any consolation to us.

"If we have done anything worthy of Bonds, Imprisonment or Death, we refuse neither; but to be confined here in this dismal place and not suffered to have the fresh air which God has made free for all His creation—and not only deprived of this great and inconceivable blessing, but denied the necessities of life, as tho it was the determination of those who put us here to destroy us by a lingering Death, and make that as ghastly and formidable as possible.

"We cannot possibly think but that we have stood up for the Honor and Dignity of this State in what we have done, and that the allegation laid to our charge originated in malice and revenge; and we are not alone in our judgment. Therefore, we your humble and injured petitioners would most humbly pray that your honorable Body would exert yourselves to do us Justice, and consequently emancipate us from this intolerable and, as we think, unjust confinement, or we must soon be beyond your help or any finite being's. And if your Honorable Body can see fit in your wisdom & goodness to grant our humble prayer, we will, as in duty bound, ever pray, &c.

"Joseph Corey	William Slocum
Gideon Church	Nathaniel Walker
Nathaniel Cook	Thomas Read
Benjamin Jenkins	Elisha Harding
William Jenkins	Walter Spencer
Abraham Pike	John Gore
Lord Butler	Jonathan Burwell
John Hurlbut	Jeremiah White
Daniel Sullivan	Prince Alden, Jr.
William Jackson	Thomas Stoddard
Richard Hallstead	Elisha Harris
Edward Inman	Justus Gaylord
Thomas Heath, Jr.	John Platner
	Abram Nesbitt."

\*See "Pennsylvania Archives", Old Series, X: 658.

†Tunkhannock Creek empties into the Susquehanna almost opposite the mouth of Bowman's Creek.

‡See "Pennsylvania Archives", Old Series, X:690.

Some time having elapsed after the transmission of this petition to the Council, and the treatment of the prisoners not being changed for the better, they determined to resort to desperate measures. They pursued a course of "watchful waiting," and finally there came to them an opportunity for accomplishing something—something requiring quick and vigorous action.

About four o'clock in the afternoon of Friday, September 17, 1784, Frederick Barthold, the assistant jailer, unlocked the doors of the rooms in which the Wyoming prisoners were confined, in order to allow two from each room, according to custom, to go down stairs to fetch a supply of bread and water for the party. Immediately Edward Inman\*, a man of great strength and personal courage, pounced upon Barthold, choked him, and, wrenching from his hand the bunch of keys which he carried, beat him over his head with them until he became senseless. Inman then unlocked the doors of the two rooms occupied by the Wyoming men, and the iron gate at the foot of the stairway, and the whole party hurried down stairs and through the gate, where they were met by Peter Ealer, the jailer (who in November, 1784, became Sheriff of Northampton County), and his wife. Ealer attempted to shut the gate, at the same time calling to his wife to shut and lock the front, or street door of the jail. Failing in his efforts to close the gate, Ealer himself ran to the front door, but he could not fasten it, as the key was not in the lock.

The escaping prisoners swarmed into the lobby, or main corridor, where, from a pile of fire-wood, many of them secured stout billets for weapons of defense. Thrusting Ealer aside, in no gentle manner, the whole party, including Edward Inman, still holding on to the jail keys, escaped from the building, scooted down an adjoining alley, and then scattered in various directions. A citizen living opposite the jail, who witnessed this somewhat informal general jail delivery ran into the street, alarmed the inhabitants of the neighborhood and called them to arms, "but as it was a rainy day they did not come timely to assistance."† However, a hot pursuit was soon begun, and before nightfall the pursuing party had retaken and returned to the jail eleven of the fugitives, as follows: Edward Inman, Benjamin Jenkins, Lord Butler, John Hurlbut, William Slocum, Thomas Read, Walter Spencer, Jonathan Burwell, Jeremiah White, Prince Alden, Jr., and John Platner.

The sixteen other fugitives made their way with great difficulty to Wyoming, where they joined Captain Swift and his party, who, about that time, had left their retreat at the mouth of Bowman's Creek and taken possession of the four log houses known as Fort Defence, near Brockway's, in Kingston Township. (See page 1394.)

Colonel Armstrong and Captain Boyd, two of the Wyoming Commissioners, were in Easton when the Wyoming Yankees broke jail, and the next day they were joined there by the other two Commissioners—Colonel Read and John Okely, Esq. On the same day the four set out for Wilkes-Barré, where they arrived in the morning of Monday, September 20th.

Some hours after their arrival, three of the Commissioners were subjected to an unpleasant experience on Northampton Street, while returning to the inn of John Hollenback from a visit to Fort Dickinson. From depositions‡

\*See note, page 1110, Vol. II.

†See "Pennsylvania Archives", Old Series, X: 665-667.

‡See "Pennsylvania Archives", Old Series, X: 659.

made two days later by Messrs. Read and Okely, we learn that they, accompanied by Captain Boyd, were proceeding along the street when two armed men—one of whom was Waterman Baldwin\*—came rushing out of a house on the opposite side of the way and ordered Captain Boyd to halt. Baldwin, holding a stick over the head of Boyd, said: "You are Captain Boyd, ain't you? And you were one of the Commissioners who pulled off your hats to us when we laid down our arms."† Boyd replied that he was, whereupon Baldwin said, "Now I order you to pull off your hat to me;" at the same time violently striking Boyd three or four times with his stick. Then with dire threats of a lambasting, Baldwin invited Boyd to go into the woods with him. Boyd refused, saying, "If you have any business with me, come to my quarters." Baldwin then asked, "How long do you intend to stay here?" "As long as my business calls me," replied Boyd. Baldwin and his companion then walked off.

That considerable turbulence and disorder prevailed in Wyoming Valley at this time, we learn from a number of depositions‡ which were made before Justices Henry Shoemaker and John Seely, at Wilkes-Barré in the latter part of September, 1784. Joseph King, of the township of Shawanese, deposed:

"That on Sunday, September 19, while he and another man, with his wife, sat in his own house he was fired upon from without by some person, then unseen; that going to the door to enquire the cause of it, he was instantly surrounded by about a dozen armed men, who began to beat this deponent with great violence; that, breaking from them, he retired within the door of his house, and with the assistance of his wife endeavored to keep the assailants out; that they shut and latched the door for this purpose, when the assailants broke it open and began again to beat this deponent with the butts of their guns, and otherwise much abuse him and his wife; that they then extorted a promise from him, under pain of death, that he would not make any information against them, and that they then withdrew; that some of the persons thus assailing him he knew, *viz.*: John Swift, Elisha Satterlee, Waterman Baldwin, Frederick Budd and Phineas Stephens."

William Lantarman deposed, as follows:

"That on Monday, September 20, being in his father's corn field, in the township of Stoke, he there met Waterman Baldwin, who asked him where his father was, and told him that if he caught him taking any corn out of that field he (Baldwin) would scalp him. This deponent then told him that he had come to get some corn, and added: 'You will not shoot me, will you?' Upon which Baldwin replied that he would. The deponent then told him that such conduct would be contrary to law, when Baldwin answered that there was no law here; that he had tried it long enough, and that Swift and he and thirty others had come down to take the corn by force and keep it. That he (Baldwin) was armed with a rifle gun and two pistols."

Obadiah Walker, deposed as follows:

"That on September 21, being at the house of ——— Trucks, in the township of Shawanese John Swift, Elisha Satterlee, Waterman Baldwin and Phineas Stephens came into the aforesaid house, and, after boasting of having beaten Major Boyd, one of the Commissioners, John Swift drew the wiper from the rifle with which he was armed and struck this deponent with it about fifty times, with all his force, and then departed from the house."

Nicodemus Travis, deposed as follows:

"On September 20, being at his labor on Jacob's Plains, Daniel Gore came up to him with three stones in one hand and a club in the other, and declaring that he would sacrifice him if he did not leave the oats which he had in his wagon. He further declared that he (Travis) should have none of his crops, and at length obliged the deponent to unload and leave the oats on the ground. The deponent says that he sowed these oats in peace; and further saith that he is afraid his life will be taken should he return again to look after his property."

On September 22nd, the Commissioners at Wilkes-Barré sent a formal inquiry to Justices John Seely, Henry Shoemaker and David Mead, as to whether or not, in their opinion, the Commissioners could "proceed in the execution of their trust with security to their persons; and what security, if any," the mag-

\*The other was undoubtedly Phineas Stephens.

†See page 1418.

‡See "Pennsylvania Archives", Old Series, X: 659-668.

istrates could give them. To this inquiry the magistrates replied on the following day, in part as follows:\*

"We offer it as our joint opinion that you *cannot* proceed to the execution of the trust committed to you, with security to your persons or to the dignity of the State which is so inseparably connected with it. We have also contemplated every means in our power to give you the protection you wish for, and can find it only *in the interposition of an armed force*. We are therefore induced to propose to your own consideration the propriety of applying to this alternative; while we cannot (in justice to what we believe to be the sentiments of a very respectable part of this community) but declare that *a force very adequate to your protection can be immediately obtained.*"

At Wilkes-Barré, on September 24th, the Commissioners wrote to President Dickinson as follows:

"Wyoming, 24th September, 1784.

"Sir, The papers enclosed will explain to your Excellency and Council the interruptions we have met in executing the trust reposed in us. The spirit of violence which presented itself upon our arrival at this place & the daring outrage upon the person of Major Boyd, which immediately followed, were so alarming in themselves and connected with so many exaggerating circumstances as to produce the inclosed application to the Magistracy (mark'd No. 7); their reply (No. 8); while it confirmed our apprehensions of farther violence, left us however a good deal embarrass'd, & has made this communication immediately necessary. Your Excellency will observe that while they give us assurances that 'a force adequate to our protection may be immediately obtained', they leave it to 'our own determination, whether an application to this alternative be necessary or expedient.' Upon this point we have some doubts; which have grown out of a belief that a step of this kind in us would induce to hostilities & precipitate this unfortunate country again into bloodshed. We therefore commit ourselves in this instance to the wisdom of Council, & hope from that for such a decision as will best promote the intentions of Government & the interest of the public.

"As we feel ourselves oblig'd to offer matters of opinion as well as fact to your Honorable board we cannot suppress our apprehensions that the grain now on the ground will begin some immediate violence. It has already been the subject of dispute, and we have been press'd by some of the Connecticut claimants to an immediate decision upon it, as the great point upon which the peace of this country depended. We have been told that unless this decision was in their favor, an appeal to arms would be the consequence. We are here led to one observation which cannot but make Council as unhappy as the cause of it has made us, *viz.*: that the lenity of Government so explicitly shown by their late laws & resolutions in favor of this description of people, do not seem to have yet had all the effect upon their disposition which was to have been expected from it; while on the other hand we cannot but declare our happiness in finding the Pennsylvania claimants, in every instance which has fallen under our observations, accommodating themselves to the acknowledged principles of order and good government.

"We are, sir, with the highest respect, your Excellency's most obedient & very humble Servants,

[Signed]

"JNO. BOYD,  
"JOHN ARMSTRONG, JR.  
"JAMES READ  
"J. OKELY."

"P. S. From motives of a very obvious policy we have yet declined giving any opinion respecting the grain. The bearer† is an intelligent & very confidential person."

"Directed,

To His Excellency John Dickinson, Esq."

This letter was received at Philadelphia, by President Dickinson, and read in the Supreme Executive Council on September 28th.

At Wilkes-Barré, on September 25th, the Commissioners issued the following advertisement, which was posted in several public places.

"Whereas the Honorable the Supreme Executive Council have by their resolution of the 9th *inst.* appointed us, the subscribers, to carry into effect a resolution of the General Assembly, taken on the 7th of the same month for the following purposes, *viz.*:

"1st, To obtain the most exact knowledge they can get of the names of the Widows & Children of such persons as were lately settled at or near Wyoming, and have fallen fighting against the Savages.

"2dly, Of all such others as did actually reside on the Lands at or near Wyoming when the late Decree was given at Trenton, 30th Dec'r, 1782.

"3dly, Of the Widows & Children of such of them as have since died.

"4thly, Of the quantity of Land possessed by each of the persons before described at the time of his Death, or of the said Decree, respectively.

"5thly, Of the Improvements on each of the said parcels of Land.

\*See "Pennsylvania Archives", Old Series, X: 663.

†William Sims.

"6thly, Of the nature of the Claim on which the possessions of each parcel as aforesaid was founded.

"7thly, Of the Evidences in support of such Claim.

"8thly, Of what parts of such Lands are claimed under Pennsylvania, &c.

"9thly, By whom.

"We do therefore give this public notice to all concerned that on Monday next [September 27] we will begin to receive all such information upon the preceding subjects [excepting the 5th article] as may be laid before us; and for this purpose we have thought it proper to direct that the Inhabitants of the Township of Stoke will attend on Monday, Tuesday & Wednesday next, and the Inhabitants of Shawnee Township on Thursday, Friday & Saturday following, at the House of John Hollenback in the Township of Stoke."

The same day that the foregoing advertisement was issued, a petition or remonstrance, was prepared at Wyoming, addressed to Commissioners Read and Okley, which was signed by eighty-four of the New England settlers. The document read as follows:\*

"Wyoming, Sept. 25th, 1784.

"The Hons. James Read and John Okley, Commissioners.

"Gentlemen, We can't but observe the good Intention of the General Assembly of Pennsylvania in behalf of the Connecticut Claimants, in the late Resolve of that Honorable House; which reflects much Honor upon them, and will terminate much in Favor of the Connecticut Claimants. And also the Resolve of the General Assembly, authorizing the President and Council to appoint Commissioners to repair to Wyoming in order to ascertain the Names of those brave men who fought, bled and expired in the glorious Cause of liberty and Property.

"And what quantity of Lands they occupied and possess'd; and also the names of the Widdows and Fatherless Children; that the General Assembly might be in a Capacity to make a just Discrimination, and extend their Humanity and Commiseration to those Persons who had been the greatest sufferers by the Depredations of the Savages; And also the names of those who liv'd here at the Decree of Trenton, the Quantity of Lands they possessed at that Time, their Title, etc.

"The above Resolve we can't but take the greatest Notice of, and assure you, Gentlemen, that our Hearts glow with Gratitude and high Esteem for that Honorable House; yet at the same time let us tell you, that we are sorry to say that we have just Reason to suspect that *two of the Commissioners* are so prejudiced against the Connecticut Claimants that it's impossible for them to do Justice, and therefore very unfit persons to act in that Capacity.

"The Gentlemen whom we refer to are Lt. Col. John Armstrong and John Boyd, Esqr., who have once deceived us by forfeiting their word and Honour; especially Col. John Armstrong, who now appears to be replete with Prejudice, and we may say *Malice*, against us; for when the civil Question was ask'd Esqr. Boyd, 'Is Col. Armstrong one of the Commissioners?' the said Col. spoke and said, 'Yes I am, and I will make you know it, too!'

"Now, Gentlemen, we leave you to judge whether a man who is capable of giving such an answer to Gentlemen, and at the same Time show'd such Prejudice, is fit for a Commissioner. We have reason to believe that no justice can come from Men who have such Prepossessions and Prejudices against us as those Gentlemen appear to have, together with the Ill Treatment the Connecticut Claimants have already received from the above mentioned Gentlemen.

"Therefore, we the Subscribers do most solemnly, and in the name of everything that is sacred and dear to us as Christians, throw in our Protestations against John Boyd, Esqr., and Lt. Col. John Armstrong acting in the capacity of Commissioners, especially the latter.

"We are, Gentlemen, with suitable Respects, your most obed't and most humble servants,

Samuel Ayres	Jonathan Center	Henry Harding	Aaron Perkins
Richard Brockway	James Cole	Thomas Heath	Darius Parke
Andw. Blanchard	Barnabas Carey	Danl. Holly	Samuel Ransom
Wm. Buck	Jonathan Corey	Richard Inman	Josiah Rogers
Elijah Buck	John Dorrance	Ebenezer Johnson	Hezekiah Roberts
James Bidlack	Jon. Davis	Wm. Jacques	John Rosecrance
Josh. Bennet	Elisha Drake	Eldad Kellogg	Fra. Stevens
John Budd	Amos Egleston	Joseph Leonard	John Scott
Fred. Budd	Frederick Eveland	Eph. Lewis	David Sanford
James Brown	John Franklin	David Mitchel	John Staples
James Brown, Jr.	Solomon Finch	Samuel Miller	Wm. Hooker Smith
James Benedict	Samuel Gore	William Miller	Samuel Tabbs
Ishmael Bennet	Joseph Gaylord	Phineas Nash	Joseph Thomas
Reuben Cook	Ambrose Gaylord	James Nisbitt	Jonah Woodworth
Ralph Compter	Stephen Gardner	Thomas Neill	Jabez Winship
John Carey	Daniel Gore	John O'Neal	Wm. Williams
Elias Church	Benjamin Harvey	Phineas Peirce	Abraham Westbrook
Nathl. Cook	Elisha Harvey	Daniel Peirce	Leonard Westbrook
Manassah Cady	Timothy Hopkins	Abel Peirce	Richard Westbrook
Jeremiah Colman	Samuel Hallet	Noah Pettebone	James Westbrook
Benj. Cole	Abraham Harding	Thomas Park	John Wright

\*See "Pennsylvania Archives", Old Series, X: 670.



Concerning the visit of Colonel Armstrong and his fellow Commissioners to Wilkes-Barré, in September, 1784, Col. John Franklin wrote as follows, in his "Brief," several times referred to hereinbefore.

"The said Commissioners arrived at Wyoming September 20. Previous to this Council had been well informed of the cruel treatment of Armstrong and Boyd towards the Connecticut settlers [in August, 1784]. On their arrival Messrs. John Franklin, Ebenezer Johnson, Phineas Peirce and Giles Slocum were requested to meet the Commissioners. They were also requested (as the leading men among the settlers) to transact the business with the Commissioners in behalf of the said settlers, which was agreed to. However, the day following the Commissioners informed us that they had appointed other persons to transact the business in behalf of the Connecticut settlers, and [they were] three persons who were entirely unacquainted with business of that kind.

"The Commissioners continued at Wyoming, about six days, and appeared to transact their business principally with Alexander Patterson and his party at the Garrison. A remonstrance was drawn up against Messrs. Armstrong and Boyd proceeding in the capacity of Commissioners, as being persons replete with prejudice against the Connecticut settlers, and that we could not expect any justice at their hands. This remonstrance was addressed to Messrs. Read and Okely, to be by them transmitted to the Supreme Executive Council; but before it was conveyed to them the Commissioners had absconded, in this manner:

"Mr. Armstrong had taken his lodgings in the Garrison with his friend Patterson; the other three lodged at the house of Mr. [John] Hollenback, in the neighborhood of the Garrison. In the night season of Sunday, September 26, an alarm was made, the Garrison and the house of Mr. Hollenback (where the Commissioners lodged) were fired upon, and the Commissioners ran off, and shortly afterwards made their report to Council that they were fired upon by the Connecticut people and were obliged to flee for their lives. However, their report was false! The Connecticut party were innocent, and knew nothing of the attack until it was over. The fact is, the attack was made by the people of the Garrison, and there is not the least doubt but that Armstrong and Boyd, with their friend Patterson, were the inventors of the plan. Messrs. Read and Okely might probably be innocent. It may be remarked that, though 'a severe attack was made', there was not any person hurt."

As previously mentioned, the letter from the Commissioners written at Wilkes-Barré, on September 24th, was read in Council on September 28th, and the same day, by direction of Council, President Dickinson wrote to the Commissioners as follows\*:

"We have received your Letter of the 24th Instant, & are concerned, that such a spirit of violence prevails among the settlers.

"As Captain Boyd & Colonel Armstrong have had opportunities of acquainting themselves with many Circumstances relating to the late Disturbances, it is our wish that they may immediately repair to Philadelphia, that we may receive from them all necessary Information.

"Messrs. Read & Okely are impowered to proceed in the Execution of the Commission; and we hope that when the nature of it is fully made known to the deluded People who have been so troublesome, they will perceive that it is dictated by a Desire to treat them with Equity.

"If such interruptions shall be given to the proceedings of these two Commissioners, that they cannot with safety discharge the trust delegated to them, their presence at Wyoming will be useless, for the Business is of such a kind that it cannot be accomplished but in free Conference with the settlers. An armed force would not promote it; and besides, such a measure would not be agreeable to the sense of the Legislature. We rely upon the Prudence & firmness of the Commissioners, that they will make every possible effort before they relinquish an affair of so much importance.

"With Respect to Grain raised on disputed Lands, it appears to us equitable, upon a Consideration of all Circumstances that it should be divided among the Claimants in an amicable manner, so that their present necessities may be as much as possible relieved, & those that may reasonably be apprehended in the approaching winter be prevented.

"We should be glad to know in particular the names of those settlers who were expelled last spring, & of such of them as are now again repossessed of their Houses, Lots or Lands."

This letter was delivered to William Sims, the Commissioners' express, who immediately set out for Wilkes-Barré; but before he had covered half his journey, he met the Commissioners en route to Philadelphia. Delivering the Council's letter to them, Sims proceeded on to Wilkes-Barré.

At Philadelphia, October 1, 1784, the four Commissioners signed, and presented to the Council the following report†:

"We beg leave to take up the report of our proceedings under the late appointment of Council, where our letter of the 24th left it.

"The disposition to violence discovered by the Connecticut claimants, while it gives us room to apprehend an immediate outrage of the public peace, could not entirely suspend our

\*See "Pennsylvania Archives", Old Series, X: 339. †See *ibid.*, page 676.

endeavors to execute the intentions of Government; & tho we regretted that want of confidence which the resolutions of the Assembly supposed, and which, at first view, we considered as inseparable from the service we were instructed to perform, yet we could not feel ourselves justified in omitting anything which but tended to remove such ill-founded prejudice, and reconcile the minds of this deluded people to the admission of a service so evidently calculated to promote their exclusive interest.

"To effect this desirable purpose, the first step which presented itself to us as necessary and proper was the promulgation of the objects for which we came. This was made in a manner which, of all others, we flattered ourselves would most contribute to a cheerful reception of it. It was put into the hands of one of their very confidential men, who engaged to second it with all his professional as well as personal influence. This was the Rev. Jacob Johnson. With these dispositions, and in this manner, did we enter upon the discharge of our trust, when a very serious interruption was given to our further proceedings.

"About 12 o'clock at night, on Sunday the 26th *ult.*, a party of Connecticut claimants, whose number is yet undetermined, attempted to break open the store-house in which the public and other arms were deposited. It is probable that their original design upon this occasion went no farther, and that if they had been able to succeed in the robbery no other excess would have immediately followed; but having been early discovered from a neighboring house (the quarters of Colonel Armstrong), and meeting with some opposition from thence, they soon turned their arms thither, and exchanged several shots with that gentleman and three or four others who were with him. Retiring, however, from this resistance, they carried their attack to the house of Mr. John Hollenback, where the remaining part of us lodged, and after discharging several guns upon it (from the effects of which Messrs. Boyd and Okely narrowly escaped), they then withdrew in to the bushes and disappeared.

"We now saw an end to our business with the utmost regret, and that it was improper for us to remain longer in a country where every moment threatened us with the dangers of assassination.

"Under the influence of this opinion, we called upon the magistrates and some other principal Pennsylvania claimants, and left with them a paper of acknowledgments, for the support which they had in every instance discovered an inclination to give us; of advice to keep themselves in as defensible state as possible, and of assurance that as we believed the late attack upon us to be introductory to other mischief, we would exert every nerve in our power to bring Government into some decisive measures for their relief. Under these assurances we left them about 3 o'clock on Monday, the 27th *ult.*

"The events which have since happened, and have been brought forward by express, which are truly lamentable, and serve to confirm the opinions we have already expressed of the intended violence of the Connecticut claimants, and the distress and suffering which we are afraid the better subjects of the State are fated to undergo.

"Captain Patterson's letter of the 28th September and the deposition of Captain Shoemaker of the same date are submitted as a part of this report.

"We beg leave to close this representation by offering to Council the result of our enquiries into the character of the people called Connecticut Claimants. With very few exceptions they appear to be a Banditti, who, having fled from the operation of other laws, are very unwilling to submit to the restraint of ours, and who are without any well-founded pretensions to either property or reputation."

The letter of Captain Patterson and the deposition of Captain Shoemaker referred to in the foregoing report, read as follows\*:

"Wyoming, September 28, 1784.

"Sir: Eleven hours after you Left this place We were Surrounded by the Connecticut Band. They kept up a hot and Incessant fire for the Space of Two hours; you know that our House is not proof against Shot; poor Lieuts. Reed & Henderson are boath Mortally Wounded. Mr. Reed is Shot from the Back and into the Guts; Henderson is Shot in five places, one of which is in his Breast; that is the Dangerous one. Capt. Shoemaker and Henderson attempted to gain the Blockhouse; poor Henderson fell at the Door; Capt. Shoemaker Gained the Blockhouse, to whose Exertions we owe our Lives who remain. The Enemy put a burning Torch to our House, which struck me with the utmost Horror. I strip myself naked and went out to the window and Pushed the fire off with my Gun. Soon after, Capt. Shoemaker, as we Suppose, Killed or Mortally wounded one of the Villians; we heard his Groans. This morning Discovered Much Blood and found his Rifle.

"From the Time you left us we had only Time to remove the Arms and ammunition into Shrawder's Room, where they are safe. The Justices, with myself, purpose calling in the Country, and will Endeavor to Make a stand untill we hear from Government, which I pray God may be soon.

"There is no Doubt but that Johnson, Franklin and Pierce were among the Murderers. "Oh! for Pitty's sake stimulate Government to Grant us Imediate and Effectual relief; it is not Possible to Describe my Mortification for my two Brave Gentlemanly Bosom friends. I have no more Time. Adieu."

"DEPOSITION OF CAPTAIN SHOEMAKER.

"Before me, John Seely, Esq., one of the Justices of the Peace in and for the County of Northumberland, appeared Henry Shoemaker, Esq., and being duly sworn doth depose and say:

\*See "Pennsylvania Archives", Old Series, X: 674, 675.

That about two o'clock in the morning on Tuesday, the 28th *inst.*, came to the house where the fort was a number of people known by the name of Connecticut Claimants, and after giving a number of Indian yells they, the said enemies, began a very heavy fire on the house with rifles and musquetry. The deponent and the other gentlemen were in bed. Mr. Samuel Read\*, as he was rising from his bed, received a mortal wound through the back and in the guts. Mr. Andrew Henderson\*, striving to gain another house, was wounded in five different places, one of which, in the breast, is supposed to be mortal. The enemy, during the fire, made several attempts to fire the dwelling-house and burn up alive all that was in it. They continued firing about two hours, broke open the public store-house, carried off some arms and a quantity of ammunition."

[Signed] "HENRY SHOEMAKER."

"Sworn to and subscribed before me at Wyoming, September 28, 1784."

[Signed] "JOHN SEELY."

"At the same time appeared Alexander Patterson, and being duly sworn declares that the within deposition is just and true.

"At the same time appeared Dr. Francis Smith, and being duly sworn declares that the within deposition is just and true."

[Signed] "JOHN SEELY."

The foregoing letter of Captain Patterson and the larger part of the report of the Wyoming Commissioners to the Council, were published early in October in *The Pennsylvania Packet*, Philadelphia, and were reprinted in *The Connecticut Courant* (Hartford) of October 13, 1784, and in the *Boston Gazette* of October 25, 1784, as well as in certain New York papers.

Colonel Franklin, referring in his "Brief" to this night attack upon the Pennamites, states that it was made by "a small party of the Connecticut people," the greater number of whom were the men who had escaped from the Easton jail some days previously. They were under the command of Capt. John Swift, who, in the course of the conflict, received a severe wound in his throat. Lient. Samuel Read, one of the Pennamites who was wounded, died a day or two later.

During the assault the Yankees broke into one of the store-houses and secured a quantity of ammunition and some of the rifles which had been taken from them in the preceding August. With this addition to their stock of munitions, the besiegers were enabled to arm other settlers and thus increase their force. The garrison was now closely invested, the Yankees occupying two houses from which the Pennamites had been driven. The siege lasted for two or three days, when Captain Franklin and two or three others of their party having been wounded, and two having been killed, the Yankees retired to Fort Defence, in Kingston Township.

At Philadelphia, October 1, 1784, Colonel Armstrong, as Secretary of the Supreme Executive Council, and by direction of the Council, addressed to Francis Murray, Esq., Lieutenant of Bucks County, Pennsylvania, the following communication†:

"It is the direction of Council that Fifty Men, properly arm'd, accounted & Officered, be immediately drawn forth from the Battalion of Bucks County Militia, & mov'd with all possible expedition to George Kline's, in Lower Milford Township.

"You will be pleased to accompany them thither, & remain with them until the farther Orders of Council; & As the emergency upon which this detachment is called out will admit of no delay, it is expected that you will take some means to furnish them with provisions for a day or two after they reach the place above-mentioned, when some other mode of supply will be adopted. All possible Care is to be taken that the troops come out properly prepar'd for the most active service; & it is the express order of Government that you call upon the whole Regt. until you get the aforesaid Number so prepar'd.

"Ammunition shall meet them at the place of rendezvous."

On the same day, Secretary Armstrong wrote a letter similar to the foregoing, to Valentine Eckert, Esq., Lieutenant of Berks County; and also wrote

\*See (¶) note, page 1347.

†See "Pennsylvania Archives", Old Series, X: 345.

to John Weitzel, Esq., "State Contractor for Provisions in Northumberland County", as follows\*:

"It is the desire of Council that you will procure and transport a quantity of provisions, viz.: flour, beef, salt and rum, as immediately as possible to Wyoming, there to be deposited under the care of such person as you may appoint to receive it. You may calculate upon 100 men for a fortnight. The emergency, which makes this business so extremely interesting to Council and important to the State, will not admit of a moment's delay, and makes it necessary again to engage your industry and management in the service of the public."

On the same day, the Secretary wrote to the magistrates of Northumberland County, as follows:

"The late Violations of the Peace at Wyoming & abuse of the Commissioners sent thither to promote the designs of the Legislature will call for every exertion in your power. A spirit so alarming to the honour of the State & the Tranquility of its Inhabitants will deserve the most exemplary punishment. The Orders of Council will be found more explicitly declared in their letter to the Sheriff of your Co., & point out the immediate necessity for your personal attendance on this business."

The letter to Henry Antes, Esq., Sheriff of Northumberland County, referred to in the foregoing letter, read as follows†:

"You are hereby directed to proceed immediately upon the receipt of this to raise the *Posse Comitatus* of the Co. of Northumberland and with them proceed under the direction of the Magistracy to apprehend & secure the persons concerned in the late Violation of the Peace at Wyoming, & more particularly the persons whose names are hereafter mentioned:— John Swift, John Franklin, Ebenezer Johnson, Phineas Peirce, Elisha Satterlee, Joel Abbot, Waterman Baldwin, Phineas Stevens, William Jacques, Ishmael Bennet, jr., Benjn. Sill, Wm. McClure, Daniel Gore, Abraham Westbrook, Abraham Pike, Wm. Ross, Gideon Church & Richard Halstead."

Also, on October 1st, Secretary Armstrong wrote to Maj. Robert Traill (a member of the Supreme Executive Council, residing at Easton), saying‡:

"It is the sense of Council that the utmost vigilance be exerted in securing the remaining part of the prisoners in Easton Gaol, as there is some reason to believe that some early attempt will be made to rescue them from their present situation. To effect this it is thought absolutely necessary that none but people whom you know and can trust be permitted to communicate with them on any pretence whatever."

At a meeting of the Council held on Saturday, October 2, 1784, it was "ordered that John Armstrong, Jr., Esq., Secretary of the Council, be appointed and commissioned to be Adjutant General of the militia of this State, in the room of James Wilkinson§, Esq., who has gone from the State." It was also ordered that a detachment of fifty men, properly officered and equipped, "be immediately drawn forth from the militia of the county of Bucks," and a like

\*See "Pennsylvania Archives" X: 343.

†See "Pennsylvania Archives", Old Series, X: 344.

‡See "Pennsylvania Archives", Old Series, XI: 446.

§JAMES WILKINSON was born at Benedict, Maryland, in 1757, and died in Mexico December 28, 1825. He was studying medicine in Philadelphia in 1775, and in September of that year joined the American army before Boston and was appointed by Washington a volunteer subaltero in Col. William Thompson's Battalion of Pennsylvania Riflemen. Early in 1776 he was promoted Captain, and in May, 1776, was in service at LaChine, twelve miles from Montreal. In 1778 (being then only twenty years of age) he served, with the rank of Colonel, as Adjutant General on the staff of General Gates, in the army of the Northern Department. He served with some distinction through the Saratoga campaign (see note, page 1426), and was brevetted Brig. General in November, 1777.

From January to March, 1778, he was Secretary to the Board of War, and then was appointed Major of "Hartley's Regiment" of the Continental Line, mentioned at length in a note on page 1108, Vol. II. of this work. Soon thereafter he was promoted Lieut. Colonel of the same regiment. In July, 1779, he was made Clothier General of the Continental Army, holding the position until some time in 1781, when he resigned. Shortly afterwards he was appointed by the Supreme Executive Council of Pennsylvania Adjutant General of the militia of the State, and May 23, 1782, was elected and commissioned a Brigadier General by the Council. In September, 1784, he emigrated to Kentucky, which led to the appointment of Colonel Armstrong to succeed him as Adjutant General of Pennsylvania. It was not until early in November, however, that Wilkinson formally resigned his commissions as Brigadier General and Adjutant General in the State militia. (See "Pennsylvania Archives", Old Series, X: 610.)

From that period onward, for many years—as stated in the principal. American encyclopaedias and biographical dictionaries—General Wilkinson's "career was marked by a degree of perfidy and double-dealing almost unparalleled in American history." Throughout the "Burr Conspiracy", a period marked by threatened hostilities with Spain, "his conduct was marked by the utmost duplicity", although at the time he was the commanding general of the United States Army. In 1811 he was tried by court-martial on a charge of treason, but was acquitted. In 1812, at the breaking out of the war with Great Britain, he was the senior Brigadier General of the army, but in March, 1813, he became a Major General, and from August, 1813, to March, 1814, held the chief command of the United States forces in the Northern Department, but was inefficient, and was declared to be "the most infamous person wearing the uniform of the United States." Early in 1815 he was tried by court-martial on a charge of drunkenness and conduct unbecoming an officer, but was acquitted. He was honorably discharged from the army in June, 1815, and subsequently, until his death, resided in Mexico. In 1816 he wrote and published, in three volumes, "Memoirs of My Own Times", referred to by some reviewers as: "a tedious, disgusting, but necessary book, for its author was one of the leading generals; probably the most investigated and court-martialed of them all."

number from the county of Berks, "to be sent to Wyoming for quieting the disturbances and supporting the civil authority in that district."

At a meeting of the Council, held on October 4th, when Vice President James Ewing presided, and there were only five members present—two of whom were Capt. John Boyd and Col. Stephen Balliet—the matter of "the appointment of a person to take the direction of the troops provided by the resolution of Saturday" was taken into consideration, upon which Adjutant General Armstrong was appointed. It was also ordered that £60 be paid John Weitzel, to be applied to the purchase of provisions for the militia to be sent to Wyoming. £50 was voted to Armstrong towards defraying his expenses to Wyoming, and an order was drawn for £20 in favor of John Okley, Esq., "in full for his wages and expenses as a Commissioner to Wyoming." The next day (October 5th) the Council resolved that Adjutant General Armstrong "shall take rank as a Brigadier General of the militia of this Commonwealth."

Owing to illness, President Dickinson was unable to attend the meetings of the Council, held on October 1st, 2nd, 4th, and 5th, but at the meeting held on the last-mentioned date, the following communication\* from him was read.

*"Gentlemen:* Being still much indisposed, and unable to attend in Council to-day, I think it my duty, notwithstanding what has been already offered, to request that you will be pleased further to consider the propriety of calling a body of militia into actual service, on the intelligence yet received, and in the manner proposed. The objects suitable for the operations of militia do not appear. Heinous offences, it is true, have been lately committed, whether by many or few is not ascertained, but it cannot be expected that the militia should apprehend the criminals. Exertion by the magistracy of the county, with the aid of the *posse comitatus*, would be the proper remedy.

"No advice is come of such an attack upon the Pennsylvania Claimants as required the late call; and I believe that one reason why Council ordered the fort [Dickinson] to be leveled was that the peace of the State might not be disturbed by another siege. The present call will unnecessarily expose the lives of our fellow-citizens. If the militia is to act for the protection of the inhabitants in general, and can be collected and brought into the neighborhood, it is highly improbable that they can be kept there for any length of time. A rotation of service will be exceedingly inconvenient and expensive, and I presume no person thinks of expelling the settlers in order to prevent the rotation.

"If the intention is that the militia should assist the Pennsylvania claimants in securing the corn planted on the lands from which the settlers were expelled last Spring, such a procedure will drive those settlers into absolute despair. They will have no alternative but to fight for the corn, or suffer, perhaps to perish, for want of it in the coming Winter. They will regard this step as the commencement of a war against them; and perhaps others—whose sentiments are of vastly more importance—may be of the same opinion.

"I am perfectly convinced of the uncommon merit of Colonel Armstrong, but the appointment of an Adjutant General upon this occasion, and bestowing that appointment on the Secretary of the Council when *it is well known that the settlers view him in the light of an enemy* are circumstances that may promote unfavorable constructions of the conduct of Government. The public bodies† which have lately assembled in this city have fully testified their disapprobation of hostilities on account of the disputes at Wyoming; and upon the whole there is too much reason to be persuaded that the plan now meditated will, if carried into execution, produce very unhappy consequences.

"Knowing the uprightness of your intentions, Gentlemen, I feel great pain in dissenting from your judgment; and if the measure is pursued, from esteem for you and affection for the Commonwealth I have only to wish, as I most heartily do, that I may be proved by the event to have been mistaken."

Referring to the foregoing communication, and to the troublous and parlous conditions which for some time then had prevailed in the Wyoming region, Charles J. Stillé, LL. D., in his "Life and Times of John Dickinson," states:

"The year 1784 is marked in the annals of Pennsylvania by the disgraceful and iniquitous proceedings of parties professing to act under the authority of the State in their attempt to dispossess by force the claimants of lands which were held in the Wyoming Valley under Connecticut title. \* \* \* To reconcile the sovereignty of Pennsylvania in the Valley of Wyoming with an equitable treatment of the actual settlers, who suddenly found that they had bought a bad title and made costly improvements on the lands in good faith, was a task which required

\*See "Pennsylvania Archives", Fourth Series, III: 973.

†The Council of Censors and the General Assembly.

the exercise of the utmost skill, patience, comprehension of view and humane consideration on the part of the authorities of Pennsylvania. The task was all the more difficult because the executive department of the State could not agree upon any plan of settling the question.

"The President, in this matter, stood alone, the Supreme Executive Council which shared his powers, and the Assembly, which had all the legislative authority, being united against him. Hence his voice of remonstrance, joined to that of another governmental body called the Council of Censors, was utterly unheeded by the agents of the Pennsylvania landholders, who set to work to drive away from this region the Connecticut settlers as intruders. The whole controversy is perhaps best explained in the report of these Censors, from which it will appear how difficult it must have been to act justly and at the same time to deal mercifully with the actual settlers. \* \* \* This humane remonstrance of the Council of Censors\* produced no effect whatever upon the Supreme Executive Council or upon the Assembly, and they both seem to have been wholly under the influence of the Pennsylvania land-claimants.

"President Dickinson, whose humanity had been shown on a previous occasion by his efforts to supply the wretched inhabitants of the valley with food when they had suffered the loss of everything by an ice-flood, and whose sense of justice and ideas of policy were both shocked by the violence committed on these people, now interposed once more for their relief. He sent a message to the Council on October 5 [1784]. \* \* \* This impressive protest, like that which preceded it, produced no change in the legislation of the State or in the action of the militia who were sent to Wyoming. But the prophecies of Mr. Dickinson as to the result of this policy were all fulfilled, and there was no peace at Wyoming until justice, as urged by him, was done to the settlers."

The Council received, and listened to the reading, of the letter from President Dickinson, and then resolved "that the measures adopted on the 2d *inst.* be pursued." The same day, the Council adopted and issued a proclamation, reading in part as follows†:

"*Whereas*, It hath always been the intention of this State to treat with equity, humanity and generosity the persons settled at or near Wyoming, though not claiming under Pennsylvania; and, influenced by these sentiments, the General Assembly did, immediately after the Decree of Trenton, appoint William Montgomery, Moses McClean and Joseph Montgomery Commissioners to make full inquiries,† etc. \* \* \* The settlers not claiming under Pennsylvania assembled in arms and acted in a riotous and tumultuous manner, and on the 20th day of last July, lying in ambush in the town of Shawana, fired upon some claimants under Pennsylvania and grievously wounded Henry Brink and Wilhelmus Van Gorden; and proceeding in their outrages drove the claimants under Pennsylvania from their habitations into the fort, and, besieging them therein, reduced them to great distress, and into imminent danger of their lives.

"*And Whereas*, We being informed of these aggressions, \* \* \* and having called into service a body of militia from the County of Northampton, the said settlers, in open defiance of the authority of this State, and to prevent their being interrupted in the vengeance designed by them against the besieged, marched from the County of Northumberland—in which the said Fort [Dickinson] is situate—into the County of Northampton, and, at Locust Hill, in the same County, on the 2d day of August last, attacked a party of the militia then sleeping and resting, wounding several and killing and murdering Jacob Everett, one of the party.

[Reference is here made in the proclamation to the appointment of Messrs. Boyd, Armstrong, Read and Okely as Commissioners, and the fact that they had proceeded to Wyoming.]

"On the night of Sunday, September 28, the settlers aforesaid attacked the houses in which the said Commissioners were lodged, firing several balls into the same, whereby the said Commissioners were in great danger of being killed; and for the preservation of their lives were obliged the next day to leave the place without being able to perform the trust committed to them for the immediate benefit of the said settlers. And in the next succeeding night the said settlers again attacked one of the said houses, when the people therein were asleep, and wounded Captains Samuel Read and Andrew Henderson, late officers of the Pennsylvania Line.

"*And Whereas*, It is of the utmost importance to the lives and welfare of the good people of this State that the perpetrators of such atrocious offenses should be brought to condign and exemplary punishment, we have thought proper to issue this Proclamation, hereby engaging that the public reward of £25 in specie shall be paid to any person or persons who shall discover and apprehend the offenders, or any of them, who wounded the said Henry Brink and Wilhelmus Van Gorden, or who fired into the houses in which the Commissioners of this State were lodged at Wyoming as aforesaid; and that the public reward of £50 in specie shall be paid to any person or persons who shall apprehend and secure JOHN SWIFT, ELISHA SATTERLEE, ISHMAEL BENNET, JR., JOEL ABBOTT and WATERMAN BALDWIN; and that the public reward of £25 in specie shall be paid to any person or persons who shall apprehend and secure WILLIAM ROSS, MOSES SILL, WILLIAM McCLURE, GEORGE MINOR, ABRAHAM NESBITT, ELIJAH HARRIS, JOHN GORE, JUSTUS GAYLORD, THOMAS STODDERT, ELISHA HARDING, GIDEON CHURCH, WILLIAM JACKSON, RICHARD HALSTEAD, PHINEAS STEPHENS, DANIEL SULLIVAN, ABRAHAM PIKE,

\*See pages 1430 and 1431, for this remonstrance.

†See "Pennsylvania Archives", Fourth Series, III: 975. An original broadside copy of this proclamation is now preserved in the Tioga Point Museum, Athens, Pa.

NATHANIEL WALKER, and WILLIAM JENKINS, or any of them—who are charged with being the murderers of the said Jacob Everett—or who shall discover the offenders, or any of them, who were guilty of wounding the said Samuel Read or Andrew Henderson.”

Returning now to Wyoming, we find gathered at Fort Defence, near Brockays's, a considerable number of Yankees—chiefly unmarried men and men whose families were sojourning in New England or elsewhere, because of the unsettled conditions in Wyoming. John Franklin was the leader and trusted commander of this company, and on October 5th, he, Ebenezer Johnson and Phineas Peirce, in behalf of the Yankee settlers assembled at Fort Defence, wrote and signed a lengthy communication\*, which, together with the remonstrance that had been prepared on September 25th for presentation to Commissioners Read and Okely, was immediately forwarded to Philadelphia by an express.

In concluding this communication, the three petitioners voiced sentiments of the settlers in no uncertain tones:—

“The report is that the Commissioners said their mission was to find out the objects of Charity, and then make them Liberal Donations. It is Protection and the Benefits of Law we have been long asking for. The Restoration of our Property and our just Rights is what we have been pleading for. It is our most invaluable privileges we are contending for, and *not for Charitable Donations!*”

“Our Petitions, Remonstrances and addresses have been Repeated to your Honourable Body and the House of Assembly until our Patience is worn out, and no Relief is granted us. We have asked for Justice, and we Declare to God—who knows our hearts—that Justice is all we wish for. Our Prayers and Intreaties appear finally to be Rejected and Contemn'd, and we have reason to believe that there is no good Designed for us from this State.

“Wishing your Honourable Body to be under the Guidance and Benediction of Almighty God, we say Amen!”

At Philadelphia, under the date of October 6, 1784, President Dickinson issued the following circular, addressed to John Buyers, Christian Gettig, Andrew Culberson, John Seely and David Mead, Esquires, Justices of the Peace in and for the County of Northumberland.

“In pursuance of the Act† of which a copy is enclosed, it becomes my duty immediately to direct that some two or more of the Justices of the Peace in and for the County of Northumberland proceed forthwith in executing the laws relating to forcible Entries & Detainers, in order that the several persons who in the month of May last were violently dispossessed of their Messuages, Lands and Tenements at or near Wioming, which they then occupied, may be restored to the Possession of the same. Confiding in your Zeal for Justice, Peace & good order, I desire that you will proceed accordingly.”

This document was given by President Dickinson into the hands of General, formerly Colonel, Armstrong (who was then in Philadelphia), to be by him delivered to the Northumberland Magistrate. Colonel Franklin, referring to the matter in his “Brief,” states: “Council sent the orders by Armstrong, directed to David Mead and John Seely, Esquires, who were at the same time holding large possessions themselves [Wyoming], that had been taken by force. Armstrong delivered the orders to Esquire Mead on October 19th, and Mead repaired immediately to Sunbury without giving notice to us of his orders from the Government. It appears that they were determined to expel us all from the country, instead of reinstating us.”

At Bishop's Tavern, under the date of Sunday, October 10, 1784, Francis Murray, Esq., Lieutenant of Bucks County, wrote to Adjutant General Armstrong as follows‡:

“I am sorry to be under the disagreeable necessity of informing you that I have in the first instance failed in being able to furnish you with men, agreeable to my orders of the 1st *inst.*, received of the Supreme Executive Council. I issued orders to Col. John Keller, commanding

\*See “Pennsylvania Archives”, Old Series, X: 672.

†Passed by the General Assembly September 15, 1784.

‡See “Pennsylvania Archives”, Old Series, X: 679.

the 1st Battalion of Bucks County militia, to have four companies of his battalion paraded at Bishop's Tavern, *viz.*: Captains Skinner's, Fricce's, Bishop's and Kechline's (they being the companies of said Battalion nearest to said Bishop's), at nine o'clock this morning, with their arms and accoutrements, and ready to march from said place on a tour of duty; intending, when the men ordered here arrived, if there was more men than the exigency required, to take as many more out of the classes that stood next for duty as would answer the purpose, except there appeared to be a sufficient number willing to turn out as volunteers—which latter I had some expectation of.

"But when the companies arrived I found it *dangerous for any man to say he was willing to turn out*, either in his own company or as a volunteer; that any man that did so was in danger of being beat by the others. I then gave orders to the different Captains before mentioned to call forth and parade as many men as I then named to them out of the fifth and sixth classes of their companies, as amounted to the number wanted. The Captains obeyed the orders so far as they were able, called for the persons by name, but was *not able to parade one man!*

"Finding it was impossible to get men to-day, and numbers of them complaining that the time was too short (and having some reason to believe that some of them would turn out if allowed a little time to prepare), I gave a further order to the Captains aforesaid to have the men that were now called upon paraded on Thursday next [October 14], at nine o'clock in the morning, ready to march on a Tour of Duty for the parade. I was chiefly induced to adopt this second order as I knew I would not be able, out of the number called, to get as many men at an earlier period as would be worth a marching; and, as I found I would be under the necessity of calling on the Colonel for a supply of men from the other four companies, any further attempts to get men out of these four companies already called I looked upon as useless.

"I have now issued orders to Colonel Keller, directing him to draw forth the 6th class out of the remaining companies of his battalion, and have them paraded at the same time and place that I have directed the others before mentioned, to parade ready to march from said place on a tour of duty. You may depend, Sir, I shall use every exertion in my power to march the men on Thursday next; but at the same time I am sorry to be under the necessity of informing you that, from what I have already experienced, I have but small expectation of effecting it, chiefly owing to wrong ideas that the more leading part of the people have formed of the expedition."

Miner, referring to the efforts of Armstrong to raise troops for this proposed expedition to Wyoming, states ("History of Wyoming," page 366) that "the influences which had operated with such effect on the Council of Censors and upon President Dickinson also pervaded the people, and the militia generally declined obedience to orders."

News was received in Wyoming, on Sunday, October 10, 1784, relative to the proclamation which had been issued by the Supreme Executive Council five days previously, and later in the day a considerable number of the Yankee settlers gathered at Fort Defence to discuss the situation of affairs. It was soon resolved that Capt. John Franklin, Ebenezer Johnson and Phineas Peirce should prepare and present to the General Assembly of Connecticut (which was to convene at New Haven, on October 14th) a memorial on the subject of the unhappy situation of the Connecticut-Wyoming settlers.

Captain Franklin, owing to the wound which he had received a few days previously, was unable to make the long journey to Connecticut, and therefore he arranged to have Benjamin Harvey go in his behalf. In his diary, under the date of October 11, 1784, Captain Franklin recorded: "Wrote letter to Samuel Gray and Eliphalet Dyer\*, Esquires. Sent it by Mr. Harvey and Johnson, as they set off this evening for New Haven." Phineas Peirce followed on a day or two later, and at New Haven, on October 20, 1784, Ebenezer Johnson wrote a carefully worded petition—covering four foolscap pages—and having attached to it the signature of himself and the name of Captain Franklin, and Phineas Peirce having also signed the document, presented it to the Assembly.

The original petition is now preserved in the Connecticut State Library, Hartford, being "No. 167" in the collection of manuscripts entitled "Susquehanna Settlers, 1755-1796, Vol. I," mentioned on page 29, Vol. I, of this history. The document sets forth, first, that the signers petition in behalf of themselves and others, inhabitants and settlers at Wyoming. Then follows a

\*Active members and officers of The Susquehanna Company. See pages 292 and 393, Vol. I.



brief history of the purchase and settlement of the Wyoming region, the erection of the town and county of Westmoreland, and the disasters incident to the Revolutionary War. The petition then continues in part as follows:

"That for nearly four years after [August, 1778] your memorialists were compelled to confine themselves within narrow limits, and were constantly under arms for their safety and defense—during which time little more could be done in cultivating the lands than sufficient to sustain themselves. \* \* \* That nearly two-thirds of the male Inhabitants capable of bearing arms at the Commencement of the war have fallen by the hands of the Enemy, and their widows and fatherless children were left in the country.

"That after the Decree of Trenton your Memorialists were made to believe that the Jurisdiction of their country was in the State of Pennsylvania, and applied to the Legislature of said State for the benefits of Civil Government under that Jurisdiction, and for the obliteration of all former supposed offences, together with a Confirmation of the Title to their Lands.

"That the Memorialists have from Time to Time been flattered with assurances from the Legislature and Executive authority of Pennsylvania, that their Persons and properties should be secured to them, yet officers Civil and military have been sent among them of the most desperate Characters. That they have been oppressed with vexatious suits commenced against them by the opposing Claimers and their Creatures, and no legal Justice ever has been, or could be, obtained against any of their oppressors.

"That an armed Force has been kept up in the Country, and Garrisoned in the midst of their Settlements, who have from Time to Time, in the most wanton and unjustifiable manner, abused, imprisoned, beat, wounded and insulted the memorialists; at other Times have robbed the Inhabitants of their property, and on the 14th day of May last past one Alexander Patterson, a Justice of the Peace, and one Major Moore, commanding the Troops stationed at Wyoming by order of the Legislature of Pennsylvania, by artifice disarmed the Inhabitants, and then Collected them together, men, Women and Children, without distinction, and drove them out of the Country three days Journey into the Wilderness, destitute of Provisions; having previously denied them the privilege of collecting and carrying with them any considerable part of their personal property. That representations were immediately made to the Executive authority of the State of Pennsylvania, and soon after to the Legislature thereof, and no Relief hath been given to them.

"That soon after, your memorialists having made the best provision in their power for the support of their Families, returned to Wyoming with design to secure their Grain then nearly ripened. That the said Moore and Patterson gave orders to their Party to Fire upon, kill and destroy your memorialists when ever they could be found. That five of their youth have been Cruelly slain by them, others taken and imprisoned, loaded with Shackles of Iron—Eleven of which are still in the Common Gaol at Easton, in the County of Northampton, and are to be tryed this Week for their Lives; for no other Reason than defending themselves against the barbarous Conduct of their avowed and implacable Enemies.

"That your memorialists have been seduced, betrayed and ruined by the spurious pretences held out to them as from Government, which they are now fully ascertained of. That no Faithfulness, Honor, Justice or ordinary Civility is expectable by them—those that are disposed to assist us being overawed by the apparent Influence of our adversaries with Government, are afraid to grant us any Relief.

"And your memorialists beg leave farther to observe that they humbly conceive the Decree at Trenton was unduly obtained by Imposition, and ought to be reviewed and reconsidered by the Honorable Congress as unfounded and wrong.

"That your memorialists are now reduced to about 2,000 souls (notwithstanding the usual Increase expectable in a new Country), the principal part of which are Women and Children, now scattered in the Woods, with only Hutts of Bark and Thatch to cover them from the Inclemency of the approaching Winter, and their Enemies in full possession of their Houses, Farms, Crops and other property and they starving with Hunger and Cold and have no where to look for protection [but] to their parent State. And may they not be permitted to say the State of Connecticut has been deprived of the Jurisdiction of the aforesaid Country in so injurious a manner, and your memorialists so maltreated, that their Honor, Interest and future respectability as a sovereign State are highly concerned, and demands speedy and ample satisfaction.

"Wherefore, we humbly pray your Honours to take our distressed Case into your wise and benign Consideration, and extend to us your aid, Countenance and patronage in seeking restitution and establishment of our Just Rights and properties against our adversaries, who have exercised towards us every species of Fraud, Seduction and Cruelty, and the memorialists as in duty bound will ever pray."

Having been read to the Assembly, the foregoing petition, or memorial, was referred to a committee of which the Hon. Roger Sherman was chairman. Later in the session the committee made a full report, to which was appended the following resolution, which was forthwith adopted by the Assembly.

"Resolved by this Assembly, That it is expedient for the memorialists to pursue their application to the Congress of the United States for a trial of their Right of soil and Possession, agreeable to the 9th of the Articles of Confederation; and that this State will Countenance and patronize

them in such application and tryal, in order to obtain for them that Justice this State apprehends the memorialists are intitled to. And the Delegates from this State in Congress are directed to give them all necessary assistance in the premissis, and his Excellency the Governor is requested to address the Congress of the United States on the subject of their situation and sufferings, and also address a full state of their Claims, &c., to the State of Pennsylvania, remonstrating against the Barbarities and Cruelties exercised towards the memorialists, and requesting a Redress of their Grievances and a Restoration of their Rights, Properties and possessions under the protection of the Laws and Government of said State of Pennsylvania."

Messrs. Gray and Dyer were both in New Haven at this time, and to them Benjamin Harvey delivered the letters which he had brought from John Franklin. After his return to his home in Windham, Mr. Gray wrote the following letter under the date of November 8, 1784, to Col. Zebulon Butler, at Fishkill, New York, where he had been sojourning for some time.

"*Dear Sir:*—I have spent a fortnight att New Haven soliciting the assistance of our assembly for their assistance in procuring protection and assistance for our poor afflicted & distress'd friends at Wyoming. We have obtained the same assistance which the Gen. Assembly granted us in October, 1783, and also a peticular address from the assembly To Congress for protection for the settlers att Wyoming and also a Remonstrance to the Genl. Assembly of Pensilvania. "You may expect Dr. Johnson Deligate for Congress with Col. Plat Cook. Our Deligates are directed to afford all their interest and Influence with Congress for Protection for our People, and for a Tryal of the right of soil. You may depend on Dr. Johnsons utmost exertions in favor of our people, and also the other Gentn., for ought I know.

"If we obtain an order of Congress for a Court, as I expect we shall, a meeting to make the necessary preparations for the Tryal must be held. We shall exert ourselves to our utmost. "I dont think off anything further to write now, only it is said that Judge Brearleys Brother was att the time of the Tryal att Trenton deeply interested in the Wyoming lands. If that can be properly evidenced, that together with the evidence we have of Wilson's having our deeds, will procure a reversion of the Judgment att Trenton.

From your friend & Humble Sert.

[Signed]

"SAML. GRAY."

"Col. ZEBULON BUTLER, Fishkill."

On Sunday, October 17, 1784, Brig. General Armstrong marched into Wilkes-Barré at the head of forty of the Berks County militia, they being the only ones who had responded to the call to rendezvous on October 14th, at Bishop's Tavern. A day or two prior to this the Yankees at Fort Defence had been reenforced by a number of their compatriots who had come down the river from the neighborhood of Bowman's Creek. Also at Gaylord's Stockade (see page 997, Vol. II) in Plymouth, a number of Yankees were gathered in arms.

Almost immediately upon his arrival at Wilkes-Barré, Armstrong received additions to his force from the Pennamites who, under the leadership of Alexander Patterson, were occupying Fort Dickinson and near-by buildings; and Colonel Franklin states in his "Brief" that forthwith "the poor Connecticut people again felt the weight of his [Armstrong's] cruel hand. About thirty—several of whom were very aged and infirm—were made prisoners and confined in a guard-house. Others were fired upon and wounded. Families were again turned out of doors. A number of families of very aged people, who had been permitted to remain in the settlement, were ousted at this time and ordered to leave Wyoming." In the diary of Colonel Franklin we find it recorded that "on Sunday, October 17, 1784, Robert Jameson was haled from his house in Hanover Township to the fort at Wilkes-Barré, where he was confined in the guard-house, and was kept bound and closely confined a number of days; and during his imprisonment, his wife, who had been long confined to a sick bed, and not able to raise herself therefrom, was hove out of the house in her bed by a party of assassins by Colonel Armstrong's orders."

With the coming of Armstrong to Wyoming, the belligerents among the Yankees also got busy, as we learn from an affidavit sworn to by Matthew

Terrel before Justice Seely at Wilkes-Barré, on October 28, 1784—the affiant deposing as follows\*:

"That in the afternoon of Sunday, the 17th *inst.*, being at the house of the Widow Harris, in company with Elisha Duke and John Kennedy, there came up Phineas Stephens and Gideon Church, who enquired whether he, the deponent, and those with him had heard of the arrival of the militia [the Connecticut men from up the river]; asking also whether they intended to join them, and swearing that all such as did not should be burnt out; and that they [the Yankees] would hold the country or lose their lives. That under these threatenings the deponent joined them on the morning following, where he found them collected at one Brockway's, to the number of forty. At one Caylord's the deponent understood that there was another party of them, and that the above seemed to be their general language & temper. \* \* \* Their leaders were John Franklin, Elisha Satterlee and Phineas Stephens."

On Monday, October 18th, General Armstrong, at the head of about 130 Pennamites (including the Berks County militia), marched up to Fort Defence, surrounded it and kept up a heavy firing for two hours. The Yankees vigorously maintained their position, and after one officer of the militia had been killed and three or four privates wounded, Armstrong withdrew to Wilkes-Barré. Franklin, referring to this affair in his "Brief," states: "They [the Pennamites] being about 130 in number commenced a heavy fire upon us, which we returned with a small number of arms we had in possession; and after an attack of two hours forced them to run off, leaving one of their party dead on the place of action. Others were wounded."

Miner, describing the action at Fort Defence (in his "History of Wyoming", page 366), states: "[Armstrong] put his forces in motion, and made an attack on Brockway's, above Abraham's Creek, where William Jackson of the Yankees was severely wounded, Captain Bolin of Armstrong's men killed and left on the field of battle, and three or four of his men being wounded, who were borne off in the retreat. This action was sharply contested on both sides for an hour. The Yankees occupied four log houses placed in the form of a diamond. \* \* \* After the attacking party had retired, Captain Franklin seized the rifle of his friend William Jackson, bloody from his wound, and calling his companions in suffering around, swore thereon a solemn oath that 'he would never lay down his arms until death should arrest his hand, or Patterson and Armstrong be expelled from Wyoming and the people be restored to their rights of possession, and a legal trial guaranteed to every citizen by the Constitution, by Justice and by Law.'"

Miner further states, relative to the events of this period, that "General Armstrong the next day [October 19th] dispossessed thirty families who had been restored or returned to their farms. In a skirmish which ensued Jonathan Terry was severely wounded. The flats of Kingston opposite the fort [Dickinson] had been extensively sowed with buckwheat, and General Armstrong's men were now engaged in threshing out the abundant produce. A body of Yankees under Major [Joel] Abbott approached the laborers undiscovered, and rushing forward, surrounded them before they could seize their arms, and took all the grain—wagons having been prepared to transport it to headquarters. Meanwhile the alarmed garrison paraded the cannon, but the Yankees placed their prisoners as a shield, and thus prevented firing. More than a hundred bushels rewarded the enterprise."

Realizing that John Franklin was now the leader of the Wyoming Yankees and the chief director of their affairs, General Armstrong sent to Justice John Seely, on October 20, 1784, the following communication†:

\*See "Pennsylvania Archives", Old Series, X: 688.

†See "Pennsylvania Archives", Old Series, X: 677.

"I have no other object in wishing you to come to an interview with John Franklin but that you may have an opportunity of learning from himself why so many of the Connecticut claimants have thus wantonly run into an armed opposition to the laws of the State; why they have committed so many depredations upon the peaceable and unoffending; & whether they yet continue even to profess an allegiance to this Commonwealth. If to the last question he should answer in the affirmative you will then explain what that allegiance requires, and what it forbids; the necessity there is for immediately laying down his arms and submitting himself and his followers to the operation of justice, and the penalty should he neglect or refuse to comply.

"Draw from him an acknowledgment that he has seen the proclamation\*, and knows the penalty incurred by abetting, comforting and associating with the culprits mentioned therein."

Seely came to an interview with Franklin the same day, and subsequently reported the results thereof to Armstrong in writing, as follows:

"That he ye said Franklin made ye following answers to the preceding questions: To the 1st he replied, 'for his own safety.' To the 2d he made no other answer but that 'it was against his inclination yt. any outrage upon person's property should be committed.' And to ye last he answered in the affirmative.

"When Mr. Seely asked how he could reconcile to these professions his carrying arms and fitting himself in opposition to the laws, he replied yt. his own defence made it necessary. Mr. Seely then declared his conduct to be contrary to the law, & pointed out the necessity of their immediately dispersing. To yt. he made no other reply as to himself, but that if he should, he was apprehensive of abuse, adding: '*what would then become of the people mentioned in the Proclamation, for whom rewards are offered.*'

"In the course of conversation Franklin acknowledged that he had sent a state of facts to the Government of Connecticut, and the Susquehanna Company, and expected support from them."

On October 20th, at Fort Dickinson, in Wilkes-Barré, General Armstrong issued an address to the inhabitants of Wyoming, to which he attached a copy of the Supreme Executive Council's proclamation of October 5th. The address read as follows†:

"*Whereas*, the Supreme Executive Council of this Commonwealth have by their resolution of the 1st day of October last, directed that a body of Militia be immediately called into service and moved with the utmost expedition to the townships of Shawana and Stoke, in the County of Northumberland for the purpose of 'protecting the more peaceable inhabitants of the said townships against the violence of the Banditti now infesting those settlements, and for the better support of the civil authority there.

"*And whereas*, by the resolution of the same date, the direction of these troops is committed to me, this is therefore to require that all the inhabitants of the aforesaid districts, well affected to the Government of this Commonwealth, do immediately repair to this place, & by so doing give evidence of their allegiance and submission to the laws; that they also renounce all connection with the Culprits whose names are mentioned in the Proclamation annexed, and that they not only deny them all comfort and protection, but that they exert themselves in apprehending and bringing to justice all and every of the abovementioned Culprits, their associates and abettors.

"*And whereas*, it is and ever has been the object of Government to extend mercy as well as to render justice to all its subjects, this is also to assure such as may have been deluded into a hasty and mistaken opposition to its laws—and who, under the influence of this delusion, have left their places of usual abode and assembled themselves in arms for the very unlawful purpose of defending a description of men who have rendered themselves obnoxious to the severest punishment—that if they will immediately return to their allegiance and their industry, every possible representation in their favor shall be made to Government, and that no effort in my power shall be wanting to procure forgiveness.

"Such, however, as, lost to their own interest, shall, in neglect to this warning, continue to give their support to the insurgents, and oppose in arms the progress of the Laws and those who are sent hither to establish & preserve them, must look for that punishment only which it is ever in the power of the State to inflict, should it become either her duty or inclination."

Relative to the treatment which some of the Yankees in Wyoming were experiencing at the hands of the Pennamites at and about October 20, 1784, we learn something from the actions of a courageous woman.

Mrs. Abigail (*Alden*) Jameson, daughter of Maj. Prince Alden and widow of Lieut. John Jameson (see page 500, Vol. I,) having, with other members of the Jameson and Alden families, suffered outrages of a more than ordinary character on this date, journeyed to Easton to lodge a complaint against her persecutors. The Justices of the Supreme Court of the State were at that time

\*Issued by the Supreme Executive Council October 5, 1784. See page 1442.

†See "Pennsylvania Archives", Old Series, X: 685.

holding a Court of Oyer and Terminer there, and Mrs. Jameson went before the Hon. George Bryan, one of the Justices, and swore out an information, drawn up in part as follows\*:

"On Friday, October 29, 1784, before me, George Bryan, one of the Justices of the Supreme Court, at Easton, in the County of Northampton, personally came Abigail Jameson of the township of Stoke, in the county of Northumberland, widow, aged thirty-one years, who, being duly sworn on the holy Gospels, deposed & saith: That on the thirteenth day of May last this deponent was turned out of her house in Stoke aforesaid, & driven thence to New Jersey, by divers persons armed with Guns & other Weapons; that in the month of June last this deponent returned again to her dwelling-house in Stoke aforesaid, & there found Agnes Jameson, mother-in-law of this deponent, inhabiting the said house; that this deponent continued at Stoke aforesaid, & together with said Agnes, lived & dwelt in said house; that in the month of August last this deponent went to New Jersey, & after some stay there with her children, returned towards Stoke, aforesaid, last Sunday week [October 17, 1784], having with her this deponent's daughter Hannah, of the age of two years or thereabouts, & passing by Bear Creek, twenty [sic] miles on this side of Stoke aforesaid, this deponent was stopped by Henry Shoemaker, Esq., who said that this deponent could not get through, and that Jacob Cline led this deponent two miles back towards Colonel Stroud's; that after night, this deponent being left alone, proceeded again towards her house aforesaid at Stoke, & arrived there safely; that this deponent, upon returning to her habitation at Stoke as aforesaid, found her Mother-in-law possessed of her house there, & that this deponent took possession of said house & dwelled there in peace untill Wednesday, the twentieth day of this present month of October, when going towards the fort to carry food for Robert Jameson, then prisoner there, this deponent was stopped by Alexander Patterson, Esquire, & taken back to her own house, being five miles distant; that on the way the said Patterson & his men stopped at the Widdow Abigail Holliwod's & turned her out of possession of her dwelling.

"That about an hour after, the said Alexander Patterson & his party, about ten in all, came near to this deponent's dwelling, Patterson stopping at about twenty rods therefrom; that about ten men came up to this deponent's house & forcibly turned this deponent, the said Agnes Jameson, Rosanna Jameson & the said Hannah Jameson out of the same, & threw out at the same time this deponent's household & other goods; that one of the men who thus ousted this deponent as aforesaid, shut the doors & nailed them up; that the said Alexander Patterson, who acted as the director of the said party of men coming to the said House, threatened this deponent that her said house would be demolished over her head in case she went into it & lived there again, & ordered this deponent to look for other quarters; that the said Agnes Jameson was at the time, when the said forcible dispossession was made, very sick & a-bed, & by the terror of the riotous proceedings aforesaid, was driven into an hysteric fit; & that the said Agnes, in this distressed condition, was carried out of the said house, & placed in the dwelling-house of John Cressy, whose abode was near to this deponent's; that this deponent, the next day after the dispossession aforesaid, complained thereof to General Armstrong, who denied that the same had been done by his orders, or that his men had done it, but did not interfere or do anything to relieve this deponent."

[Signed]

*Abigail Jameson*

Upon the foregoing information a warrant was issued for the arrest of Captain Patterson, and a few days later he was arraigned for a preliminary hearing before Justice Bryan at Easton. Abigail Jameson, who was present in Court as prosecutrix, was asked by the Judge: "Who is your lawyer?" "May it please your Honor," she answered, "the Aldens are all lawyers. I will attend to my own case." She did so, and as a result of the hearing Alexander Patterson was held in £250, and William Smith, Jr., and James Moore were each held in £125, under the condition "that Alexander Patterson keep the peace and behave, and appear at the next Court of Oyer and Terminer to be holden in Easton." Abigail Jameson was held in the sum of £50 "to appear and give evidence."

At Wilkes-Barré, under the date of October 25, 1784, General Armstrong wrote to President Dickinson as follows‡:

"The enclosed letter from Lieut. Colonel Murray‡ will inform your Excellency and Council of the very shameful delinquency of the Bucks County militia. Those of Berks, though more obedient, were late in coming, and brought it down to the 14th inst. before I could take a single step from the place of rendezvous. I then found myself at the head only of forty men. With these, however, I got into march, and arrived at this place on Sunday following, without any other injury or interruption than such as arose from the difficulty of the route by which we moved.

\*See "Pennsylvania Archives", Old Series, X: 688.

‡See "Pennsylvania Archives", Old Series, X:686. †See page 1443.

"I must now beg leave to state some of the circumstances which followed the assault of September 28; the situation in which I found the country, and the more important facts which have since happened.

"The first event was immediately succeeded by the expulsion of such of the Pennsylvania claimants as were settled on the west side of the river—some of whom, quitting the country entirely, fell down the river as low as Shickshinny, where they have been since pursued and stript of the little which, in the first instance, they were permitted to carry with them. The others found a more secure refuge in the remains of what was the Fort [Dickinson].

"During these transactions the magistrates (Messrs. Seely, Mead and Shoemaker) were not idle, and did everything in their power to call forth a spirit of exertion among the neighboring people; but, such was their distrust of themselves and each other, that few, if any, could be assembled. They wrote also to the Lieutenant of the County, entreating the immediate interposition of such an armed force as he could afford them; but volunteers could not be found, and in the present unorganized state of the militia no order of his could reach them.

"Witnesses of this immediate inefficiency of the Government, and becoming stronger in the assurance of a growing superiority, the insurgents began now to extend their outrages to this side of the river, and obliged the greater part of its inhabitants to such a division of the grain as gratified at once their licentiousness and their wants. What the latter spared, the former, in many instances, destroyed, and nothing was to be seen upon my arrival but insolence and rapacity, wretchedness and submission.

"Small as my party was, it produced a temporary change in the conduct of both. The insurgents were obliged to circumscribe their limits, and the Pennsylvania claimants were enabled to gather in some part of their scattered harvest. It is, however, to be regretted that its influence upon both has been less permanent than I could wish, for the moment that my force was found to be unequal to offensive operations, that moment I was attacked by the one and, in a great degree, deserted by the other.

"In a little reconter which took place a day or two ago [October 18], and which was brought on by an attempt to cover the labors of some poor people (who had been much and early distressed in this late disturbance), the insurgents sustained some loss, and were driven into a cluster of log houses, which my leading platoon—mistaking their orders—attempted to storm, but without effect. In this affair I had two men slightly wounded.

"I need scarcely observe to your Excellency that four log houses, so constructed as to flank each other, became a very formidable post, and set all attempts of near musquetry at defiance. I had no cannon, and the only alternative left me—a close investment—became impracticable from a want of numbers. I was obliged, therefore, to relinquish the position I had taken, and with it the happy prospect of exterminating this banditti at once. Their whole force was stated at this point of time at seventy men.

"Among my informers on this subject is Matthew Terrel, whose deposition is enclosed, and who, with some others of a more timid or peaceable disposition, have come and thrown themselves upon me for protection. This I have extended to all such without exception, and have only to regret that there are so few of them. This, however, cannot be either new or surprising to your Excellency after the frequent evidence which the people called Connecticut Claimants have given of intended violence, and can only beget a further assurance in the Government that they have long since ceased to deserve anything of it but its resentment.

"Whatever reluctance I may feel in becoming the minister of these, I cannot but offer it as my most serious opinion that they should be soon and vigorously exerted. The detachment now here, completed to its original number with 100 additional troops, would be very sufficient for this purpose. A less number would be much exposed to disaster, if not to defeat."

The next day, (October 26th) General Armstrong sent the following information to President Dickinson by an express:

"I must beg leave to refer your Excellency to Captain Armstrong for a relation of some facts which have taken place here to-day. They seem to be a consequence of a reinforcement brought down the river by [Capt. John] Swift. The treatment of the Lackawanna people has been excessively cruel. Since my packet of yesterday was made up, I have heard that there are a few men upon their march from Bucks County. Should they join me my whole number will not exceed fifty; and to suppose that half of these are to be depended upon in a moment of trial, would be a great stretch of credulity."\*

The Rev. George Peck, D. D., in his Wyoming sketches, gives an interesting account of some of the doings of Armstrong and his men during their stay in Wyoming, in October and November, 1784. Mrs. Deborah (*Sutton*) Bedford, who, as a young girl of eleven years, was in Wyoming at that time, narrated to Dr. Peck, many years later, the following:

"Armstrong and Patterson commenced a series of efforts to drive the Yankees out of the country. One of their schemes was to burden the settlers with their men. They quartered their soldiers around among the people, and gave some one of them charge of the house. Six of Arm-

\*At a meeting of the Supreme Executive Council held February 17, 1785, the pay-roll of Captain Friece's company of Bucks County militia (see letter of County Lieutenant Murray on page 1444.) from October 14, to December 5, 1784, was read and approved, and an order was drawn on the Treasury for the pay—it being for services in the Wyoming campaign. (See "Pennsylvania Colonial Records", XIV: 361.)

strong's men were quartered upon us, and the meanest one of the lot was put in charge of the house. He swelled and swaggered, and gave out orders with the authority of an absolute monarch. \* \* \* Armstrong had a very bad felon, and applied to Dr. [William Hooker] Smith for medical treatment. The Doctor told him that he would not go into the fort to attend to his case, but that if he would take board among the citizens he would do what he could for him. It was finally arranged that he should meet the Doctor at our house. We gave him all the comforts which the house afforded, and his felon was soon cured.

"When the Yankees were all ordered off, Armstrong came to our house and said to my mother: 'Mrs. Sutton, you will not like to go with the rabble; you may stay a day or two, and then go at your leisure.' \* \* \* Mother was about to be confined, and father was gone up the river, and she told Armstrong she could not go. 'Oh!' said he, 'you *must* go; but we will make it as agreeable for you as possible.' Soon after a file of armed men came in and ordered mother to clear out. When they left they said she might have fifteen minutes to leave in. She told them she could not go at all. Soon after they returned, and found mother lying on a bed on the floor. They told her to get up and be off immediately. She flung the bed-clothing off, and rising up, said, 'Here I am, take my life as soon as you please!' A ruffian pointed his bayonet at her and swore he would kill her, taking a step toward her as though he would execute his threat, when one of them stepped up and turned his gun away, saying, 'Come along, and let the woman alone.'"

The following extracts from affidavits\* made before Justice John Seely at Wyoming early in November, 1784, by a couple of Pennamites, will give the reader an idea as to the manner in which some of the Yankees here were conducting themselves about that time.

"*Joseph King*, being duly sworn, doth depose and say that on Wednesday, the 3d *inst.*, being at his labor in Shawina [Shawanee] Township with four others threshing buckwheat, they were surrounded by a number of armed men and made prisoners. Benjamin Bidlack and Elisha Satterlee commanded the party of robbers. They marched the said deponent with the others up to their place of rendezvous, and on the road abused the said deponent very much by jabbing their guns in his sides. When they arrived near their quarters they tied a rope around the deponent's neck, and beat and abused the said deponent without mercy. John Franklin, commander of said body of robbers, made the deponent promise to quit the country and never lift arms again; which if he did, and they could lay their hands on him, they would take his life. Upon these promises they let him go. The deponent says that he is not yet able to lift a pail of water on account of the bruises he received of the said robbers."

"*Hannah Hillman*, Spinster, of the said County, being duly sworn, doth depose & say: That on Thursday, the — *instant*, being at the house of Cornelius Van Horn, in the Township of Shawana, she there saw John Franklin & a number of other armed men—she supposes about forty—who, approaching the house on different sides, surrounded it, with an intention (as they said) of cutting off a party of the militia which had been stationed there, & which had been that morning withdrawn to the Fort. That Franklin, swearing in a most profane manner, declared that he would be revenged of some of them, & particularly of Wm. Simms who was with the said party; adding that within a night or two he would set fire to his (Simms) house & burn him up alive. He talked a great deal, & much of his language was to the same purpose."

During the week of October 25-30, 1784, the Justices of the Supreme Court of Pennsylvania were holding a Court of Oyer and Terminer at Easton, as herebefore noted, and Col. Zebulon Butler (who had come on from Fishkill, New York), Robert McDowel and other influential members of the Susquehanna Company were there to look after the interests of the eleven Wyoming men who were in the Easton jail awaiting the action of the Court in their case. A bill of indictment charging them with the murder of Jacob Everett, at Locust Hill, August 2, 1784, was framed and laid before the Grand Jury, but on October 29th, the bill was returned "ignoramus." Thereupon the Court directed that the prisoners should be discharged upon the payment of certain jail fees and costs (amounting to the sum of £6, 16s. 4d. for each), and upon entering into a recognizance, with one surety for each individual, to keep the peace for one year.

The prisoners were without money, but Messrs. Butler and McDowel and Samuel Decker furnished the full amount needed, receiving from the eleven men, respectively, their notes, or due-bills,† payable on or before March 1, 1785. On October 30th, having entered into their recognizances and received "passes,"

\*See "Pennsylvania Archives", Old Series, X: 691, 694.

†The due-bills of Benjamin Jenkins, John Platner, Thomas Read and John Hurlbut, at that time given, each for £6, 16s. 4d., and dated at Easton, October 29, 1784, are now preserved in the collections of The Wyoming Historical and Geological Society.

or permits, enabling them to return to Wyoming without let or hindrance, they set off for home. One of the passes given at that time has been preserved\*, and it reads as follows:

"NORTHAMPTON COUNTY, SS:

"Upon application to Robert Levers, Esquire, one of the Justices of the Peace in and for the said County, by John Hurlbut (who hath this day entered into recognizance, with one surety, for his peaceable behaviour towards all the subjects of the Commonwealth of Pennsylvania for one year from the date hereof), for a pass, that he may have liberty to go to Wyoming on his Lawful Business; These are to permit the said John Hurlbut to pass from hence to Wyoming, and it is recommended to all whom it may concern not to molest the said John Hurlbut on his passing and repassing as lawful business may occasion—he behaving himself as becometh a good citizen of Pennsylvania.

"Give under my hand and seal the thirtieth day of October, 1784.

[Signed] "ROBERT LEVERS." [L. S.]

At Sunbury, during the week of November 8-13, 1784, Chief Justice Thomas McKean and Justices William Augustus Atlee and George Bryan held a Court of Oyer and Terminer. Bills of indictment against the forty-two Yankees, who had been arrested at Wyoming and jailed at Sunbury in August, 1784 (see pages 1423 and 1424), were framed and laid before the Grand Jury, but the several bills were returned "ignoramus" by the Jury. Colonel Franklin, in his "Brief," states: "Large bills of costs were made out against each of said persons, viz.: £2, 4s. on each bill; and not any one had less than two bills laid against him, and several had three or four."

At this same term of Court Lieut. Col. James Moore and the various other Pennamites who had been indicted in June, 1784, and bound over for their appearance at this term, were tried, with the following results: Andrew Henderson and Blackall William Ball, "gentlemen," were tried for an assault and rescue, and were acquitted; Hamilton (?) Armstrong and Andrew Henderson, "gentlemen," were tried for an assault and battery, and were acquitted; Blackall William Ball, gentleman, indicted for assault and battery, "submitted," and was fined twenty shillings.

The several persons whose names follow were tried on an indictment for riot, and were convicted. Whereupon the Court passed the following sentences, to wit: Lieut. Col. James Moore and Capt. Henry Shoemaker, a Justice of the Peace, were each fined £100, and were required to pay the costs of prosecution and give security in the sum of £500 each for their peace and good behavior for twelve months. Capt. William McDonald was fined £75, and was ordered to pay the costs and give security, as in the cases of Moore and Shoemaker. Blackall William Ball was fined £25, and was ordered to pay the costs and give a bond in the sum of £200. Ezekiel Schoonover and Elisha Cortright were each fined £15 and the costs, and were required to give bonds in the sum of £50 each. Abraham Van Cortright and Samuel Van Gorden were each fined £10 and the costs, and required to give bonds of £50 each. Ebenezer Taylor, Preserved Cooley, William Brink, Beniah Munday, Nicodemus Travis and Obadiah Walker were each fined £5 and the costs, and required to give bonds in the sum of £50 each. Peter Taylor, Lawrence Kinney, Daniel Swartz, Benjamin Hillman, Joseph Solomon and James Grimes were each fined £3 and the costs, and required to give bonds in the sum of £25 each. Jacob Tillbury was fined twenty shillings, and was required to give a bond in the sum of £50.

Miner, referring ("History of Wyoming," page 348) to the trials of these men, states: "The majesty of the laws was nobly vindicated. The charge of

\*See F. C. Johnson's "Historical Record," III: 9.



the Judge was long remembered for its just sentiments, its deep feeling, and the impressive manner in which it was delivered."

On December 23, 1784, the General Assembly of Pennsylvania having received from Edward Burd, Clerk of the Court of Oyer and Terminer and General Gaol Delivery of the Commonwealth, a certificate to the effect that Henry Shoemaker, Esq., a Justice of the Peace in and for the County of Northumberland, had been convicted of a riot committed by him and many others on May 13, 1784, the Assembly resolved "that the said Henry Shoemaker, for his misconduct as aforesaid, be removed from his office of Justice of the Peace."

January 10, 1785, Lieut. Colonel Moore, for himself and the several other convicted Pennamites named hereinbefore, petitioned the Supreme Executive Council and prayed for "a respite of the collection of the fines imposed" as aforementioned. The Council, by resolution, "suspended" the collection for a period of six months, but before the six months had expired Moore and his associates petitioned for a further extension of time. Finally, on January 12, 1786, the Council remitted the fines entirely.

A few days before the convening of the Court at Sunbury, General Armstrong proceeded thither from Wilkes-Barré, and on November 8th, Justice John Seely wrote to him from Wilkes-Barré as follows\*:

"Yesterday I had a conference with the three persons mentioned to you; this day at 11 o'clock I received their answer. They have agreed that upon sufficient assurances from under your hand & seal that all processes for their former transactions being stopt, and that they may have free Liberty of passing through the country unmolested, they will lay down their arms and never take them up again in opposition to the State of Pennsylvania. They Likewise say they must have one hundred Guineas to purchase themselves clothes, &c.

"Your Proposition of an act of Government to stop all suits ag't them I have promise should be done. The Guineas I have not yet engaged them, but think it will save great Expence to the State to let them have them.

"Also agreed that all Hostilities shall cease, & no more Distresses made on the Inhabitants untill they have a meeting with you, which they request may be as soon as possible; and desire the same may be kept a profound secret from both parties, which if known may occasion them to take up arms again—I mean untill the matter is properly settled between you & them. They also say they will occasion the whole party to Disperse."

Who "the three persons" were who are referred to in this letter we have no means of knowing, and it would be a very difficult matter to *imagine*, with any sort of satisfaction, who they were.

At Sunbury, under the date of November 15, 1784, General Armstrong wrote to President Dickinson, at Philadelphia, as follows†:

"I had some time since the honor of stating to your Excellency & Council the situation in which I found the insurrection at Wyoming, and some of the more important facts which had taken place upon my arrival. \* \* \*

"Unable to attempt anything offensive I therefore took a resolution to come hither & consult the Judges of the Supreme Court upon the further measures which in this situation ought to be taken. It was their opinion that a line of mere defensive conduct on the part of the State held out a promise of sooner bringing about the objects of Government than one of a more active nature. This, however reluctantly, I was obliged to observe from the first moment I enter'd the Country, and am not sanguine in expecting any better consequence than we have already seen & felt from an adherence to it. Every measure which supposes that farther Unity will produce better conduct, will be found unavailing; but untill Government be so well assured of this truth as I ever have been, the milder expedients of forgiving & forgetting may be pursued.

"Col. Johnstone‡ who has been at Wyoming since I left it, will explain the appearances which presented themselves to him. They were such as begat but few hopes of being able by gentle methods to extinguish a flame which has extended itself to a whole people, composed as they are of vagrants & desperadoes.

\*See "Pennsylvania Archives", Old Series, X: 692. †See *ibid.*, page 694.

‡Col. FRANCIS JOHNSTON. He was commissioned January 4, 1776, Lieut. Colonel of the Fourth Pennsylvania Battalion, commanded by Col. (later General) Anthony Wayne, and September 27, 1776, was promoted Colonel of the Fifth Pennsylvania Regiment, Continental Line. He was retired from the service January 1, 1781, and in the following April was appointed Receiver General of Pennsylvania, which office he held for a number of years—nine or ten, at least.

In September, 1783, the Pennsylvania Assembly resolved unanimously that the Supreme Executive Council be authorized and empowered to appoint Commissioners to hold a meeting with the Indians claiming "the unpurchased territory within the acknowledged limits of the State, for the purpose of purchasing the same, agreeable to ancient usage." In pursuance of this resolution the Council, in February, 1784, appointed as Commissioners Col. Francis

"I shall remain here for a few days, until I find myself better able to encounter the roughness of the roads & the season, & shall then set out for Philad'a, after directing such a disposition of the few troops which desertion has left me, as will best promote the objects for which they were sent."

Instead of going to Philadelphia from Sunbury, General Armstrong returned to Wilkes-Barré.

At Philadelphia, on Saturday, November 27, 1784, President Dickinson wrote to General Armstrong as follows:

"We should be glad that you would return to Philadelphia as soon as will be convenient, in order that, upon the fullest information, we may take such ulterior Measures as the situation of the affairs in Northumberland County may render proper."

But before this message could be conveyed to Wilkes-Barré, Armstrong had set off for Philadelphia, he and Captain Patterson and their militia and a majority of their myrmidons, with bag and baggage, having evacuated Fort Dickinson at eleven o'clock on the night of the 27th and marched out over the Sullivan Road in the direction of Easton. Thus the Pennamitish horde vamoused from Wyoming, never again to return with force and arms! Three days later nearly all the Yankees in Wyoming assembled on the River Common at the foot of Northampton Street, Wilkes-Barré, and, roused and incited by spontaneous enthusiasm and pervaded by a spirit of grim earnestness, promptly razed Fort Dickinson to the ground.

The destruction of the Fort (which, in the opinion of the Yankee inhabitants of Westmoreland, had stood for some time then only to harbor a horde of myr-

Johnston, William Maclay, Esq. (see note, page 759, Vol. I), and Col. Samuel John Atlee of Pequea, Lancaster County, who, in March, 1780, had been elected County Lieutenant of Lancaster, and, in October, 1783, had been elected a member of the Supreme Executive Council from Lancaster.

As noted on page 164, Vol. I, Congress had appointed Commissioners to hold a treaty with the Six Nation Indians at Fort Stanwix, New York, in October, 1784, and at that time the Pennsylvania Commissioners named above repaired thither. On October 23rd, at Fort Stanwix, the representatives of the Six Nations, by a deed under their hands and seals, or totems, conveyed to the State of Pennsylvania the territory desired by the State—the bounds of which extended from Tioga Point to the western boundary of Pennsylvania, and from the New York State line to the West Branch of the Susquehanna, the lower Allegheny and the Ohio. In consideration of this conveyance the Commissioners agreed to deliver to the representatives of the Six Nations "goods, wares and merchandise to the amount of one thousand dollars", the same to be turned over to them at Tioga Point. The Commissioners also agreed to present to Capt. Anron Hill of the Mohawk tribe and Capt. John O'Bail ("Cornplanter") of the Seneca tribe "two good rifles of neat workmanship, one for each of them, \* \* \* in consideration of their services at the late purchase."

Returning from Fort Stanwix the Commissioners came down the Susquehanna from Tioga Point to Wilkes-Barré, reaching here about the 1st or 2d of November, and remaining here until the 12th or 13th, when they departed, for Sunbury. From there, on November 15th, they reported to President Dickinson their return from Fort Stanwix, and

*Elias Bigsby Dr Junr*  
 Oct 18. To 6th Regt 6  
 1777 To one Pair of Shoes 11 3  
 To one Duck Coat & Hat 5 9  
 23 Queen Esther Dr Junr  
 Dec 15 To sundry 3 11  
 1774

A copy of a charge against Queen Esther in Col. Mathias Hollenback's Account Book (1774)

then separated to their respective homes. Early in December following they repaired to Fort McIntosh on the Ohio River, where the town of Beaver, Beaver County, Pennsylvania, is now located, and there at a treaty held on January 21, 1785, procured from certain Wyandot and Delaware Indians a deed confirming and ratifying the deed executed by the Six Nations at Fort Stanwix.

Colonel Johnston was elected High Sheriff of the city and county of Philadelphia October 25, 1810, and he died in that city February 22, 1815, in the sixty-seventh year of his age. He was one of the original members of Pennsylvania-Union Lodge, No. 29, Ancient York Masons (referred to on page 1346), and was an original member of the State Society of the Cincinnati of Pennsylvania—being succeeded therein by his son, Alexander W. Johnston, in 1816.

midons whose unjust and hateful acts had made the lives of the Yankees unhappy and their property unsafe) marked, in fact, the close of the "Second Pennamite-Yankee War."

Colonel Franklin, in his "Brief", referring to the evacuation and destruction of Fort Dickinson, stated: "Consequently the possession of Wyoming fell into our hands without any assistance under the authority of Government. A number of the Pennsylvania claimants still remained at Wyoming with their families, in possession of our houses and lands. They wished to remain quiet until the title should be decided by law.

"December 10th the Sheriff of Northumberland, with two Justices of the Peace and a Grand Jury of twelve men, came to Wyoming to execute the law relative to forcible entry and detainer. Two or three complaints were exhibited, and bills were found, but were traversed by the defendants. The Justices informed us that the traverse could not be tried until another jury could be brought from Northumberland. We also found that they could remove the traverse to the Supreme Court, and in this way keep us out of our possessions by law, and compel us to quit the country to procure subsistence for ourselves and families. We informed the Justices that we had not any further business for them. They retired with the jury, and *we took possession for ourselves* and proceeded to bringing back our families, who had been dispersed for the term of seven months."

Miner commenting on the close of the war and the return to Wyoming of the New England settlers, says:

"The New England people were repossessed of their farms; but a Summer of exile and war had left them no harvest to reap, and they returned to their empty granaries and desolate homes, crushed by the miseries of the Indian invasion [of 1778], mourners over fields of more recent slaughter, destitute of food, with scarce clothing to cover them through the rigors of a northern Winter, while clouds and darkness shrouded all the future. Assuredly the people of Wyoming were objects of the deepest commiseration, and the heart must be harder and colder than marble that could look upon their suffering and not drop a tear of tenderest pity."

We may appropriately introduce here, in closing this Chapter, interesting extracts from the writings of two well-known American authors, commenting upon the Second Pennamite-Yankee War in Wyoming.

Johu Fiske, LL. B., in his "The Critical Period of American History" (published in 1889), says:

"A force of militia was sent to Wyoming, commanded by a truculent creature named Patterson. The ostensible purpose was to assist in restoring order in the valley, but the behavior of the soldiers was such as would have disgraced a horde of barbarians. They stole what they could find, dealt out blows to the men and insults to the women, until their violence was met with violence in return.

"Then Patterson sent a letter to President Dickinson, accusing the farmers of sedition, and hinting that extreme measures were necessary. Having thus, as he thought, prepared the way, he attacked the settlement, turned some 500 people out of doors, and burned their houses to the ground. The wretched victims, many of them tender women, or infirm old men, or little children, were driven into the wilderness at the point of the bayonet and told to find their way to Connecticut without further delay. \* \* \* Great was the indignation in New England when these deeds were heard of. The matter had become very serious. A war between Pennsylvania and Connecticut might easily grow out of it. But the danger was averted through a singular feature in the Pennsylvania Constitution.

"In order to hold its Legislature in check, Pennsylvania had a Council of Censors, which was assembled once in seven years in order to inquire whether the State had been properly governed during the interval. Soon after the trouble in Wyoming the regular meeting of the Censors was held, and the conduct of Armstrong and Patterson was unreservedly condemned. A hot controversy ensued between the Legislature and the Censors, and as the people set great store by the latter peculiar institution, public sympathy was gradually awakened for the sufferers. The wickedness of the affair began to dawn upon people's minds, and they were ashamed of what had been done. Patterson and Armstrong were frowned down, the Legislature disavowed

their acts, and it was ordered that full reparation should be made to the persecuted settlers of Wyoming."

Charles W. Upham, in his "Life of Timothy Pickering" (published in 1873), says (Volume II: page 234):

"Pennsylvania has been sometimes blamed for not having used more decisive and violent measures to demolish and exterminate the intruders upon her soil. It is said that she ought to have sent a force at the beginning to crush them out, and by stern and exemplary punishment have intimidated them from ever again coming within her boundaries. But, taking into view the state of the country, the difficulty of reaching Wyoming with a large force, and the then existing embarrassments in the political organization of Pennsylvania, it must be concluded that she did as much as could have been expected of her; and, considering the character of the people against whom she was acting, it is to be doubted whether they could have been awed by any vindictiveness practised upon those of them falling into her hands. What might have frightened some men would only have exasperated them. No bloody revenge would have answered the purpose. \* \* \*

"The lenient course of Pennsylvania during the several stages of the controversy with Connecticut reflects honor upon her wisdom, as well as humanity. At different times she took many of the settlers in battle or skirmish, and held them as prisoners in her jails at Easton, or elsewhere, among them several of their leaders. She did not execute upon them any military or judicial penalties. She treated them not as wicked, but as misguided, men, allowing them to be discharged. Such a course may have been called 'imbecility' by some, but is entitled, in the judgment of enlightened statesmen and philanthropists—and will be more and more so as the world advances—to commendation and honor, reflecting the truest glory on the character of Pennsylvania. Upon the whole, no conflict in arms, protracted through such a period of years and accompanied by so much provocation, is so little stained by cruelty and vindictiveness, or has a better record for bravery, resolution or endurance, than the very fight for jurisdiction over the Wyoming lands. \* \* \*

"Persons living in a wilderness far remote from organized communities, without means of communication with the rest of the world, are apt to acquire a spirit of independence making them disregardful of the artificial restraints that have to be recognized in more crowded states of society. They know nothing of the tribunals, and care nothing for the technicalities, of law. He who, by his own ax and plough, has transformed the acres (within which his daily and yearly life is bounded) from a pathless, worthless forest into a cultivated and productive inclosure, feels that he owns it by a title better than all written documents or recorded deeds. His farm, his house, his barns—all that he has, thinks of or cares about—is literally the work of his own hands, his sole creation. No other man has contributed to it, and it is hard to make him understand that any other man, be he called what he may—Governor, proprietor, legislator, Judge or Sheriff—has a right to take his land from under his feet. He will hold to it as his life, and fight for it against the world. \* \* \*

"Such were the Connecticut settlers. For a quarter of a century they had bid defiance to the Pennsylvania proprietors and to Pennsylvania. In the meantime those lands had become more and more endeared to them by every principle of association, every habit of homely life, every trial and every peril. By their toil and energy they had been reclaimed from the rugged wilderness of nature, and converted into smooth lawns and verdant meadows of marvelous beauty and loveliness. Adventurers from other Colonies and other lands had, one by one, been drawn into their company, attracted by tales of world-wide currency, portraying the charming aspect of the country, the excellence of its soil for the culture of grains and fruits, and every attribute that can adorn a landscape and give reward to industry. It was not only endeared to its occupants by the attachments now mentioned, but was consecrated by special experiences of blood and woe, that have riveted on them the sympathies of mankind, perpetuated in the hearts of all coming generations by verses of foreign and native bards that will never die. The devastations of their fields, the conflagrations of their dwellings and barns, and the repeated massacres of their people—men, women and children—by savage hordes, all these combined could not destroy or weaken the tenacity with which they clung to their lands. Those who escaped the tomahawk and scalping-knife had come back over and over again from their places of refuge. The invincible, indestructible community persevered in its contest against all odds, and no power, civilized or barbarian, could root it out. \* \* \*

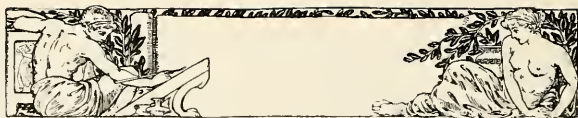
"Finally, in this brief review of the Wyoming controversy between two States, upon balancing the facts and evidence, we are brought, not to the conclusion usually the result of a fair consideration of the whole subject in like cases, that both parties were in the wrong, but that *both parties were substantially in the right!*"

Concerning the Pennsylvania-Connecticut controversy a Pennsylvania writer has recently (July, 1916) said:

"But the saddest events connected with the history of this beautiful valley [of Wyoming] are those which were not necessary and were, therefore, all the more deplorable. I refer to the treatment bestowed upon the Connecticut settlers in this section by the Commonwealth of Pennsylvania and citizens after the close of the Revolutionary War, and particularly after questions of title and jurisdiction had been legally decided in favor of Pennsylvania. This story of the cruel treatment of the ancestors of many who to-day are among the best citizens of Pennsylvania is enough to cause the most loyal Pennsylvanian to hang his head in shame. \* \*

"We believe that the Pennsylvanians were right in maintaining their claim of title. We believe that legally they had the best of the argument. But where they were wrong, and are properly open to the most severe criticism, is in their treatment of the settlers from Connecticut in Wyoming Valley."





## CHAPTER XXVI.

CONNECTICUT APPEALS TO CONGRESS FOR JUSTICE TO THE SETTLERS—  
AFFAIRS OF THE SUSQUEHANNA COMPANY AGAIN REVIVED AND NEW  
SETTLERS REACH WYOMING—FEW PENNAMITES REMAIN IN  
ACTUAL POSSESSION OF THEIR CLAIMS—DELEGATION  
OF THE PENNSYLVANIA ASSEMBLY VISITS  
WILKES-BARRÉ—THE "HALF SHARE"  
MEN.

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"With them came a spirit not for peace. They were hard-shell irreconcilables."

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"Blessed be the Lord my strength, which teacheth my hands to war, and my fingers to fight."—*Psalms CXLIV:1.*

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"You call these men a mob—desperate, dangerous and ignorant; and seem to think that the only way to quiet the mob is to lop off a few of its superfluous heads. But even a mob may be better reduced to reason by a mixture of conciliation and firmness, than by additional irritation and redoubled penalties."—*Lord Byron, 1812.*



At Lyme, New London County, Connecticut, under the date of December 20, 1784, the Hon. Matthew Griswold\*, who, a few weeks previously, had succeeded Jonathan Trumbull as Governor of Connecticut, wrote to President Dickinson of Pennsylvania, with respect to the action taken by the Connecticut

\*MATTHEW GRISWOLD, descendant of an old and reputable family, was born in Lyme, Connecticut, March 25, 1714. His first public office was that of King's Attorney, which he held for some years. In 1766, he was chosen a judge of the Supreme Court of Connecticut, and three years later was elected Lieutenant Governor and Chief Justice. He held the office of Lieutenant Governor for fifteen years. When he retired from the office of Governor in 1786, he practically withdrew from public life. In 1779, Yale College conferred upon him the degree of LL. D. He died at his home in Lyme April 28, 1799. His son, Roger Griswold, was Governor of Connecticut in 1811-12.

Assembly in October, 1784, as noted hereinbefore. The letter read as follows:\*

"I have the honor to inclose to your Excellency a Resolve of the General Assembly of the State of Connecticut upon the memorial of John Franklin and other settlers, Inhabitants and Claimants of certain lands at & near Wyoming, upon the River Susquehanna; by which you will observe I am requested to address Congress and the State of Pennsylvania on the subject of their memorial.

"We do highly approve of the Justice and Humanity of your State towards the widows and orphans of those who have fallen in the late war, & cannot but hope and trust those eminent virtues will yet be rendered as conspicuous towards others, equally meritorious, who have survived, altho they now complain loudly of a contrary treatment.

"You will not think it strange, Sir, who are acquainted with the feelings of human nature, that the calamities and sufferings of the settlers at Wyoming and parts adjacent should excite the compassion and even the Resentment of their friends and brethren in other parts; nor that the State of Connecticut—*under whose Countenance and title thousands were induced to become Adventurers*, to purchase of the Indians the native Right of Soil, to dispose of their property here and remove into that Wilderness Country—should feel herself interested in the Calamities and distresses of those people, and endeavour in a legal and Constitutional method to obtain for them a Redress of their Grievances; especially as they were encouraged from hence, after the opinion given at Trenton (however unexpected and surprizing to us), to submit to the Jurisdiction of Pennsylvania, put themselves under the protection of your Government, and have confidence in the justice and Humanity of your State for a Confirmation of their just Rights and possessions.

"The settlers say they were at first greatly flattered in their Hope and Confidence by the measures adopted by Government; but to their great Mortification all those flattering Prospects are vanished, and every measure which appeared favourable to them hath been perverted by their Enemies, to seduce, disarm, ruin, and distress them—which they have endured without being able to obtain any Relief from your Government of Pennsylvania; that their sufferings are rendered intolerable and their case become desperate.

"This State, from their confidence in the humanity of yours, admitted these complaints with Caution and Reluctance, until the Justice of them was confirmed by repeated Testimonies to be such that your own Censors, from principles of great impartiality and justice, were induced to remark with much severity on these measures of your State which have been the occasion of them.

"Every State is answerable in some Respects for the Conduct of its Citizens, and whether the sufferings of the settlers at Wyoming have been with or without the privity of your Government, or whether they are what Government cannot or will not prevent or redress, is equally the same to the sufferers. The Rights of Citizens are sacred and of those the most important is that they be not deprived of their lives, their liberties or their properties but by the judgment of their Peers and the laws of the Land.

"Those Settlers are undoubtedly entitled to the Rights of Citizens, and have the feelings of free men who may be easily led with reason, but hardly driven by oppression. Any violation of the Rights in these points infringes the general Rights of all; and is there not danger that this may induce others to make a common cause of their abuse?

"As this State never meant to, so I am well assured they never will, in any unconstitutional way oppose the sentence passed at Trenton between this State and Pennsylvania; nor will they do any thing that shall be a just cause of interrupting the peace and Harmony of the Union. Yet as a member of the Empire they ought to endeavor to preserve and maintain those constitutional Rights which are common to all citizens.

"Those settlers have purchased those lands, under the Countenance and Title of Connecticut, from the native proprietors for just and valuable considerations; they have settled and built upon them, have inclosed and cleared them, and for many years have defended them against the Common Enemy, and been a most important Barrier of defence to the interior country against the Savages. Ought they, then, nay, more, shall they, be deprived of their property and possessions by a military force, without Trial, and while their cause is in fact depending before the Congress of the United States? Humanity will not permit us to view with indifference even the suffering of an enemy much less that of a Friend and neighbour. It operates beyond the reach of human laws to restrain, when excited by real objects of distress.

"What I have to request in behalf of those settlers, and what this State expects from the Justice and Humanity of your State, is that they be restored to their rightful properties and possessions, of which they have been forcibly deprived without a legal Trial, and be allowed to enjoy the Rights of Citizens. Whether their claims will eventually be judged to be well or ill-founded is not so much to the present question, so long as they have a claim of right which they insist to have tried in a legal manner. Certainly it is a point of high importance and of general concern that they be not deprived of their Rights and claims without a legal and constitutional Trial and decision."

At Lyme, under the date of December 24, 1784, Governor Griswold wrote to the President of Congress, at the city of New York (where Congress was then in session), in part as follows:†

"I have the honor to transmit to your Excellency a Resolve of the General Assembly of the State of Connecticut upon the memorial of John Franklin and others. \* \* \* It is not

\*See "Pennsylvania Archives", Old Series, XI: 447.

†See "Pennsylvania Archives", Old Series, XI: 451.

for me—and, indeed, it would be improper—to give any opinion with Respect to the merits of their claim in the stage of it while depending before your Honors; but this much is evident: *That they ground their title upon a purchase made from the Indians.* \* \* \* And in this confidence—which was supported and encouraged by this State (then a Colony), then asserting their Right to the said Territory, in pursuance of advice from the ablest Counsel in England, and actually extending and exercising Jurisdiction over it for many years—the settlers parted with their property here and removed with their families into that country, then a wilderness, where they have at vast Expense built themselves houses, and extended their improvements, suffered every imaginable hardship, and braved innumerable dangers, have been an important barrier to the interior country, and in other ways rendered most essential services to these States in the late bloody contest with Great Britain. To deprive them of their properties and the fruits of their labors without a hearing or Trial, in consequence of the decree of Trenton, would be unprecedented and injurious when that court specially saved to them the Right of having a trial on the merits of their Title, notwithstanding their determination between the States.

"Congress have been pleased, upon their application, to assign a day for the appearance of the parties, for the purpose of constituting a court agreeable to the ninth Article of Confederation; which day happened as I am informed in the recess of Congress and the Committee of the States, and so nothing further was done\*.

"The unhappy distressed situation of the claimers, the illiberal and impolitic (I might have said *cruel and barbarous*) treatments they complain to have received from the State and people of Pennsylvania, must excite the compassion and Justice of every human breast, and are fresh and cogent Reasons for bringing this unhappy controversy to a constitutional and speedy decision, and that they should be restored to their Rights, properties and Possessions of which they have been forcibly deprived (and that, even, while their suit has been depending in Congress) and that all proceedings against them be prohibited until their claim shall be finally determined.

"These claimers, most assuredly, are freemen and citizens; and, without regarding their merits and sufferings, intitled to have their claims tried in a legal and constitutional manner—all which is submitted to the wisdom and Justice of Congress; not doubting but such constitutional measures will be adopted and pursued as shall be necessary for the promotion of Justice and for the relief of the oppressed and for the preservation of Peace and Harmony."

The foregoing letter was received in New York and laid before Congress on January 13, 1785, and the next day Hugh Williamson, a native of Pennsylvania, but at that time a citizen of North Carolina and a Delegate from that State in the Congress, wrote to President Dickinson of Pennsylvania relative to the matter, stating, among other things, that the memorialists had brought complaints against the Executive authorities of Pennsylvania "sufficiently pointed and bitter." He stated further that the case had been referred to "a committee of the whole House," which was to sit on January 24th. He concluded his letter with these words:†

"If there had been any member present from the State of Pennsylvania, it would have been their duty to inform your Excellency of the Train in which this unpleasing but very serious business is placed; and they would doubtless, in a more clear and pointed manner than I have been able to do it, have justified the State in shewing that her late conduct on this very head is a full proof that she is by no means inattentive to the cries of those who complain.

"As you may probably wish to be represented in Congress when the Letter and other papers from Connecticut are to be considered, or may at least wish that Congress be fully informed of the late as well as the former proceedings of the Executive and Legislative of Pennsylvania respecting those Susquehanna claimants, I have taken the liberty of giving you the above information, as I cannot cease to feel myself interested in the Peace and Reputation of a State which gave me Birth."

On receipt of this letter, President Dickinson, under the date of January 18, 1785, wrote to Joseph Gardner and William Henry (of Lancaster), the Pennsylvania Delegates in Congress, in part as follows:‡

"We rely on your prudence to make the best use of the intelligence now communicated to you. The first point is to prevent any step being taken by Congress in the matter, until the sentiments of the Legislative branch can be known. If this delay cannot be obtained, we desire you to give us the earliest notice of the Day fixed by Congress for appointing a Court, that we may prevail upon Messrs. Wilson & Bradford, if it be possible, for them to attend.

"Duty to ourselves requires us to shew, and candour will induce even the State of Connecticut to acknowledge, that, tho several violent and outrageous acts have been committed by individuals of this State, yet, that such acts were not more opposed to Justice and humanity than to the spirit and meaning of the Authority and Laws of this Commonwealth.

"The inclosed paper will shew the uniform Lenity of this Government, and in many instances their extreme anxiety, to bring the Connecticut Claimants into an affectionate confidence upon

\*See (\*) note, page 1377.

†See "Pennsylvania Archives", Old Series, XI: 450.

‡See *ibid.*, X: 399.



its dispositions and its laws. It is much to be regretted that these endeavours have been so uniformly treated with insolence and neglect by the People they were intended to relieve and attach, and that we should have it in our power to oppose so many facts, authenticated in the most solemn manner, to their feeble, unsupported professions of Loyalty and obedience.

"A late outrage mentioned in the depositions\* inclosed, from which it appears that they [the Yankees at Wyoming] have plundered Men, Women and Children indiscriminately, and obliged near 600 people to fly from their homes and seek a precarious subsistence in the Neighbouring Counties, is so alarming and unaccountable in its nature as to induce a belief in this Board that the system of Lenity which they [the Supreme Executive Council] have hitherto pursued is no longer calculated to promote either the honor or happiness of Pennsylvania."

James Wilson and Col. William Bradford, Jr., having been appointed by the Supreme Executive Council, Agents and Counsellors to represent, as upon previous occasions, the interests of Pennsylvania in the Wyoming controversy, President Dickinson wrote to Mr. Wilson under date of January 20, 1785, in part as follows:†

"Understanding that you propose to be at New York in the course of the next week, we desire that you will employ all the Means in your Power to prevent any step being taken in the business until the General Assembly meet on the first of next month, and they can be consulted upon it. \* \* \* The late Assembly were clearly of opinion that the Claimants were not entitled to such a Court as has been mentioned, and we apprehend no appointment ought to be made nor any Decision given upon the Question of Right till the sense of the present Assembly can be known." \* \* \*

About this time the Delegates in Congress from Pennsylvania wrote President Dickinson that they had got the case postponed, "and we hope," they declared, "that it will not be revived at an early day"‡; but at New York, under the date of February 26, 1785, Councillor James Wilson wrote to President Dickinson in part as follows:§

"The Controversy respecting the settlements at Wyoming depends before Congress in a very disadvantageous state of suspense. I think that both the Interest and the Honor of Pennsylvania require that a *speedy and explicit decision* should be had upon the complaints and representations which have been made against her. As far as I can learn those who style themselves Claimants under the State of Connecticut have not appointed nor instructed any person to advocate or support their pretensions; and no attempts have been lately made to bring them forward. While matters continue in this undetermined situation, those people<sup>l</sup> may flatter themselves and represent to others that the complaints laid before Congress stand uncontradicted, and that there may still be a favorable adjudication upon them. It is easy to see what a pernicious effect such sentiments will have upon the settlements in that part of the country. For these reasons I beg leave to express my opinion that *no time should be lost by the State* in instructing its Delegates to press Congress for a decision on the complaints and the Memorial now before them."

At New York, on March 9, 1785, the Pennsylvania Delegates in Congress wrote to President Dickinson:

"No moves have been made by the Connecticut Gentlemen upon the Wyoming business, and we remain in the dark as to what the wish of the State [of Pennsylvania] is in that affair. If any determinations of the House take place, we will be much obliged by your Excellency's communication upon that subject."

\*From the minutes of the Supreme Executive Council (see "Pennsylvania Colonial Records", XIV: 315, 320), we learn that on January 14, 1785, "a member of people [Pennamites], late the inhabitants of Wyoming, attending at the door of Council were admitted, and their complaints heard. *Ordered*, That a committee be appointed to take the depositions of these complaints, and that the Secretary of the Board be authorized to pay each of them two dollars for the purpose of subsisting them while here, and in returning to their respective families." On January 18th the committee reported that they had taken the depositions of the following-named (sixteen in number) and begged leave to lay the same before the Council. William Miller, Enos Randle, Henry Brink, William Brink, Obadiah Walker, Joseph Montanye, James Johnston, Catherine Bowerlane, Preserved Cooley, John Tilbury, Lena Tilbury, William Young, Ezekiel Schoonover, Daniel Haines, Benjamin Hillman and Susanna Lanterman. It was the depositions of these persons that President Dickinson forwarded to New York and referred to in the letter printed above.

†See "Pennsylvania Archives", Old Series, X: 399.

‡Under the date of February 7, 1785, at New York, Delegates Henry and Gardner wrote to the Hon. John Bayard, Speaker of the General Assembly of Pennsylvania, in part as follows (see "Pennsylvania Archives", Second Series' XVIII: 643): "A few days after the arrival of Mr. Henry this matter [the Wyoming dispute] was taken up as the order of the day, when we, without difficulty, had it postponed *sine die*, and hope it will give time to the Legislature to deliberate in such a manner as will give mutual satisfaction to the parties, and so complete justice. By all that we can learn from the Delegates of Connecticut she has *no serious intentions of prosecuting this dispute as a State*, any more than merely to patronize her citizens (the Wyoming settlers) in their claim of soil, and even that feebly, as Dr. [William Samuel] Johnson has told us that he neither wishes to nor can proceed in the dispute till he receives further instructions, and that he expects an agent or agents *from the settlers*, and not the State.

§How far the Decree of Treaton has decided the right of soil, as well as jurisdiction, is a question that professional lawyers may differ in very much. We think that both have been determined fully. \* \* \* If this matter comes to be seriously debated in Congress, you must see the necessity of having an agent or agent<sup>s</sup> of professional knowledge of Law to combat Dr. Johnson." \* \* \*

§See "Pennsylvania Archives", Old Series, XI: 453.

On or about February 20, 1785, the ever-busy John Franklin, despairing of any action on the part of Congress favorable to The Susquehanna Company's settlers at Wyoming, wended his way to Connecticut, where, traveling about the State and mingling with his old friends and the members of The Susquehanna Company, he told of the woes of his fellow-settlers on the Susquehanna and suggested, proposed and urged plans for the alleviation and abatement of the same, as well as for the general improvement and advancement of the settlement.

Miner, referring to this "campaign of education" conducted by Franklin, says ("History of Wyoming", page 380): "Pennsylvania, all branches of her Government united, and with a military force upon the ground, had not been able to dispossess a handful of settlers in the Wyoming Valley. The wrongs suffered by those people had awakened universal sympathy. Public sentiment, a host in itself, was in favor of the Connecticut claim. What could Pennsylvania do if the Susquehanna and Delaware Companies resumed the making of grants, and New England poured on a stream of hardy adventurers and took possession of the land? By the Hampshire grants Vermont had been successfully settled and defended in spite of all the power of New York, close neighbors; whereas the settlements of Pennsylvania were separated from those of Wyoming by mountains and forests extremely difficult to penetrate. A chord was struck that vibrated through all New England. Franklin, in the spirit of his oath, infused his own soul, glowing with resentment and ambition, into the people with whom he conversed, from which most important consequences resulted."

Colonel Franklin states in his "Brief" that the Wyoming Yankees, shortly after their destruction of Fort Dickinson, "regulated the militia, and governed the settlement by a committee appointed for that purpose." Miner (in his "History of Wyoming," page 371) says: "Immediately after the garrison was withdrawn and the people [were] restored to their possessions, committees were appointed in the interregnum of law to regulate affairs in the settlement, adjust controversies, punish offenders and preserve order. Town-meetings, not 'legally warned,' but informally called together, were holden, and taxes collected; while the militia were organized with a good deal of care, and led to a choice of officers. At a general parade in Shawney Capt. [John] Franklin was elected to the command of the regiment, and thenceforward was called through life by the well-known appellation of Colonel."

The regimental formation thus referred to was very primitive and informal in its character, in view of the fact that the number of male Yankees of military age in Wyoming at that time was small. These Yankees realized, of course, that they were no longer under the jurisdiction of Connecticut; but on the other hand they disdained the idea, and declined to recognize the fact, that they were a part of the county of Northumberland, Pennsylvania. In fact, they purposed governing themselves in their own way—although nominally under the laws of Pennsylvania—and this "way" comprehended the methods and forms of law which they had previously recognized and enforced when under the jurisdiction of Connecticut.

With the voluntary departure from Wyoming of Armstrong and Patterson and a majority of their adherents and followers, and the subsequent enforced exodus of others, there was not a complete abandonment of the valley by the Pennamites, inasmuch as a considerable number of them still remained on the ground. But as nearly all these people appeared to the Yankees to be peaceably

inclined, inoffensive and industrious, they were not disturbed by the latter.

Probably the most prominent man among those who thus remained was David Mead\*, Esq., whose name frequently appears in connection with the Wyoming events of 1783 and '84, herein recorded. As a settler under the auspices of The Susquehanna Company, he had come to Wyoming Valley from New York early in the Summer of 1769—being then in the eighteenth year of his life—and in September of the same year (as stated on page 515, Vol. I) he served as surveyor in "laying out and pitching" the five "settling" townships in the Susquehanna Purchase. In the Summer of 1773, together with his father and

\*DAVID MEAD, whose name is frequently mentioned hereinbefore, was born at Hudson, Columbia County, New York, January 17, 1752, the son of Darius and Ruth (Curtis) Mead. Darius Mead, who was born at Horsesneck, (Greenwich), Connecticut, March 8, 1728, and died in what is now Crawford County, Pennsylvania, in 1791, was a great-grandson of John Mead, who, with his brother Joseph, were among the twenty-seven original proprietors who settled Horsesneck, in 1672. The children of Darius and Ruth (Curtis) Mead were as follows: (i) *David*, (ii) *Asahel*, born August 9, 1754. It is stated in the "History and Genealogy of the Mead Family that he was killed in the battle of Wyoming, July 3, 1778; but this is undoubtedly an error, as he was not a resident of the Valley at that time. (iii) *John*, born July 22, 1756; died in Pennsylvania in 1819. (iv) *Ruth*, born April 16, 1761. (v) *Darius*, born December 9, 1764. (vi) *Betsy*, born June 1, 1769. (vii) *Joseph*, born June 25, 1772.

David Mead and his father Darius were in Wyoming in 1769 and 1770, accompanied by the latter's brother Eli. When the first distribution of lots in the town-plot of Wilkes-Barré took place, June 29, 1770, Eli Mead drew Lot No. 26, and David Mead drew Lot No. 31. (See page 662, Vol. II.) Following the Pennamite-Yankee troubles at Wyoming in the Summer of 1770 (see, particularly, page 668, Vol. II), and the unsettled conditions ensuing, the Meads returned to their former home in New York. As previously stated, they returned to Pennsylvania in the Summer of 1773 and settled on a tract of land in Northumberland County, some sixty miles down the Susquehanna from Wilkes-Barré. There, November 4, 1773, Darius Mead conveyed to William Holland of Wilkes-Barré his "half right in the Susquehanna Purchase" which had originally been the property of Robert Wincol, or Wincot. (See page 1269, "Town Book of Wilkes-Barré.")

Eli Mead, brother of Darius and uncle of David Mead, Esq., was born about 1730. In 1770, as a shareholder in The Susquehanna Company he came into possession of a tract of land known as Quilittmack (see page 1205, Vol. II), in what was afterwards the township of Exeter. This tract was in addition to his holdings, or allotments, in the township of Wilkes-Barré. Two or three years later he disposed of the Quilittmack tract to Benjamin Jones, of the South Precinct of Dutchess County, New York. Having located in Northumberland County, Pennsylvania, in 1773, as previously mentioned, Eli Mead was, on July 14, 1786, elected and commissioned a Justice of the Peace in and for the district of Wyoming, Northumberland County; and was also appointed and commissioned a Justice of the Court of Common Pleas of that County. In 1789, he emigrated to Painted Post, Steuben County, New York, where he continued to reside until his death on July 19, 1825. His children were: Eldad, Desire, Eli, Peggy and Jane.)

When the Revolutionary War broke out David Mead removed from his location on the Susquehanna above Northumberland to the village of Sunbury, where he engaged in business as an inn-keeper, and also as a distiller. March 25, 1776, he was commissioned Ensign of the 7th Company (Capt. John Simpson) of the 1st Battalion of Northumberland County (Col. Samuel Hunter, commanding), of the "Pennsylvania Associated Battalions". (See "Pennsylvania Archives", Second Series, XIV: 317.)

In 1783, when the Pennamites began to get the upper hand in Wyoming affairs, David Mead removed from Sunbury to the township of Wilkes-Barré and there he remained until his final departure from the valley in August, 1785.

Charles Miner, commenting in his "History of Wyoming", (page 381) on David Mead in connection with the events of 1783-'85, says: "His conduct as a magistrate seems to have been marked by forbearance, and, as a man, often by kindness. The Yankees frequently appealed to him, when in distress, and he yielded his good offices in their favor. Tall, slender, bent a little forward, with a countenance mild, and of a grave deportment, Justice Mead was calculated, under other circumstances, and in less boisterous times, to have been a favorite. But it could ill be brooked that one of Patterson's Justices should hold possession under a Pennamite claim—on the rich bottom lands of Wilkes-Barré, too—and be a renegade and traitor from the Yankee ranks. Moreover, and probably with justice, he was regarded as still the agent of the land claimants, and a spy on the conduct of the Connecticut people."

At Philadelphia, under the date of September 12, 1787, Col. Nathan Denison wrote to Col. Timothy Pickering at Wilkes-Barré as follows: "Esquire Mead has been in this town considerable time past interceding with the Board of Property to get his equivalent confirmed to him in lands at the western part of the State for the lands he claims in Luzerne County. It appears to me that the Board go into the measure with almost as great reluctance as the Commissioners went into the business of inquiring into the claims of the Connecticut claimants at Wyoming."

"If the Commissioners at Wyoming [under the Confirming Law, fully referred to in a subsequent Chapter] can put the matter on such a footing that Mr. Mead can have justice done him, it may induce others of the Pennsylvania claimants to follow the same example."

About this time Esquire Mead filed with the Commissioners under the Confirming Law a declaration of ownership in and to "Lots 32 and 33, lying together below the town-plot of Wilkes-Barré and containing 40 acres of meadow-land, 180 acres of tillage and 50 acres of pasture and wood-land."

In the Spring of 1788, David Mead, accompanied by his brothers John Darius and Joseph, and some six or seven other men, proceeded from Northumberland County to what is now Crawford County, in the northwestern corner of Pennsylvania, and at the junction of Cussewago and French Creeks, some seven miles east of Conneaut Lake, proceeded to establish a settlement. In the following Autumn they brought on their wives and other members of their families from Northumberland County, and soon thereafter the little community became known as "Mead's settlement."

Previous to 1793, David Mead laid out on his land at that point the nucleus of what is now Meadville, named as the county-seat of Crawford County in 1800 and incorporated as a city in 1866. In 1796, Mead received from the Commonwealth of Pennsylvania a patent for his tract of land, containing 439 acres and 156 perches and called "Mead Ville". The consideration for the same, paid to the Commonwealth, amounted to £42, 17s. 9d. Soon thereafter Mead built a substantial residence, which is still standing, and in it, in the Winter of 1798-'99, the first school in Crawford County was opened. In May, 1902, the Colonel Crawford Chapter, Daughters of the American Revolution, erected in front of this house a memorial stone bearing a tablet with the following inscription: "This house was erected in May, 1797, by Gen. David Mead, founder of Meadville; Ensign in the War of the American Revolution; Major General of the 14th and 15th Divisions, Pennsylvania Militia; rendered signal service in the War of 1812, and was an Associate Judge at the time of his death."

Upon the organization of Crawford County in March, 1800, David Mead was appointed and commissioned one of the Associate Judges of the Courts of the County, but he resigned his office in the following December. In September, 1803, he was again commissioned, and served continuously until his death, which occurred at Meadville August 23, 1816.

General Mead was married (first) about 1774 to Agnes, daughter of John and Janet Wilson of Northumberland County, by whom he had eight children, some of whom were: Darius, William, Sarah (who became the wife of the Rev. James Satterfield) and Elizabeth (who became the wife of Patrick Fannelly). General Mead was married (second) in 1797 to Janet, daughter of Robert Finney, by whom he had seven children, some of whom were: David, Robert, Catherine, Jane, Maria and Alexander.

the other members of the latter's family, he settled on a tract of land, under a Pennsylvania title, located on the North Branch of the Susquehanna River, about six miles north-east of the village of Northumberland. At the beginning of the year 1785, David Mead was occupying a tract of land located about a mile west by south from Public Square, on what is now Carey Avenue, Wilkes-Barré—which land he claimed under a Pennsylvania title.

At Wilkes-Barré, under the date of February 6, 1785, David Mead wrote to the Supreme Executive Council as follows:\*

"I lament that I have occasion to address you on the affair of this unhappy part of the State. I have delayed writing until all hopes of establishing any kind of order is vanished. It is true that irregularities have been committed by many of the Pennsylvanians against the Connecticut Claimants, but great Care has been taken that the Offenders are generally prosecuted with severity, and the Courts of Justice are yet open; and unwearied pains have been taken to convince those Claimants of the determined Honor and Justice of the State to afford them every restitution in the reach of the Law. But all to no purpose—who have descended to commit almost every kind of disorder, and bid defiance to Government, so that the exercise of the Civil authority is altogether impracticable; they have appointed two or three Committees to transact different kinds of business for the promotion of their designs; they have formed their Militia, appointed Field and other Officers in contempt of the State. Many inoffensive families are now under orders immediately to move away, or their effects to be made a Reprisal of. Therefore, as a Citizen and Servant of Government, I am obliged to claim your protection and support. \* \* \*

N. B.—The inclosed deposition of the Shawnese Township Constable, who was Elected by the Inhabitants of said Township in consequence of an order issued by Mr. Martin and myself, which was [thought] most likely to take with the People, and remove doubts than otherwise; so that every Endeavour seems fruitless. The constable of Stoke Township is now out of the place, who made report some days ago nearly corroborating with this deposition, but not taken in form; therefore Omitted. However, the Express, who is a Gentleman of Candor and deliberation, can give some Information."

"DEPOSITION OF CONSTABLE PARK."

"Northumberland County, ss: Personally appeared before me the subscriber, one of the Justices of the Peace in and for the said County, Thomas Parks, Constable of Shawanea Township, who, being duly sworn, doth depose and say that on the 1st day of February, *inst.*, in the execution of his office he attempted to seize two men, *viz.*: Daniel Earl and Henry Vost, for having stolen goods in their possession; and he called upon a house full of People for his assistance, but instead thereof was much beat and abused, and the authority of the State, without respect, Damned. That after telling the people he was a sworn Constable and must do his duty, and that their contempt of authority would be attended with bad Consequences, they repeated their disrespectful Language of the State and its Laws, damning both. That this present day he attempted to disperse a Riot and Robbery, and seize the Offenders, but was not able. That his Brains has repeatedly been threatened to be blown out if he served Processes, so that he is not able to do his duty—and further sayth not.

"Sworn and subscribed before  
me February 5, 1785.

DAVID MEAD."

[Signed] "THOMAS PARK."

At "Wyoming,"<sup>†</sup> under the date of February 20, 1785, a petition was drawn up addressed to "the Honble. the Representatives of the Freeman of the Commonwealth of the State of Pennsylvania, in General Assembly met." This document, which was signed by ninety-two men and four women, settled in Wyoming under rights acquired from The Susquehanna Company, was duly forwarded to the Legislature at Philadelphia. It read in part as follows,<sup>‡</sup> except that the names of the signers have been arranged in alphabetical order by the present writer:

"Gentlemen:—We your humble petitioners would take the earliest opportunity to lay before your Honble. House the deplorable situation in which we have been enveloped since the decree of Trenton, which chang'd the jurisdiction in favor of Pennsylvania. From that date we have been deny'd the due administration of the Laws of Pennsylvania, or in other words Common Justice, which the greatest criminals are entitled to: \* \* \* altho we have made incessant application to the Legislative Body of this State for justice to be administered without any discrimination of persons, yet to no purpose, altho fair promises were made; and we had finally concluded there was no justice in revcrsion for us, either from the Legislative or Executive Bodies of this State.

"But being creditably informed that the present Assembly were composed of such persons who feared God, and regarded man, and consequently had a promptitude to do justice to all their fellow creatures, this served as a stimulus to us to make one prayer more to the Honble. Assembly for justice to be administered without partiality—believing that your Honble. Body will do all

\*See "Pennsylvania Archives", Second Series, XVIII: 641, 642.

†See "Pennsylvania Archives", Old Series, X: 699.

in your power to redress our grievances, and put us upon the same footing with the common citizens of this State, which is all we ask. \* \* \*

"We have been often trapped by our passive obedience and non-resistance and confiding in some of the first men in office in the State. To mention one instance of Lt. Col. John Armstrong and John Boyd, Esq., who by forfeiting their word and honors and every thing that is near to gentlemen, made us prisoners, abus'd us with more than savage treatment, and robbed us of upwards of one hundred rifles and valuable fire arms, and many other effects, even to our smallest pen-knives; and we may say with propriety that we have been robbed of upwards of 200 rifles and valuable fire-arms by officers of Government since the first of last May, which have never been returned to this day. \* \* \*

"Until your honors shall condescend to draw a line for our future conduct it is impossible for us to know what course to steer. We are at present destitute of any civil authority in this place. Esquire Mead has refused to grant any precept these six weeks past. Therefore the sooner we can have the privilege of electing our own officers, civil and military, agreeable to the Constitution of this State, the sooner happiness, peace and good order will be restored to this settlement. \* \* \* And in the intermediate space, while we have no authority in this place, we have thought it most advisable to form ourselves in some order for our mutual defence and safety, and to act as near the laws of this State as possible, until we shall have a constitutional establishment of the same.

"And we most heartily pray for your Honors' exertions to establish peace and good order in this distracted and infatuated place; for we think that the political salvation of this settlement depends upon your assiduity and exertions in this respect, as well as the happiness and safety of this State, which, we insist on, we have always strove for since the decree at Trenton, and have endeavored to demean ourselves in such an equitable line of conduct that we are justly intitled to all the immunities of Free Citizens & Freeholders. And we will pray that the benedictions of Almighty God may rest upon your Honorable Body, and that your Honors may have wisdom as the angels of God, to direct you at all times. And that your Honors may be enabled at all times to consult the happiness of this State in such manner that your names may be sacred in the annals of history, and generations yet unborn, when they come on the stage of action, may call you blessed—is the sincere prayer of your humble Petitioners. And we as in duty bound will ever pray.

"Alden, Mason F.	McDowell, Robert	Johnson, Jacob (Rev.)
Ayres, Samuel	Minor, John	Johnson, Ebenezer
Alden, Prince	McClure, Thos.	Jenkinson, Danl.
Bennet, Ishmael	Northrop, Nehemiah	Kellog, Eldad
Bidlack, Benj.	Nash, Phineas	Pierce, Abel
Brockway, Richard	Parrish, Ebenezer	Pell, Josiah
Bennet, Thos.	Peirce, Phineas	Platner, John
Bailey, Benj.	Pierce, Daniel	Roberts, Hezekiah
Butler, Zebulon	Park, Thomas	Read, Thos.
Burnham, Asel	Atherton, James	Stewart, Martha
Baldwin, Thos.	Atherton, Asahel	Spencer, Walter
Corey, Jonathan	Gaylord, Ambrose	Slocum, Gles
Campbell, Obadiah	Hurlbut, John	Spalding, Simon
Cook, Reuben	Hibberd, Wm.	Smith, Silas
Corey, Jos.	Harvey, Benjamin	Smith, Wm. Hooker
Cady, Manasseh	Harvey, Elisha	Slocum, Wm.
Corey, Gabriel	Holly, Dan'l.	Shoemaker, Jean
Cook, Nathaniel	Hover, Saml.	Styles, Job
Drake, Elisha	Hover, Henry	Tubbs, Lebbens
Devenport, Nathan'l	Hurlbut, Christopher	Tubbs, Saml.
Elliott, Jos.	Hurlbut, Naphtali	Terry, Jonathan
Eveland, Fredk.	Harding, Abraham	Thomas, Joel
Franklin, John	Hyde, John	Van Fleet, Josh.
Frisbie, James	Inman, Richard	Wade, Nathan
Fuller, Stephen	Inman, John	Westbrook, Abm.
Gore, Daniel	Inman, Elijah	White, Jeremiah
Gaylord, Justus	Jenkins, John	Westbrook, Leonard
Kingsley, Nathan	Jameson, Abigail	Woodworth, Jonathan
Kellogg, Josiah	Jones, William	Woolley, Jon
Kenny, Joseph	Jameson, Alex.	Westbrook, Richd.
Lee, Sarah	Jameson, Robert	Warner, Wm.
Lines, Conrad	Jackson, Wm.	Yarington, Abel"

[Total, 96.]

Just about the time that the foregoing petition was prepared, forty-five Pennamites residing in the neighborhood of Easton, in Northampton County, signed a petition addressed to the General Assembly and reading in part as follows:\*

"Your memorialists can't see without anxiety the present Anarchy prevailing in Wyoming, as they become daily sufferers by it. The cruelties exercised by one styling himself Colonel

\*See Johnson's "Historical Record", II: 88.

[Ebenezer] Johnson—leader of a banditti in Wyoming\*—upon the loyal people of Pennsylvania are of a nature no longer to be suffered by a free and independent people. The cries of the helpless and naked families that are daily drove out of Wyoming by the above villains—destitute of every support for life, and with whom we are encumbered unless we suffer them to perish by mere want—claim our commiseration, and soon must claim our interposition if your Honorable House doth not take proper measures to suppress the growing evil.

"We imagine it needless to state before your Honorable House the unwarrantable conduct of those rioters. Fully convinced that it has been already exposed, we shall confine ourselves in informing you that there is not a day going by that some Pennsylvania families are not entering our settlements, stripped and robbed of every property. \* \* \* Praying that you will take such proper and effectual measures as will restore civil government to that part of the State by smothering the fire of Anarchy in its birth, your humble petitioners will ever pray, &c."

This memorial was forwarded to Philadelphia, and was read in the House of Assembly, March 4, 1785.

Of course Justice David Mead soon learned about the petition of the Wyoming Yankees dated February 20th; and in order, if possible, to counter-balance in some measure any weight that the document might have with the authorities at Philadelphia, and in order also, to bolster up the petition of the Northampton County Pennamites, he procured the depositions of several Wyoming Pennamites, the same being sworn to and subscribed before him, as "one of the Justices of the Peace in and for Northumberland County", at his home in Wyoming Valley, on March 25, 1785.

On March 30th, Justice Mead forwarded to President Dickinson, by an express, the foregoing depositions accompanied by a letter from himself reading as follows:†

"Inclosed I transmit a few Depositions for your Perusal, relative to the most deplorable situation of this part of the State. Council I suppose are so well informed that I need say nothing on the subject, but I am more and more surprised at the Tardyness of Government. Time is Precious! However, if it's possible to suppose that the want of Energy in Pennsylvania is such as not to support its Dignity, I must beg for immediate Information, in order to remove from a *State of Anarchy!*"

These papers were duly received in Philadelphia, and were read in Council April 4, 1785; whereupon it was ordered "that they be transmitted to the Honorable the General Assembly." By that body the matter was referred to a committee, which reported to the House without delay; whereupon, on April 8th, after due consideration of the report, the House took the following action:

"Resolved, That the Hon. John Bayard,‡ Esq., Col. Persifer Frazer§ and George Smith,|| Esq., be and they are hereby appointed a committee, instructed to proceed to Wyoming as soon as may be and there make such inquiry as to them, or any two of them, shall appear necessary for the peace and good order of the people and the regular administration of justice, and report thereon to this House in their next session; and that the said committee, before they proceed to Wyoming, confer with the Supreme Executive Council and, in the meantime, as early as may be, report to the Council the state of the inhabitants respecting the disputes and disorders existing there."

\*Colonel Franklin was at this time in Connecticut, as narrated on page 1462.

†See "Pennsylvania Archives", Old Series, X: 707.

‡JOHN BAYARD was a descendant, in the fourth generation, of Petrus Bayard, who was the eldest son of Samuel Bayard (of French Huguenot extraction) and his wife Anne Stuyvesant, a sister of the noted Peter Stuyvesant, director-general, or Governor, of New Netherland, later New York. Petrus Bayard came with his mother, two brothers and a sister, in May, 1647, to New Orange (now New York), and he died there in 1699. Samuel Bayard, eldest son of Petrus was born in 1675 at what is now the corner of Exchange Place and Broadway, New York City. About 1698 he was married to Susanna Bouchelle, and they removed to Bohemia Manor, Cecil County, Maryland. His wife Susanna dying some years later, Samuel Bayard was married (second) to Elizabeth Sloyter, and they became the parents of (i) James, (ii) Samuel, (iii) Peter and (iv) Mary Ann Bayard. Samuel Bayard, the father, died in Cecil County November 23, 1721.

(i) James Bayard was married to Mary Asheton, and they became the parents of twin sons—John Rubenheim and James Asheton Bayard, born at Bohemia Manor August 11, 1738—and a daughter. (The first-named of James Bayard's twin sons, altho baptized "John Rubenheim", seems to have completely discarded his "middle" name after reaching man's estate, and was known thereafter simply as "John Bayard.")

Having completed his studies, John Bayard went to Philadelphia in 1756 and entered upon a commercial career. In the course of a few years he was recognized as one of the prosperous and leading merchants of the city. He early became a member of the Sons of Liberty (see page 585, Vol. II, and subsequent pages), and was among the first to raise his voice in opposition to the attempt of Great Britain to unjustly tax and oppress the American Colonies.

He was a Deputy to the Provincial Convention of Pennsylvania, July 15, 1774, and a Delegate to the Convention held January 23, 1775. In the Spring of 1775, he became Chairman of the Inspection Committee of the county of Philadelphia, and in June, 1776, was a member of the Provincial Conference held at Carpenters' Hall. Bancroft in his "History of the United States", refers to him as being at that period "a patriot of singular purity of character and disinterestedness; personally brave, earnest and devout."

After the fights at Lexington and Concord John Bayard was elected and commissioned Major, and later was promoted Colonel, of the Second Battalion of infantry organized in Philadelphia. He was in active service at the

According to Miner, Colonel Franklin returned to Wilkes-Barré from Connecticut, after an absence of about two months, on Sunday, April 24, 1785, and two or three days later, a town-meeting was held, and the people who attended it were given to understand that movements in behalf of the Wyoming Yankees might "be expected from abroad." On April 30th Franklin, in company with Ebenezer Johnson and Phineas Peirce, warned ——— Van Gorden, one of

battles of Brandywine, Germantown, Trenton and Princeton; and his battalion was a part of the force led by Washington in person at Princeton to resist the attack on General Mercer's demoralized brigade.

Colonel Bayard was appointed a member of the Pennsylvania State board of War in March, 1777, at which time he was a member of the Pennsylvania Assembly. He was made Speaker of the Assembly November 6, 1778. In 1779, he commanded the Fourth Battalion of Philadelphia militia. At that period, and for some years later, his home was on a farm in Plymouth Township, on the Schuylkill River, about eighteen miles from Philadelphia. In October, 1781, he was chosen a member of the Supreme Executive Council of Pennsylvania, and on October 25, 1784, was elected Speaker of the General Assembly of Pennsylvania to succeed George Gray. In the Autumn of 1785, he was elected a Delegate from Pennsylvania to the United States Congress.

In 1788, Colonel Bayard removed to New Brunswick, New Jersey, where he built a handsome residence. He entertained there, at various times, Washington, Kosciuszko, and General Elias Boudinot, Gilbert Stuart, and other persons of note and distinction. He occupied a high social position, and was "a consistent Federalist and somewhat of an aristocrat." In 1778, he was elected a Trustee of the College of New Jersey (Princeton), and continued as such for thirty years. For nearly forty years he regularly attended, as a delegate, the meetings of the General Assembly of the Presbyterian Church. In 1790, he was elected Mayor of New Brunswick, and a few years later was appointed Presiding Judge of the Court of Common Pleas of Somerset County, New Jersey.

In 1759, at the age of twenty-one years, John Bayard was married to Margaret Hodge, eldest child of Andrew and Jaoc (*McCulloch*) Hodge of Philadelphia, and an aunt of the Rev. Charles Hodge, S. T. D., LL. D., for many years a professor in the theological seminary at Princeton. She died in 1780, and the next year Colonel Bayard was married to Mary, widow of John Hodgen of Charleston, South Carolina. She died in 1785, and two or three years later Colonel Bayard was married (thirdly) to Johanna White, a sister of Gen. A. W. White of New Brunswick.

Colonel Bayard had five sons and three daughters—all by his first wife—who grew to maturity. The second child was Andrew Bayard, who for many years was President of the Commercial Bank of Philadelphia. The fourth child was Samuel Bayard (born January 11, 1767), who in 1791 was appointed Clerk of the United States Supreme Court. In 1794, he was appointed Agent of the United States in prosecuting American claims before the British Admiralty courts, and in that capacity lived for four years in London. He was the author of various legal and other works.

Colonel Bayard died January 7, 1807, and was buried in the yard of the First Presbyterian Church of New Brunswick. The following is a portion of the inscription on his tombstone. "Benevolent, Liberal, Patriotic. He was chosen by his country to fill her first offices. His integrity and zeal justified the choice. Generous in his temper, sincere in his friendship, eminent for every social virtue, he possessed the esteem of all who knew him. \* \* \* Devoted to the religion of Christ, he was long a distinguished member of his Church." \* \* \*

§PERSIFOR FRAZER, was born August 9, 1736, near Newtown Square, Chester (now Delaware) County, Pennsylvania, the son of John Frazer, who was born in Ireland, of Scottish parents and came to Philadelphia in 1735. A few years after the birth of Persifor the family located in Philadelphia, where John Frazer became a West India shipping merchant. When Persifor grew up he settled in Thornbury Township, Chester County, and became an iron manufacturer. In January, 1765, he was a member of the Provincial convention which protested against the further importation of negro slaves; and in the following October was one of the signers of the non-importation resolutions adopted at Philadelphia. He was one of the ten delegates from Chester County to the Provincial convention which met in Philadelphia January 18, 1775.

By authority of a resolution of Congress, passed December 9, 1775, the Fourth Pennsylvania Battalion was recruited, principally in Chester County. Anthony Wayne was commissioned Colonel, January 3, 1776, and two days later Persifor Frazer was commissioned Captain of the first of the eight companies which composed the battalion. While in service at Ticonderoga, September 24, 1776, Captain Frazer was promoted Major of the "4th". The term of service of this battalion expired in January, 1777, and in that month the Fifth Pennsylvania Regiment, Continental Line, was organized. Persifor Frazer was commissioned Lieutenant Colonel of the regiment March 12, 1777.

In the retreat of his regiment from the battle of Brandywine, in September, 1777, Colonel Frazer was taken prisoner by the British, conveyed to Philadelphia and confined in the city jail. He escaped from confinement March 17, 1778 and returned to his regiment. At the battle of Monmouth, New Jersey, he was in command of a brigade. During the Sullivan Expedition (see Chapter XVIII, Vol. II) he served as Deputy Commissary General, with the rank of Lieut. Colonel, on the staff of General Sullivan. He resigned from the service October 9, 1779, was appointed Commissioner for the purchase of army clothing for Chester County April 1, 1780, and was commissioned Brigadier General of the Pennsylvania Militia May 25, 1782. In 1781, '82 and '84 he was elected a member of the General Assembly of Pennsylvania. April 7, 1786, he was appointed by the Assembly Register of Wills and Recorder of Deeds in and for Chester County, and in 1790, he was reappointed to this office for a second term.

Colonel Frazer was a member of Lodge No. 8, Ancient York Masons, which was warranted by the Provincial Grand Lodge of Pennsylvania June 24, 1766, to meet in the vicinity of Valley Forge. This Lodge was disbanded in 1789 or '90, and in December, 1790, Colonel Frazer and seven other Brethren who had been members of "No. 8" petitioned the Grand Lodge of Pennsylvania for a warrant for a Lodge (No. 50) to be held at "the sign of the White Horse" in Chester County. The warrant was duly granted, and the Lodge thus constituted was located at the "White Horse" tavern until 1807, when it moved to Chester.

Persifor Frazer was married October 27, 1766, to Mary, daughter of John and Sarah (*Worral*) Taylor of Chester County. Colonel Frazer died April 24, 1792, being survived by his wife. Their son Robert was a lawyer and in 1795 a member of the Pennsylvania Legislature from Chester County. His son, John Fries Frazer, Ph. D., LL. D., (born July 8, 1812; died October 12, 1872) was for twenty-eight years Professor of Natural Philosophy and Chemistry in the University of Pennsylvania, and for thirteen years of that period was Vice Provost of the University. Upon his death he was succeeded in his professorship by his son Persifor (born in Philadelphia July 24, 1844), noted as a scientist and an author.

Gen. Persifor Frazer Smith, U. S. A., and the Hon. Persifor Frazer Smith of West Chester, Pennsylvania (who was for many years the official reporter of the Supreme Court of Pennsylvania), were grandsons of Col. Persifor Frazer.

GEORGE SMITH was appointed Captain of one of the companies of the "Flying Camp" voted to be raised by the Philadelphia County Committee July 15, 1776; he was appointed and commissioned Sub Lieutenant of Philadelphia March 12, 1777, and July 23, 1778, was appointed by the Supreme Executive Council of Pennsylvania one of the three agents "for the seizing and disposing of the forfeited estates, according to law." Between the last-mentioned date and October 28, 1778, he seems to have attained the rank, or acquired the title, of "Colonel." In December, 1779, he still held the office of "Agent for Forfeited Estates." In 1780 he was Lieutenant Colonel commanding the First Battalion, Philadelphia County Militia.

In 1784 Colonel Smith was elected a member of the General Assembly of Pennsylvania. At that period he was probably a resident of the section of Philadelphia County which the Legislature in September, 1784, erected into the county of Montgomery. By the Act creating the new county, Colonel Smith and four others, named, were authorized to purchase a tract of land and erect thereon a court-house and a prison for the county. Colonel Smith was named as Master in the warrant issued December 14, 1789, by the Grand Lodge of Pennsylvania, Ancient York Masons, for Lodge No. 31, to be located at Norristown, Montgomery County. He was still a member of this Lodge in March 1793.

the few Pennamite settlers remaining in Wyoming Valley, to "quit the land." On Monday, May 2nd, a meeting of the proprietors of the township of Wilkes-Barré was held, and on the second day following, according to the "Brief" of Colonel Franklin, Messrs. Bayard, Frazer and Smith, the Committee of the Assembly, arrived at Wilkes-Barré and took up their quarters at the inn of Capt. John Paul Schott, on River Street above South Street.

On May 5th the Committee sent a message to Col. Zebulon Butler (who only a few months previously had returned to Wilkes-Barré from New York), requesting him to call upon them. This he did, without delay, and informed them that he, Capt. John Paul Schott, Ebenezer Johnson, Lieut. John Jenkins, Jr., Capt. John Franklin and Christopher Hurlbut had been selected by the Wyoming Yankees to represent them before the Committee. Later in the day these men and the Assemblymen met together at Captain Schott's, and after a lengthy conference it was agreed that the business in hand should be transacted in writing. In the morning of May 6th, therefore, the Assemblymen transmitted to the Committee of Settlers, a letter reading as follows:\*

"WYOMING, May 6th, 1785.

"Gentlemen:—In conformity to our promise made to you in the Conference held yesterday afternoon, We now propose to you the following Queries, which we wish you seriously to consider & favor us with your answer as soon as convenient.

"1st.—Is it the Wish & determination of the People you represent, called the Connecticut Claimants, to submit to & support the Laws & Constitution of this State. 2d.—Will they support & countenance the civil Officers in the regular administration of Justice & oppose all Illegal & unconstitutional measures that may be taken by any persons contrary thereto. 3dly.—As the Legislature have fully evinced their determination to protect the Citizens in every Part of the State in the full enjoyment of Life, Liberty & Property—and as you are well acquainted with the measures that have been taken to punish those who in a Lawless manner dispossessed a number of Settlers last May—We wish to be informed by what authority a number of People who were peaceable Inhabitants have, during the Course of the Winter & Spring, been dispossessed of their Property & ordered to remove from this place; and whether the persons assuming and Executing such authority are supported & Countenanced by the people you represent.

"We sincerely wish for a satisfactory answer to the above Queries, which may tend to the restoration of Peace & good Order to all the Inhabitants of this unhappy settlement.

"We are, Gentlemen, your very Humble servants,

[Signed]

"JOHN BAYARD,  
"PERSR. FRAZER,  
"GEO. SMITH."

"Messrs. ZEBULON BUTLER  
& Others, a Committee appointed  
to Confer with the Committee of Assembly."

To this letter Colonel Butler and his colleagues responded the same day, in part as follows:†

"Answer to Question 1st.—'Tis the wish and desire of us, and the people whom we represent, to support the Constitutional laws and the Constitution of the State of Pennsylvania, and has been ever since the Decree at Trenton.

"In answer to your second question: We assert, and are able to maintain, that there have never been any civil officers according to the Constitution of the State of Pennsylvania elected in this settlement since the Decree of Trenton. Let us have constitutional civil officers—that is, men elected by us at an open and general election, warned according to the laws of this State. Such civil officers we will support in the full and regular administration of justice with our lives and fortunes.

"In compliance with your wish of information by what authority a number of peaceable inhabitants have, during the course of the Winter and Spring, been dispossessed of their property and ordered to remove from this settlement, we answer in the categorical style, and affirm, that no peaceable inhabitants—as you call them—in this settlement have ever been ordered to remove off, or been dispossessed of their property in any respect whatever by us or those whom we represent; and we, the Committee, never countenanced the ordering of any peaceable inhabitant off their settlement. Gentlemen, if you have had any complaints of such a nature as you represent in your billet, we would wish to know the complainants of such falsehoods, and that they should be brought before you and this committee.

"Gentlemen, we would wish to ask the following questions, and desire your solution. *Question:* Whether those persons who came into this settlement under the patronage of Alexander Patterson a year ago last Fall, and took violent possession of lands and houses, and still retain

\*The original draft of the letter is in the possession of the present writer.

†See Johnson's "Historical Record", II: 87.



the same (which were justly held by the Connecticut claimants, who were in the peaceable possession of those houses and lands)—whether those rioters, if now in possession of those lands and houses, can, according to the laws and Constitution of this State, be called peaceable inhabitants? *Question 2d: In what point of light do the Legislative body of this State view us?*"

The Assembly Committee replied to this communication the same day, in part as follows:\*

"We have just received your answer to ours of this morning, and were pleased in reading the first paragraph, wherein you consider an amicable compromise as near at hand. We assure you we shall esteem ourselves happy in accomplishing so important and salutary a measure.

"Your answer to our first Query is somewhat satisfactory, but to the others, not so. Your answer to the second is that there never has been any Civil Officers, 'according to the Constitution of the State of Pennsylvania', elected in this settlement since the Decree of Trenton. We are sorry to differ from you on this head, and although we believe that many who were not Freeholders did vote, yet we must contend that there were Freeholders who did vote, and that the said election was in conformity to the Constitution, as appears by the proceedings of the committee who were with you at that time and reported to the Assembly; which [body], therefore, established the election by a Law passed September 9, 1783, in which the Justices of the Peace are particularly named. We therefore think you are bound, as citizens of this State, to support them in the due exercise of their authority until you can make it appear, by a regular process before the proper tribunal, that their appointment is contrary to the Constitution.

"Your answer to our third inquiry is also unsatisfactory. You assert that no peaceable inhabitant has been dispossessed of property or obliged to leave the settlement. In order to understand each other properly we wish to give you our idea of a peaceable Inhabitant, *viz.*: All those who held and were in possession of lands and tenements on May 10, 1784, or the time you were violently dispossessed—these people, whatever right they held under, were in the peaceable enjoyment of Property, and, we contend, ought not to be dispossessed and dispossessed but by a regular process of Law. You, Gentlemen, complained of the injuries you received by violence and illegal conduct, and will you, the moment you are restored by the laws of the Land, countenance the same arbitrary and unconstitutional measures against another class of citizens whom you deem intruders? This must be considered as an opposition to Law and good Government.

"We are possessed of a petition signed by a number of respectable citizens, complaining in the most spirited manner of the arbitrary and cruel conduct of certain persons here in plundering and banishing the inhabitants claiming under Pennsylvania—and this without any application to civil authority. We beg you seriously to consider where this will issue if persisted in.

"Your letter concluded with asking us two questions. To the first we answer that, however those people got possessed of houses or Lands, they ought not to be dispossessed of them but agreeably to Law. Had the Connecticut claimants prosecuted them for taking violent possession, we doubt not that the Laws would have determined the controversy in a proper manner. To the second we answer: That the Legislative body look upon all persons residing within the chartered bounds of the State as citizens thereof, who are bound to yield obedience to the Laws, and who are entitled, while so doing, to the immunities and privileges granted them by the Constitution.

"We have now, Gentlemen, only to repeat our sincere wishes that you will each one join heart and hand to put a stop to further irregularities and disorders, and that you will give us proper assurances of your determination to support the Laws and Government of this State. This, in our opinion, is the only method left to restore peace and good order to this unhappy settlement. And we doubt not that upon your so doing you will not only experience immediate benefits yourselves, but afford real happiness to many who are now suffering under former oppressions. We pray God to direct you."

Upon receiving and reading the foregoing letter, the Committee of Settlers despatched to the Committee of Assembly, a letter reading as follows:

WYOMING May 7th, 1785.

"Gentlemen—After the Committee's Best Compliments to your Honors this Morning, hoping that you are in Perfect health. Gentlemen, with Submission we would Desire of your Honors a Copy of a Petition you mentioned in your Letter, and also a Copy of the Act of Assembly Establishing the Election of Majestrates at Wyoming in 1783, and also a Copy of a Letter from the Governor of Connecticut to His Excellency the President of this State.

"We are, Gentlemen, with Suitable Respects, Your Most Obedt. and Humble Ser'ts,

"Honno'bles JOHN BAYARD

"PERSFR. FRAZER,

"GEORGE SMITH,

Committee of Assembly."

[Signed]

"ZEBN. BUTLER,

"JOHN P. SCHOTT,

"EBENEZER JOHNSON,

"JNO. JENKINS

"JOHN FRANKLIN,

"CHRISTOPHER HURLBUT"

Immediately on receipt of this request on May 7th the Committee of Assembly forwarded to Colonel Butler and his colleagues the documents asked for. On

\*See "Pennsylvania Archives", Second Series, XVIII: 645.

†See pages 1465 and 1466.

Monday, May 9th, Mr. Bayard, in behalf of his committee, wrote to Colonel Butler as follows:

"We returned an answer to yours of May 6 on Saturday morning, and are not a little disappointed to be yet without your reply, especially as we informed you of our wish to return as soon as possible. We expect to leave this place to-morrow, and request you would, by the bearer, send us the letter from the Governor of Connecticut; and if you have anything further to communicate to us we shall be glad to receive it this evening."

To this the Committee of Settlers immediately replied as follows:

"We have just received your billet by your servant, in which you complain that you are disappointed that we have not sent you an answer to yours of the 6th of May, and desire one this evening. Gentlemen, we have been so incumbered with viewing the Constitution, Acts of Assembly, petitions, remonstrances, the Governor's letter, etc., that they have taken up our time inensibly; therefore the time has elapsed, but we shall send you an answer to your request this evening."

On this same day, (May 9th) Justice David Mead, at Wilkes-Barré, wrote and delivered to the Committee of the Assembly a letter reading as follows:\*

"Most deplorable indeed is the present situation of this part of the State, when 120 miles up and down the River, as it runs, and as far west in this valuable part of the country, in the very bosom of the State, is now in such rebellion. That the Connecticut claimants, I make no doubt, before you have this, will at last throw off the mask and tell you they are the Proprietaries of this country (most capable of making laws for themselves), and will bid defiance to the Laws of Pennsylvania and tell you to go about your business. The most cautious intelligence of these Designs I sent to Government early in February last, which were scarcely credited, when this Tumult could have been easily quashed. But now, Gentlemen, if it's the intention of the State to support its dignity, I fancy you'll believe it a serious business—high time to clip the growing evil—which alone depends on the immediate and spirited interposition of the State.

"I beg you to think of my situation, that I have long since regularly appropriated my lands here agreeable to the Laws and Customs of the country, and peaceably possessed myself of the same. The Connecticut claim to a considerable part of my lands was relinquished most formally in consequence of a resolution of the Legislature, and lands were actually granted in here by the State; and the very same lands were taken by the Committee of the People (with whom you are now treating) and rented to tenants, who came and ordered my plowmen to stop [plowing] or expect to lose their labors—which has happened since your enquiry began.

"I have made very considerable improvements, and have a large Winter crop now on the ground. As a Citizen and Servant of Government I have claimed its Protection and Support, as yet in Vain. I have made a stand—as yet at the risk of my life and property—rather than flinch, and am now under the severest threats of being expelled. \* \* \* A considerable number of Pennsylvania families are now here in a most distressed situation—some that have plantations up the River near Wyalusing are this far on their way, but are not permitted to go up the River on any pretense whatever, but must all instantly remove from here. \* \* \* Upon the whole, Gentlemen, I hope you'll now be satisfactorily convinced that the Honour and Dignity of Pennsylvania are at stake."

In the evening of May 9th, the Committee of Settlers delivered to the Committee of the Assembly what they denominated their "final answer" to the various queries and averments which had been submitted to them by the Committee of Assembly. This "answer" is printed in full in "Pennsylvania Archives," Second Series, XVIII: 647-650, and from it the following paragraphs have been taken:

"You observe that, if you are rightly informed, many of the Connecticut claimants availed themselves of the authority of those magistrates,† or some of them, in order to claim the repossession of their houses and lots agreeably to the Law passed September 15, 1784‡. In reply we say we were laid under the necessity of so doing, because they were appointed by the authority of this State; and if we had not improved that opportunity we might have been kept out of our just possessions another year. Therefore, there was no other alternative left us but either to do this or suffer greater evils and misfortunes. \* \* \* You, Gentlemen, observe in the same paragraph that we were thankful to those magistrates for the part they acted therein. We answer: We are bound to be thankful to Benefactors, but we ought first to view those Justices as Benefactors before we can be thankful to them. We never did view them as Benefactors, and therefore no thankfulness is due from us to them in that respect.

"Gentlemen, you say our answer to your third query is also unsatisfactory, because we assert that no peaceable inhabitants have ever been dispossessed of their property and obliged to leave their settlement. We imagine there is a great difference betwixt peaceable inhabitants and rioters, who, in a most violent manner, by force and arms, dispossessed the Connecticut

\*See "Pennsylvania Archives", Second Series, XVIII: 650.

†Elected and commissioned in September, 1783, as narrated on page 1344.

‡See page 1431.

claimants of their property; and the Authority of this State have dispossessed those rioters by a special Act for that purpose, and now those rioters say the Connecticut people have dispossessed and spoiled them of their property—which we deny in full. \* \* \*

"We say and declare that there have been a great number of inhabitants, or, rather, intruders, who pretended to claim under Pennsylvania title; and who, by force of arms, in a most violent manner, contrary to all law and Constitution of all Christianized people, dispossessed the New England settlers and took possession of their houses, lands and property in an hostile manner; and those settlers, so forcibly dispossessed and plundered, made repeated application to the legislative, executive, judicial and civil Authority of this State, praying for the restoration of their rights, property and possessions, agreeably to the Laws and Constitution of this State, and that the Legislative body, on the 15th of September last, did resolve that those settlers so forcibly dispossessed should be reinstated.

"And we further declare that we do not know of any such persons in this settlement, who pretended a claim under the possession title, who have had any possessions except such as were obtained by force of arms; and we would further say that we are informed by the best authority, and know it to be a truth, that a great number—if not all—of those persons who complain of being plundered and banished by the Connecticut settlers, are those same persons *who expelled us from our possessions, robbed us of our property, &c.*, and then, finding that the Laws of the State relative to forcible entry and detainer were likely to operate against them, fled from the Laws of their country, taking off their own property and a considerable portion of ours. What part of our property they were obliged to leave behind, has since fallen into our hands, and yet those villains say we have robbed and plundered them of their property—which allegations we challenge them to support. \* \* \*

"Gentlemen, you conclude your letter with a requisition that we would join heart and hand to put a stop to further irregularities and disorders. \* \* \* Gentlemen, we assure you it is our determination to support the Laws and Constitution of this State. We believe that it is the sincere effort of the State and of you gentlemen to promote Peace and Harmony in this settlement; yet we can't but think it Extraordinary that you should think it's consistent with sound policy or the happiness of this settlement to *continue in office those Magistrates who were imposed on the people without their consent and in violation of the Constitution and Laws of the State and who are daily making inroads thereon by violently taking possession of land and property, and detaining the same from the rightful owners, in open violation of all Law, and consequently doing great injustice to the widow, fatherless and distressed—of whom David Mead is and was the fullest aggressor and distressor of the widow and fatherless and orphan.*

"Gentlemen, we hope you will voluntarily give us our request, which is the Constitution of the State of Pennsylvania, and thereby restore Peace and Tranquillity to this settlement and Joy and Myrth to this State. We pray God to give you hearts susceptible of all the feelings of humanity."

In the morning of May 10th, the Committee of the Assembly sent the following reply to the foregoing communication:\*

"Last evening we received yours of the 9th *inst.* in answer to ours of the 6th. We are sorry to inform you that it is entirely unsatisfactory to us, as we have, in a plain and candid manner, not only in our letters but in conversation, informed you what we think the State requires of you as citizens, *viz.*: obedience to the laws and those who are appointed to execute them. We think it unnecessary to go into a particular answer to your last, and having, to the best of our abilities, discharged our duty to you and our country, we must now take our leave of you, after thanking you for any personal civilities shown us, and earnestly exhorting you to a strict obedience to the authority and laws of the State, which alone will prove your declarations sincere. A contrary conduct, be assured, Gentlemen, will end in anarchy, confusion and distress. We shall advise those claiming under Pennsylvania to refrain from all illegal methods for obtaining satisfaction for injuries they complain of, and shall direct them to apply to the laws of their country for redress."

The same day, the Committee of the Assembly sent to the Hon. John Van Campen, of Northampton County, the following letter:

"Agreeably to your request to be informed of what we have done at this place, we would just tell you that after frequent messages passing between us and the committee appointed to transact with us, as well as verbal conferences, they have declared their intentions of submitting to the Laws and Government of the State. We are sorry to say that we have not that satisfaction which we expected, but we hope that upon seriously considering their situation they will submit. The matter will soon be brought to issue. In the meantime, we earnestly recommend to all the Pennsylvanians who have been driven off to cease from all illegal measures, and to pursue, immediately, those that are agreeable to Law for redress of their grievances; and we doubt not in so doing they will have the firm support of Government. We are just setting off for Northumberland, and expect to return to Philadelphia in six or seven days."

It seems that, almost immediately upon the departure of the Committee of Assembly from Wilkes-Barré, in the afternoon of May 10th, Justice David Mead issued certain writs or precepts against some of the Wyoming Yankees;

\*See Johnson's "Historical Record", II: 91.

at the same time addressing a letter to Col. Zebulon Butler and Capt. John Paul Schott, in which he called upon them for their countenance and support with respect to his judicial procedure. In reply these gentlemen sent Justice Mead a note reading as follows:

"Yours of the present date came to hand. Observed the contents. Find our influence is lost, as the people deny you have any legal authority to act until it is proved that you were legally elected."

Upon receipt of this, Justice Mead, the same day (May 11th), forwarded it by an express to the Committee of the Assembly (who were then on their way down along the Susquehanna to Northumberland). With it he sent the following letter:\*

"From a multitude of applications this morning I issued a precept against Ebenezer Johnson and John Gansy, in a case so plain I thought it most likely to take, on complaint of a woman whose cow was lately taken by violence. An act like that I expected the people would be most ready to bear their testimony against. On the other hand, great declarations of dislike have been made against the glaring conduct of this Johnson. Enclosed I transmit you a note to Colonel Butler and Captain Schott, in particular, for support; by which, and their answer, you will be fully satisfied. For excuse, they doubt my authority.

"I believe I mentioned to you that numbers of precepts are now here, issued by magistrates in Sunbury and Northumberland Town, not complied with. \* \* \* I have just received information that a party is now collecting to drive and distress the few Pennsylvanians left. I propose sending Mrs. Mead and the children instantly out of the way, and stand [here] myself as long as any kind of prudence will dictate. In the meantime by your answer I expect to find whether I am to be protected or not in any reasonable time. If not, I beg that on your arrival at Philadelphia this letter be presented to Council as a token of my resignation, and that I request the same may be received. \* \* \*

"N. B.—Since the conclusion of this letter I this minute received the most dreadful accounts of disorder, commencing by the most horrid distress of the few families yet here, and I am in fear of bloodshed soon, though you may rest assured that I shall spare no pains to convince the people to seek no other than legal redress. The Constable of Stoke this instant reported to me that Ebenezer Johnson and John Gansy are his regular prisoners on a charge of robbery; that they have rescued themselves in the most violent manner, to wit: by a Cocked pistol at his breast, with the most severe threats, and he is now under the necessity of support."

The express bearing the foregoing communication overtook the Committee of the Assembly about midway between Wilkes-Barré and Northumberland, and they returned an answer to Justice Mead. They also sent by the express a letter to Ebenezer Johnson. As to the nature of the letter sent to the Justice we know nothing, but the letter to Johnson (written by Mr. Bayard on May 12, 1785) read as follows:

"It is not without surprise that I have heard of the imprudence of Esquire Mead in granting warrants yesterday; but it is more surprising to me to hear that you should (after we, the Committee, had made so public a promise to discountenance any break of law) so quick break that promise by burning any of the settlements, or threatening any person who offered no abuse to you. Perhaps I have been misinformed. If I have, I shall be glad, as I, on the one hand, would not relinquish any right or privilege that I was entitled to, so, on the other hand, I would be as far from countenancing any breach of public faith or good conduct."

Miner states ("History of Wyoming," page 380) that on May 14, 1785, Colonel Franklin "again set off for Connecticut, to attend an expected meeting of The Susquehanna Company at Hartford. The inert mass was not yet sufficiently warmed to be moved to his wishes. Doubts and fears seem to have hung around and retarded the action of the prudent Yankees. No meeting had been called; the committee, still slumbering, had neglected to give the proper notice. Supported especially by Maj. William Judd†, of Farmington, Colonel Franklin went from town to town—to Windham, to Hartford, to Watertown, to Colchester, and again to Hartford, where, from the public records, he took copies of papers to aid him in sustaining the Connecticut claim, which he everywhere preached with apostolic zeal. Having now made arrangements for a meet-

\*See "Pennsylvania Archives", Second Series, XVIII: 652.

†See page 824, Vol. II.

ing of The Susquehanna Company in July, he hastened back to Wyoming, where he arrived on June 29th. Immediately a town-meeting was called, [whereat] the people were addressed and encouraged to be firm in defence of their rights."

During the absence of Colonel Franklin, affairs in Wyoming were rather quiet, at least so far as the Yankee settlers were concerned. Justice Mead, however, and some of the authorities of Northumberland County, seem to have been more or less active, as we learn from a letter to the Hon. John Bayard, written by Mead at Wilkes-Barré, June 10, 1785, and reading in part as follows:\*

"I had the pleasure to receive your letter of the 3d *inst.*, in which you mention your hopes that the Supreme Court sitting in this County [at Sunbury] may have a good effect. In answer to which I can at present only make a few remarks, and leave you to guess the event. Not one of the Connecticut claimants who were under recognizances for their appearance at our Supreme Court have appeared to save their bail; neither have any of those against whom process was issued by our Supreme Judges surrendered themselves to the Sheriff. \* \* \*

"The few Pennsylvania families that were not ousted when you were here were obliged to fly about the time of my last letter to you at Northumberland. The Sheriff is now here in order to apprehend those who he has Process against, but I understand they are Goan to the Bush†, and the others pretend submission, so that most Deplorable is the present aspect. However, I shall write to you again in a few days, and in the meantime hope you'll inform me of the sentiment of the Government on this occasion, with your advice in my difficult situation. \* \* \*

"N. B.—Since the close of this Letter I have had the pleasure to see the Sheriff with four of those Offenders in custody."

After the return of Colonel Franklin to Wyoming on June 29th, and the holding of the town-meeting at Wilkes-Barré, as previously related, the Yankees seem to have resumed their offensive activities with respect to the few Pennamites still remaining in the valley. This we learn from the two letters‡ following, respectively written on July 6 and 7, 1785, at Wyoming, by David Mead, addressed to President Dickinson of the Supreme Executive Council, at Philadelphia, and forwarded by expresses:

"The most deplorable situation of this part of the State once more induces me to address you on the subject. I dread to think of an idea of the want of energy in Pennsylvania, so great and reputable a State, to permit all manner of disorder so long to be continued, without supporting their Laws. For my part I consider myself a member of the Society, and that I have a right to claim your protection as such. My life is now every minute in danger, and has been for some time; my property is much of it taken from me by violence, and the remainder every minute at stake. I have claimed the protection of Government as yet in vain. I have taken process, though to no purpose. The Sheriff neither will nor can do his duty, but acts the part of a villain.

"That instead of being able to execute my office, I am obliged to keep a number of armed men around about my house for its protection. I really cannot, as yet, be reconciled to evacuate for the villains without your advice, though the expence of standing in this manner is too much for me to bear. A notorious Riot was committed yesterday by about a dozen men, armed, &c., and when I called on Deputy Sheriff (Lawrence) Myers to take aid and apprehend the offenders, who [Myers] appeared and made a faint attempt, without success. The disorder continued. This day, while I am writing, about twenty armed men are now before my door mowing my meadow, removing my fences, &c., [meanwhile] keeping up the Indian yell. My hands were beaten and abused with many stripes before they could escape.

"A general meeting of the [Yankee]-Inhabitants was held on Saturday last [July 2, 1785], when it was resolved by them, without one dissenting voice, that *the Laws of Pennsylvania could not be submitted to*; that myself and the other few inhabitants who are in any way attached to the State must be expelled—some information of which I have with difficulty obtained and transmitted to the honorable Chief Justice.

"My Harvest, hay and Grains of every sort I expect will be destroyed though my possessions were all legally obtained in the year 1783. A considerable part was relinquished in the most formal manner, and Lands were granted in lieu [thereof] by the State.

"My dog has been shot down at the door, just while I conclude this letter. I write in haste." \* \* \*

"I am now obliged to beg the immediate interposition of Government for my relief. I am now besieged by those desperate villains, *with their cannon drawn up, &c.* I have only four men besides my own family—though all are brave and determined not to fall a sacrifice at their [the Yankees] hands while we have life. Therefore, in expectation of your immediate relief we have spirit to act on the defensive order until either that arrives or we lose our lives. My

\*See "Pennsylvania Archives", Second Series, XVIII: 653.

†Gone, or fled, to the woods.

‡See "Pennsylvania Archives", Old Series, XI:454-455.

other dog was shot last night after the other Express left this place. I am in haste. You will please to examine the Express, and reimburse him his expences."

Miner, from the standpoint and with the sympathies of a New Englander, gives ("History of Wyoming," page 381) the following account of the doings touched upon by Justice Mead in the foregoing letters. "It could illy be brooked [by the Yankees] that one of Patterson's Justices should hold possession under the Pennamite claim, as it was termed—on the rich bottom-lands of Wilkes-Barré, too—and he a renegade and traitor from the Yankee ranks; moreover, and probably with justice, he was regarded as still the agent of the land claimants and a spy on the conduct of the Connecticut people. His expulsion, therefore, under the new spirit awakened by Colonel Franklin on his return [from Connecticut], was determined on.

"Rising one morning, Mr. Mead beheld a dozen men mowing his meadow, and all orders to desist or requests for explanation were equally disregarded. They went on openly and carted off the hay. A warrant was forthwith issued, and several were arrested on a charge of riot and brought before Justice Mead. Evasive answers to his questions were given by those whom he knew and first interrogated. 'And who are you, Sir,' said he to one whom he was not acquainted with, 'and what have you to say for yourself?' 'My name,' said the fellow with affected simplicity, 'is Oliver Harmless, and if I ever did you any good in the world I am sorry for it.' A burst of laughter followed this sally, when Mason F. Alden spoke up and said: 'Squire Mead, it is you or us; Pennamites and Yankees can't live together in Wyoming. Our lines don't agree. We give you fair notice to quit, and that shortly.' Mead immediately called to his aid thirty or forty men, and, having garrisoned his house, resolved to defend himself."

Justice Mead's letters were read in Council Saturday, July 9, 1785 and on the following Monday the members of the Council and the Judges of the Supreme Court of the State held a conference, after which the Council took the following action:\*

"Resolved, That the Judges be requested forthwith to take the deposition of William Wilson,† the person sent down by David Mead; to issue warrants against the rioters, and to proceed by way of attachment against the Sheriff of Northumberland County for misbehavior."

On July 12th an order on the State Treasury for £6 was drawn in favor of William Wilson, and one for £3, 15s. in favor of Joseph Van Norman, "for defraying their expences from Northumberland County and return, on public business." The same day President Dickinson wrote to John Henry Antes, Esq., Sheriff of Northumberland County, as follows:‡

"At a Conference yesterday with the Honorable the Judges of the Supreme Court, they produced several Depositions representing your Conduct as very extraordinary & detrimental to the Peace of your County. We therefore think it our duty immediately, & in the strongest manner, to enjoin your instant & effectual Execution of any process against offenders at or near Wyoming that has or shall come to your hands; & that for this purpose, and also to enforce due Obedience to the Laws of the State, you forthwith repair to that Place, where, We understand, many persons are collected in a riotous manner, having injured several peaceable Citizens & threatened further to injure them.

"Your own prudence will dictate to you how interesting your Behaviour on this occasion must necessarily be to yourself as well as to the State."

On the same day (July 12, 1785) President Dickinson wrote to Justice Mead as follows:

"We have received your Letters of the sixth & seventh Instant, & have examined William Wilson the person by whom you sent the last. Yesterday a Conference was held with the Judges

\*See "Pennsylvania Colonial Records", XIV: 497-499.

†Lieutenant of the County of Northumberland.

‡See "Pennsylvania Archives", Old Series, X: 482.

of the Supreme Court, and thereupon every Measure has been adopted that was thought most proper for enforcing a due Obedience to the Laws."

On the day following the writing of the foregoing letters, The Susquehanna Company held a meeting at the City of Hartford, Connecticut, Colonel Franklin being present to represent the Wyoming share-, or right-, holders and settlers. The proceedings at this meeting were significant, and embraced a substantial declaration of war against all opponents of the Company and its claims. The minutes of this meeting read in part as follows:

"At a meeting of the Proprietors, Purchasers and Settlers of the land on the Susquehanna River under ye countenance and title of ye State of Connecticut, legally warned and held at Hartford July 13, 1785, the meeting taking into consideration the situation of their claims, the large sums of money expended in the purchase, settlement and defense of the same, and the justice of their claim to said lands, do *Resolve*:

"(1) That the purchase they made of the Indian native proprietors of said land was fair, *bona fide*, and for a valuable consideration paid previous to any other purchase of said land from said Indians.

"(2) That at the time of making said purchase there was not, nor ought there ever to have been, a doubt respecting the right of Connecticut to the jurisdiction and preemption of that Territory—the Charter and Letters-patent of Connecticut being in fact eighteen years prior to the patent to Sir William Penn, and which in terms most Explicit did cover said land.

"(3) That in Confidence in the Charter of Connecticut (which they judged to be sure and sacred as the Solemn acts of any public body can be), and with the Countenance and approbation of the Colony of Connecticut, they made the purchase and Settlement aforesaid, and have, at vast Expense of blood and treasure, purchased and defended their possessions against the Common enemy, to the great emolument and Security of the United States.

"(4) That although the Court, constituted to determine the right of jurisdiction between the States of Connecticut and Pennsylvania, *have astonished the world* with the decision in favor of Pennsylvania, yet our right to those lands in possession is founded in law and Justice, is Clear and unquestionable, and *we cannot and will not give it up*.

"(5) That the Conduct of the State and people of Pennsylvania towards the proprietors of the lands on the river Susquehanna, in consequence of the Decree of Trenton in A. D. 1782, was impolitic; unjust and tyrannical, and has a tendency to interrupt the harmony of the States.

"*Voted*, That this Company will support their claim and right of soil to all lands lying on the waters of the river Susquehanna included in their deed of purchase from the Six Nations of Indians, native owners and proprietors thereof, and confirmed to said Company by the Legislature of the State of Connecticut, agreeably to the laws of said State; and that the Committee of said Company be, and they are hereby, authorized to dispose of the rights of all non-resident delinquent proprietors who have neglected or shall neglect to pay their taxes agreeably to the votes of said Company—taking the previous steps pointed out in the Act of Assembly [of Connecticut] regulating the same.

"*Voted*, That this Company will support the proprietors, owners, Settlers and Claimants of the Country aforesaid in their new application to Congress\* for a trial of the right of Soil, agreeably to the 2d paragraph of the IXth Article of the Confederation of the United States of America; and that we will protect our Settlers in said country from all lawless outrage, unjustifiable and wanton deprivations of property, or personal abuse whatsoever, under countenance of Law or otherwise, until such right [of soil] is judicially determined.

"*Voted*, That every able-bodied and effective man (not being a proprietor), approved by any one of the Company's Committee, that will *repair to Wyoming, submit himself to the orders of this Company and their Committee at this place, shall become a half-share proprietor in said Company*, entitled to all the benefits of any proprietor thereof that has paid his full taxes to this time; *provided he remains in said Country for the Space of three years*, and does not depart therefrom without the permission of such Committee; and also provided that such half-share proprietors do not exceed 400; and provided they arrive by the first day of October next.

"*Voted*, That Col. Ebenezer Gray, Col. Thomas Dyer, Ralph Pomeroy, Esq., Timothy Edwards, Esq., Mr. Moses Sherrard, Joseph Hamilton, Esq., Zerah Beach, Esq., Col. Zebulon Butler, John Franklin, Esq., Ludwig Updike, Esq., Obadiah Gore, Esq., and Capt. Samuel Street be, and they are hereby, appointed a Committee in addition to the Standing Committee of the Company.

"*Voted*, That the standing Committee be, and they are hereby, fully authorized to dispose of 600 rights in said general tract of country, for the use of said Company. \* \* \*

"*Voted*, That this Company will circumspectly conform themselves to all decisions on their claim constitutionally had; but at the same time cannot omit despising the treatment this State met with upon a former trial—the secretion of material papers by our opponents until after the trial was over. \* \* \*

"*Voted*, That the Hon. William Samuel Johnson† and William Judd‡, Esq., be and they are hereby appointed agents in behalf of this Company in all matters wherein this Company is in-

\*See page 1460. †See page 478, Vol. I. ‡See page 824, Vol. II.

terested, before Congress or elsewhere; and that the Clerk of this Company be and he is hereby authorized to make out a proper power of attorney, fully authorizing the said William Samuel Johnson and William Judd, Esq., for the purpose aforesaid. \* \* \*

"*Voted*, That the Clerk of this Company advertise in the public prints that any person claiming a right in this Purchase shall send in the evidence of his title to the Clerk of the Company by the first of November next, or be forever excluded from any right in the purchase.

"*Voted*, That any three of the Standing Committee here have authority to call a meeting of the Company whenever the exigency of the case may require the same.

"*Voted*, That a tax of one dollar or each whole share, and half a dollar on each half-share, be immediately paid to the Treasurer of this Company, or to any of the Standing Committee."

Miner states that, as a result of the complaints made by Justice Mead to the State authorities at Philadelphia, Mead and Sheriff Antes of Northumberland County were cited before the authorities in the latter part of July, 1785, and Capt. John Paul Schott was summoned to appear at the same time and place as a witness. At Philadelphia, August 1, 1785, Mead presented the following memorial\* to the President and Supreme Executive Council:

"*Gentlemen*: The address and Petition of the subscriber, a Citizen, a Member of the Society, and servant of the Commonwealth, most respectfully sheweth:

"That his singular situation is such that in the fullest Confidence of the Benefit and Protection of the Laws of the State he has legally Possessed himself of and cultivated his Property under the Authority, Title and Protection of your Government. Much of his goods is taken from him by Violence, his House reduced to the nature of a Garrison by a Lawless Banditti. He has taken Process against many of the Offenders, tho' to no purpose, and has applied for the Relief and support of Government—as yet without success.

"Therefore your Petitioner, a Member of the Community always ready to contribute his Proportion towards the expense of Government or yield Personal service when required, once more Begs your immediate Interposition for his relief, agreeable to the Laws of the Land; or devise such other Measures as in your Wisdom may be thought most Proper to put him on a footing with your other Citizens, save his house from becoming a Sacrifice to Villins, reimburse him for his expenses [in] furnishing entelligence, sending expresses, &c.

"And your Petitioner as in Duty bound will Pray. [Signed] "DAVID MEAD."

On the return of Justice Mead to Wilkes-Barré, states Miner, "the cannon, that terrible four-pounder, was paraded before his house, and on Monday, August 8th, he retired with his men from the valley, leaving, it is believed, no Pennsylvania claimant on the Wyoming lands." Miner further states that a considerable tract of land in what is now Crawford County, Pennsylvania, was allotted to Justice Mead "as an indemnity for his losses at Wyoming." On September 22, 1785, the Pennsylvania Assembly passed an Act, providing, "in consideration of the fact that David Mead, Esq., was requested to continue there at Wyoming as long as possible—by which means he was subjected to heavy expenses in giving information to the Government, and in other matters—that the Supreme Executive Council be, and they are hereby, authorized to draw an order on the Treasurer of the State for the sum of £67, 3d., the balance due him."

Immediately on the return of Colonel Franklin to Wyoming, from Hartford, some days after the close of the meeting of The Susquehanna Company, he called the inhabitants of Wilkes-Barré together and explained to them, in detail, what had been done at Hartford. Then he crossed over into Kingston Township, and at Forty Fort addressed on the same subject a gathering of Kingstonians. "Proceeding to Plymouth," says Miner, "the settlers were there called together; from thence he [Franklin] crossed over to Nanticoke, or Hanover, and thus journeying from town to town, public meetings were holden, contemplated measures, as far as politic, explained, and the people prepared for action. Adventurers were invited to enlist, or accept half-share rights, on the terms pro-

\*See "Pennsylvania Archives", Second Series, XVIII: 654.



posed, and numbers received the bounty, Colonel Franklin being engaged several days in issuing certificates."

About this period, or probably six months earlier, a number of men who were not residents of the Wyoming region acquired "rights," or shares, in The Susquehanna Company. These men were unquestionably land speculators, and under their "rights" large bodies of land were allotted to them by the officials of the Company. Chief among these speculators were Dr. Joseph Hamilton and Dr. Caleb Benton of the State of New York.

The records of The Susquehanna Company show that a very considerable number of half-share certificates were issued by the representatives of the Company—chiefly by Colonel Franklin—in the Autumn of 1785 and during a number of the ensuing months. Many certificates were issued to men who were not only on the ground, but had been living in Wyoming for several years. Not a few of these men were the sons or brothers of some of the earliest land-owners and settlers under The Susquehanna Company. Half-share certificates were issued, also, to numbers of people who were induced to emigrate from New England, New York, New Jersey and elsewhere and settle throughout the Wyoming region, with full faith in the validity of The Susquehanna Company's title.

The following copies of originals indicate the several forms in which half-share certificates were issued.

(1) "I hereby certify that SAMUEL GORE is admitted a half-share proprietor in the Susquehanna Purchase, entitled to all the benefits of any half-share proprietor in said Company, agreeable to a vote of the Company at their meeting held at Hartford July 13th, 1785—Provided that he remains in said country for the space of three years, and conforms himself as is directed by said Resolve.

"Given under my hand at Wyoming September 10th, 1785.

[Signed] "JOHN FRANKLIN  
Comtee."

(2) "Certificate No. 109. These witnesseth that MARTIN SMITH of Colchester is intitled to one-half right in the Susquehanna Purchase, on condition that he doth, by the 1st of October next, repair to Wyoming, submit himself to the orders of The Susquehanna Company and their Committee at that place, and shall remain there for the space of three years and not depart therefrom without the permission of said Committee—agreeable to a vote of The Susquehanna Company at their meeting at Hartford July 13th, 1785.

"Windham, August 25th, 1786. [Signed] "SAMUEL GRAY, one of the Committee."

(3) "No. 264. These certify all Persons whom it may concern, that MATTHIAS HOLONBACK of Wyoming, in the State of Pennsylvania, is intitled in one half share in the Susquehanna Purchase of Lands, according to the vote of said Company for the disposal of Rights in said Purchase, at their meeting held at Hartford July 13th, 1785. Certified

[Signed] "SAM'L GRAY, Clerk."

The names of some of the Wyoming Yankees and a few of the outsiders to whom Colonel Franklin issued half-share certificates in September and October, 1785, and early in 1786, were as follows: Avery Gore, "Capt. Stephen Tuttle (of Fishkill, N. Y.)," Abram Nesbitt, Nathan Carey (certificate "No. 1"), Waterman Baldwin, Ishmael Bennet, Jr., Elisha Matthewson, Ira Stephens, Eldad Kellogg, Richard Halstead, Isaac Baldwin ("of Shohola"), John Swift, Justus Gaylord, Jr., Prince Alden, Jr., Moses Roberts, William Ransom, John Wooley, Jehoiada Johnson, Jeremiah Shaw, Capt. Elisha Satterlee, Nathaniel Allen (of Catskill, Albany County, N. Y.), Jehiel Franklin, Nathan Abbott, Thomas Allington, Daniel Ayers, Moses Atherton, "Capt. Thomas Baldwin (Sheshequin)," Abner Beach, Alexander Beach, Joseph Beach, Oliver Bigelow, Zebulon Cady, Thomas Coleman, Jephthah Earl, Joseph Earl, Daniel Earl, Sr., Thomas Heath, John Hurlbut, "John Hollenback (of Wyoming)," "Capt.

Benjamin Jenkins," Joseph Kenney, "Capt. Peter Loop, Columbia County, N. Y.," John Platner, Enos Tubbs, Joshua Van Fleet and William Williams, Jr.

"Half-share rights were issued in great numbers", declares Governor Hoyt in his "Brief of a Title in the Seventeen Townships," "and new faces—strangers to the 'old settlers'—began swarming into the valley. The old-time residents had no sympathy with all this. They knew it prolonged the unhappy situation, and they deprecated its effects. \* \* \* The half-share men and the old settlers (with some exceptions) formed two distinct parties, and were as much opposed to each other as to the Pennsylvanians.

It may be noted here that in the course of a short time the grantees, or holders, of the half-share certificates issued by the representatives of The Susquehanna Company under the resolution of July 13, 1785, began to be characterized by the Pennsylvania land-claimers and their friends as "Half-share Men," "Wild Boys" and "Wild Yankees."





## CHAPTER XXVII.

GENERAL ETHAN ALLEN ESPOUSES THE CAUSE OF THE CONNECTICUT SETTLERS AND COMES TO WILKES-BARRÉ—UNWARRANTED PROCEEDINGS OF THE SUSQUEHANNA COMPANY — WYOMING, WITHOUT THE BENEFITS OF LAW, ESTABLISHES AN EXPERIMENT IN SELF GOVERNMENT—A NEW STATE PROPOSED BY ALLEN AND KINDRED SPIRITS—THE SETTLERS DIVIDE ON THE ADVISABILITY OF THIS SCHEME—MANY SETTLERS SUBSCRIBE TO ERECTION OF A NEW COUNTY—PENNSYLVANIA AROUSED.

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“So here, beneath this old gray stone,  
Lies hid the light that brightest shone  
Upon our green clad mountains, when  
Were ‘tried the souls’ of patriot men.  
Beneath this soil, from tyrants won,  
Repose the ashes of her son,  
The hero of her day of gloom,  
Who made the land (a dreary waste  
While under Slavery’s minions placed)  
Like Eden’s garden bloom.

\* \* \*

Sir Guy\* said tomb would never hold  
A chief so restless and so bold  
As thou full oft didst prove thyself!  
That thou wouldst make its ceremonies start  
By some infernal Yankee art,  
And spurn the bonds of Death himself.”

Rufus W. Griswold (1815-1857), an American editor and author of note, wrote the above lines on visiting the grave of Allen in 1840.



Immediately upon the adjournment of the Susquehanna Company, in July, 1785, a number of its most radical members, particularly those who had only recently become shareholders in the Company, conceived the idea of calling

\*Sir Guy Carleton

upon Gen. Ethen Allen,\* of Vermont, to aid them in their contest against Pennsylvania. General Allen had been very active in organizing the State of Vermont, and at that period was laboring with others of his fellow citizens to have Vermont admitted to the Union of States, notwithstanding the strenuous opposition of the State of New York. In the latter part of July, 1785, therefore, a committee of Susquehanna proprietors repaired to Bennington, Vermont, where they interviewed General Allen on the subject of Wyoming affairs. In consequence, under the date of August 15, 1785, at Bennington, General Allen wrote to Dr. William Samuel Johnson (see note, page 478, Vol. I) at Stratford, Connecticut—he being at that time a Delegate from Connecticut in the Continental Congress, and also one of the regularly appointed agents and legal advisers of the Susquehanna Company. The original letter of General Allen is preserved among the "Dr. William Samuel Johnson Papers" in the collections of The Connecticut Historical Society, and it reads as follows:



GEN. ETHAN ALLEN

Photo-reproduction of the marble statue erected by authority of the Legislature of Vermont in Statuary Hall, in the Capitol, at Washington.

"SIR—I have agreed with the Committee of the Susquehanna Proprietors to speedily repair to Wyoming with a small detachment of green Mountain Boys to vindicate (if it appears to me practicable) the right of soil of those proprietors to that territory whatever may be the legal decision relative to the jurisdiction, and shall be very glad of your intelligence Concerning the interested connection of the State of Pennsylvania as such to defeat the title of the said proprietors in order to establish their own, or whether the quarrel (amitting the late decision of jurisdiction) relative to the property of those lands does not lie between certain gentlemen of wealth and influence in that State and the said proprietors and if so, how far it is probable that the State will interfere in the quarrel, or whether at all.

"Whether at the public expence they will raise troops to dispossess the Connecticut settlers and if not, how far it is probable that the land jobbers will be able to carry their influence in the legislature and what number of men they can bring into the field at their own expence, in fine, I wish to know your Judgment what the State would do respecting the raising and supporting troops to dispossess the Connecticut settlers, and if they do nothing in this matter at the public expence what it is probable that the land scheming Fraternity would be able to do in the hostile way against me.

"My policy will be to publish propositions of amity with the government provided the Legeslature will guarantee to the settlers and proprietors of the Susquehannah purchase their right of soil to the disputed territory which I know they will not do, good offers is apt to make friends in Pensylvania and divide them and give me a better plea in the Eyes of the world to oppose the exercise of their oppressive government in dispossessing the settlers with the sword.

"Mr. Levi Allen will receive your answer which I wish to be in writing.

"I am Sir with due respect your humble sert."

General Allen was unable to visit Wyoming as soon as he had promised and purposed. Meanwhile, however, the Executive, or Managing Committee of The Susquehanna Company allotted to him certain shares, or rights, in the Susquehanna Purchase. The fact that Allen had espoused the cause of the

\*ETHAN ALLEN, who has been styled "the Robin Hood of Vermont", and who was certainly one of the conspicuous and noteworthy historical characters of the period of the American Revolution, was the eldest child of Joseph and Mary (Baker) Allen, of that section of Connecticut which, in 1751, was erected into the county of Litchfield.

Joseph Allen (who was a descendant in the fourth generation of Samuel Allen of Braintree, England, 1588, who emigrated to New England in 1632) was married to Mary Baker, at Woodbury, Connecticut, March 11, 1736. Immediately, or very soon thereafter, they located in the comparatively new town of Litchfield, some fourteen or fifteen miles north of Woodbury. The town of Cornwall, about ten miles north-west of Litchfield, was incorporated in 1740, and in that year, or the previous year, Joseph Allen removed thither from Litchfield with his little family, and continued to reside there until his death, in 1755. He was survived by his wife, six sons and one daughter.

At that time Levi and Ira Allen, brothers of Joseph, were residing in Salisbury (incorporated as a town in 1741, in the northwest corner of Connecticut, in what, ten years later, became Litchfield County), and at some time between April, 1763, and December, 1771, the children of Joseph and Mary Allen removed from Cornwall to Salisbury—at which time, undoubtedly, their mother was dead.

Joseph Allen was an original member of The Susquehanna Company, his name appearing in the list of grantees in the Indian deed of 1754, printed on page 271, Vol. I. The right, or share, in the Susquehanna Purchase standing in his name was conveyed by his children to Ephraim Baker of Woodbury, Connecticut, January 13, 1772, for £15.

The children of Joseph and Mary (Baker) Allen were as follows: (i) *Ethan*, (ii) *Heman*, (iii) *Heber*, (iv) *Levi*, (v) *Zimri*, (vi) *Ira*, (vii) *Lucy*. *Ethao*, having once boastfully observed of himself, his brothers and sister, that "there were never seven other such born of any woman", was told: "Mary Magdalene was delivered of seven just like them!"

(ii) *Heman Allen*, second child of Joseph and Mary (Baker) Allen, was born at Cornwall, Connecticut, October 15, 1740. He was a merchant in Salisbury, Connecticut, as early as 1772, and was still in business there when the Revolutionary War broke out. He commanded a company in the regiment of "Green Mountain Boys" in their expedition to Canada; was a delegate from Rutland, Vermont, to the convention of January, 1777, that declared for freedom, and in August, 1777, took part under Gen. John Stark in the battle of Bennington, Vermont. He died in May, 1778.

(iii) *Heber Allen* was living in Salisbury, Connecticut, in 1772, but later settled in Chittenden County, Vermont. He had a son, *Heman*, who was graduated at Dartmouth College in 1795, and became a lawyer; was Chief Judge of the courts of Chittenden County from 1811 to 1814, and from 1812 to 1817, was a member of the Vermont State Legislature. From 1823 to 1828 he was Minister from the United States to Chili. He died at Highgate, Vermont, April 9, 1852.

(iv) *Levi Allen* was living in Salisbury, Connecticut, as early, at least, as January, 1772. At Salisbury, in November, 1774, he advertised in certain Connecticut newspapers that he had "for sale a tract of land six miles square on the east side of Lake Champlain, north of Onion River [in the New Hampshire Grants, later the State of Vermont]. Some farmers have already bought tracts thereon, and are settled. Ready cash given for *Susquehanna Rights*." At that time, as shown by the records of The Susquehanna Company, Levi Allen was the owner, by purchase, of several rights, or shares, in the Susquehanna Purchase.

(v) *Ira Allen* was born at Cornwall, Connecticut, April 21, 1751. As early, at least, as January, 1772, he was living at Salisbury, and was by occupation a surveyor of lands. In 1771 or '72, in connection with his brothers, he took up a large tract of land in the "New Hampshire Grants", and in November, 1774, was living in what was later Chittenden County, Vermont. At that time he had acquired several rights in the Susquehanna Purchase. In the campaign against Canada Ira Allen was a Lieutenant in the regiment commanded by Col. Seth Warner—a native of Roxbury, Litchfield County, Connecticut, where he died, December 26, 1784, aged forty-two years.

On the formation, in 1777, of the new State of Vermont, Ira Allen became a member of its Council and also its Secretary. He served as Treasurer of Vermont for nine years, and was Surveyor General for several years previous to and including 1786. He was also a Colonel, and later Major General, in the State militia. In 1786, in connection with his brother Levi, he was commissioned to negotiate, in behalf of Vermont, a treaty of Commerce with Canada. In November, 1790, he was active in inducing the Legislature of the State to charter and establish the University of Vermont, and contributed \$4,000 to the fund raised for the support of the institution. His official relations with Vermont came to an end in 1790, with the settlement of the State's long-standing controversy with New York.

In 1795 General Allen sailed for Europe with a commission from the Governor of Vermont to purchase arms for the State. He went to France, where he purchased twenty-four cannon and 20,000 muskets. Setting sail for home his ship was overhauled by a British cruiser, and, on inspection of its cargo, was seized as a prize, the British officers claiming that the arms were intended for the insurrectionary and rebellious Irish who at that period were turning things upside down on the Emerald Isle, preliminary to the "risiog of '98."

Relative to the seizure of General Allen and his property we are able to print, for the first time extracts from certain letters written in 1797 by Col. Timothy Pickering, then Secretary of State of the United States. Under the date of April 1, 1797, Colonel Pickering wrote to a friend as follows: "A vessel laden with arms and other military apparatus has been taken and carried into England, with Gen. Ira Allen on board. It was said that these arms, cannon, &c., were for the State of Vermont. General Allen has applied to our Minister in London for his interference.

Under the date of April 6th, Colonel Pickering wrote to the Hon. Rufus King, United States Minister to England, in part as follows: "I have written to Vermont for information about the arms and cannon captured in the *Oliver Evans* with Gen. Ira Allen and carried into England. \* \* \* There appears to be little room to doubt of their real destination—such as you mention to be suggested in London. It is incredible that General Allen should undertake to purchase 20,000 muskets and twenty-four brass cannon, with their appendages for the militia of Vermont, at the request of Governor Chittenden. Nothing but an Act of the Legislature would warrant the measure or provide the funds."

Under the date of June 16th Colonel Pickering wrote to Minister King concerning Allen's case to the effect that the Senators from Vermont had informed him (Pickering) that Allen had been embarrassed in his pecuniary affairs, through land speculations, to the amount of about \$200,000; that Governor Chittenden had advised him to speculate in arms, for the purpose of supplying the militia of Vermont, who, by the law of the State, were required to furnish themselves with arms, or, if paupers, that their respective towns should supply the needed arms; that General Allen having been successful in obtaining arms in France gave notice of the fact to Governor Chittenden, who formally communicated the information to the Vermont Legislature; that these arms had cost General Allen twenty-five livres (\$4.78) each, but that he would readily be able to sell them to the militia for fifty livres, to the number of 10,000 or 15,000 in Vermont, and the residue to the militia of neighboring States.

"The Senators from Vermont assure me," wrote Pickering, "that the most friendly intercourse has taken place, and is increasing between the inhabitants of Vermont and those of Canada; and nothing would be more impracticable than to induce the former to aid an insurrection against the British Government in that Province. Upon the whole, it is the real wish of the Executive of the United States that the arms and military stores in question may be restored in General Allen, to be brought to the United States, where they are much wanted." (See the "Pickering Papers", XXXVII: 91, 103, 187—mentioned on page 29, Vol. I.)

It took General Allen eight years in the English Courts to prove his claim, and during his stay in Europe (1795-1803) he wrote, largely from memory, his "History of Vermont."

Ira Allen has been compared with Alexander Hamilton in likeness, intellectual precocity, statesmanship, personal honor, imposing presence and pleasing address. His wife was Jerusha Hayden (born February 6, 1764), daughter of Maj. Gen. Roger and Jerusha (Hayden) Enos of Connecticut. General Allen spent the last few years of his life in Philadelphia, where he died January 7, 1814. His wife died May 16, 1838.

(i) ETHAN ALLEN was born January 10, 1737. William Cothrem, in his history of Woodbury, Connecticut, published a considerable number of years ago, says: "Litchfield, Cornwall and Salisbury compete for the honor of being the birthplace of Ethan Allen. Woodbury, however, was his birthplace without much doubt." Most of the American encyclopedias and biographical dictionaries however give Litchfield as the place of his birth, and the inscription on the monument erected over his grave in Burlington, Vermont, states that he was born in Litchfield. In the *New York Tribune* of September 17, 1911, a correspondent said: "In June of this year I paid a visit to the birthplace of Ethan Allen, in the beautiful little village of Litchfield, Connecticut. The quaint old Colonial house, which impressed me very much, \* \* \* is in a good state of preservation."

As shown by original authentic records, which the present writer has examined, Ethan Allen and other members of his father's family were living at Cornwall, Connecticut, in March, 1763; and in January, 1772, they were all living at Salisbury, Connecticut. At some time between 1763 and 1770 or '71 Ethan and two or three of his brothers took up large tracts of land in the "New Hampshire Grants"—territory lying west of the Connecticut River, north of Massachusetts, and bounded on its western limits chiefly by Lake Champlain, and which in 1775, was given the name of Vermont—from the lofty and richly-timbered range of mountains, known as the Green Mountains, which dominates that region of country.

Early in 1772, Ethan Allen removed from Salisbury to Bennington in the south-western corner of the "New Hampshire Grants" and not far from the Massachusetts and New York State borders. At once he became deeply interested in the New York-New Hampshire imbroglio.

The original actual settlers on the land covered by or included in the "New Hampshire Grants" had purchased their holdings from the Province of New Hampshire, and, basing their reliance upon the royal charters and the faith of the Government of the Colony, had cultivated the land and made improvements thereon. In 1764, by order of the British Crown, the territory in question was annexed to New York; whereupon certain mercenary and litigious citizens of this Province procured from the authorities of the Province patents covering sundry townships that had

already been located, laid out and named by the New Hampshire grantees. Many vexatious lawsuits followed, and oppressive Crown prosecutions—"designed to overawe, abuse, terrify and impoverish the settlers."

Lossing, in his "Life and Times of Philip Schuyler," says: "Orders were issued [by New York authorities] for the survey and sale of farms in the possession of actual settlers [on the New Hampshire Grants], who had bought and paid for them, and, in many instances, had made great progress in improvements. In this, New York acted not only unjustly, but very unwisely. This oppression—for oppression it was—was a fatal mistake. It was like sowing dragons' teeth to see them produce a crop of full-armed men. The settlers were disposed to be quiet, loyal subjects of New York. They cared not who was their political master, so long as their private rights were respected. But this act of injustice converted them into rebellious foes, determined and defiant."

The settlers being practically abandoned by New Hampshire after the adverse decisions of the courts in 1770 and '71, mutually agreed "to take every requisite lawful and effectual method to defend" their property and to oppose the New York officers in their attempts to arrest the rioters—so characterized. Ethan Allen advocated armed resistance whereupon the settlers were organized into a regiment, of which Allen was elected Colonel, and which became known as the "Green Mountain Boys." Seth Warner, previously mentioned in this note, commanded a company in this regiment. Allen, in his capacity as Colonel, made it his duty to defend the settlers from the Sheriff of Albany County, New York, who came repeatedly with from 300 to 700 men to dispossess and eject the settlers from the territory, which was now without government, except that administered by the militia.

At Bennington, under the date of June 5, 1772, Allen, Seth Warner and other "Green Mountain Boys" addressed an open letter to Sir William Tryon, who, in July, 1771, had become the royal Governor of the Province of New York (in fact, was the last person to hold that office). This letter was published in the *Connecticut Courant* of July 14, 1772, and in other newspapers of the time. The writers referred to the fact that Governor Tryon had refused to give them a safe conduct to New York, in order to lay before him what he denominated their "illegal business." They then declared:

"It is His Majesty's will and pleasure that we be under the jurisdiction of New York, and we not only now assent to it, but have ever done the same. \* \* \* A certain number of designing gentlemen in New York and elsewhere procured patents under the great seal of that Province; and the New York grantees being non-residents brought sundry writs of ejectment against the New Hampshire grantees and actual settlers on the same land, covered by both patents as aforesaid. \* \* \* We would acquaint your Excellency that since our misfortune of being annexed to New York, law has been rather used as a tool (than a rule of equity) to cheat us out of the country we have made vastly valuable by our labor. \* \* \* The alteration of jurisdiction, in 1764, could not affect private property. \* \* \*

In the time of Sir Henry Moore's administration [as royal Governor of New York, 1765-69] His Majesty was pleased [in 1767] to lay the government of New York under absolute prohibition not to grant or patent any of the lands antecedently granted under the great seal of the Province of New Hampshire; and, furthermore, forbade the Government to disturb or molest the settlers. \* \* \* We are informed your Excellency has lately made application to the Assembly to raise an armed force to subdue us. We apprehend you view us as opposing your jurisdiction, and that the late violent acts by us done were in rebellion to His Majesty's authority. We are sure we can convince you that *this is not so*; but that on the other hand Mr. Duane, Mr. Kemp and their associates are the aggressors."

Allen was declared an outlaw by New York, and Governor Tryon offered a reward of £150 for his capture. He evaded arrest, although on one occasion he actually rode into Albany, alighted at the principal tavern, where he was well known, and called for and drank a bowl of punch. The news soon spread that he was in the town, and a throng of people—including the Sheriff of Albany County—gathered at the tavern. Allen, wholly unmoved, finished his punch, remounted his horse and safely rode away with a partying "Huzza for the Green Mountains!" A chronicler of that period wrote: "Those who were disposed to arrest him drew back with caution, feeling the enterprise would be accompanied with much danger."

Allen was one of the first to openly espouse the cause of the American Colonists against Great Britain, and at Sheffield, in the south-western corner of Massachusetts, on March 1, 1775 (only a few days before the occurrence of the events narrated on page 820, Vol. II), he wrote to the Hon. Oliver Wolcott (see page 284, Vol. I.) at Litchfield, Connecticut, in part as follows: "Provided the controversy between Great Britain and the Colonies should terminate in a war, the regiment of Green Mountain Boys will, I dare engage, assist their American brethren in the capacity of rangers." (See the original letter among the unpublished papers of the Hon. Oliver Wolcott, in the possession of The Connecticut Historical Society.)

Shortly after the foregoing letter was written, John Brown, of Pittsfield, Massachusetts, passing through the New Hampshire Grants district, on his way to Montreal, wrote to Samuel Adams and Joseph Warren, at Boston, that "should hostilities be committed by the King's troops, the people of the New Hampshire Grants would seize the fort at Ticonderoga"—in the south-eastern corner of Essex County, New York, on the western shore of Lake Champlain, near the outlet of Lake George.

As noted on page 484, Vol. I., Lieut. Col. (afterwards Major General) Benedict Arnold proposed, eight days after the fight at Lexington, that a force of Americans should be sent northward for the capture of Fort Ticonderoga, and early in May, he went forward as the leader of such a force—a small body of Massachusetts Militia. Ethan Allen, in a personal "Narrative" which he wrote and published in 1779, stated, with reference to the expedition against Fort Ticonderoga: "While I was wishing for an opportunity to signalize myself in behalf of my country, directions were privately sent to me from the then Colony of Connecticut to raise the Green Mountain Boys, and if possible, with them to surprise and take the fortress of Ticonderoga."

About the 3rd or 4th of May, 1775, Colonel Allen and some 230 men set out from Bennington. On May 7th, they reached Castleton, where they were joined by Arnold and his men. The combined force, with Allen as chief in command then moved forward, and "by a forced march arrived at the shore of the lake opposite Ticonderoga on the evening of May 9." With difficulty some boats were procured, and with eighty-three men, Allen crossed over to the western shore of the lake. Later some sixty or seventy more of his force crossed over and joined him. As the night was waning, it was decided to attack the fort without waiting for more men; whereupon Allen, at the head of his men, with Arnold by his side, boldly advanced to the sally port. The surprised sentinel posted there challenged the party, and then attempted to fire his piece; but there was only a flash in the pan, and so he turned and ran to the parade-ground within the fortification, followed by Allen and his men, who, raising an Indian war-whoop, formed in a hollow square so as to command the entrances to the barracks.

"I then repaired," stated Allen in his "Narrative" previously mentioned, "to the room occupied by the commandant, Captain De La Place, and ordered him to come out. He came to the door with his breeches in his hand, when I ordered him to deliver up the fort instantly. He asked me by what authority I demanded it. I answered him: 'In the name of the Great Jehovah and the Continental Congress!'" \* \* \* It was then the gray of the morning of May 10."

When Allen climbed the stairs to the second story of the west barracks, and walked along the balcony to the door of the commandant's bed-room, he was accompanied by three of his trusty men. They declared, years later, that Allen did not use at that time the language which he said he used, and with which he has been credited. They claimed that what he did do, and what he did say, was this: "He beat upon the door with the hilt of his sword, and thundered forth, 'Surrender in the name of the Continental Congress; and if you don't by God I'll make you.'"

At Ticonderoga, under the date of May 11, 1775, Allen, describing himself as "Colonel of the Green Mountain Boys," wrote to the Committee of Safety at Albany, New York, in part as follows: "I have the inexpressible satisfaction to acquaint you that at day-break of the 10th *inst.*, pursuant to my directions from sundry leading gentlemen of Massachusetts Bay and Connecticut, I took the fortress of Ticonderoga with about 30 Green Mountain Boys, Colonel Easton, with about forty-seven valiant soldiers, distinguished themselves in the action. Col. [Benedict] Arnold entered the fortress with me, side by side. The guard was so surprised that, contrary to expectation, they did not fire on us, but fled with precipitancy. We immediately entered the fortress and took the garrison prisoners—one Captain, one Lieutenant and forty-two men."

It is said that when Fort Ticonderoga was taken there was captured the first British flag that fell into the hands of the Americans in the Revolutionary contest.

The Second Continental Congress convened at Philadelphia on the same day that Allen captured Ticonderoga, and when news of this event reached Philadelphia, the Congress passed a formal vote of thanks to Allen for his exploit.

An amusing but authentic anecdote has been told with respect to Allen and the fall of Ticonderoga. Special thanksgiving services were being held at Bennington, at which the officiating clergymen ascribed to Heaven all the praise for the "ceasing success of the American arms at Ticonderoga." Allen, who was present in the congregation! listened to this line of talk until it became unbearable to him, and then he arose in his pew and roared: "Farsion Dewey, Farsion Dewey! Would you mind mentioning that Ethan Allen was there?"

In June, 1775, Congress resolved upon the invasion of Canada, and Gen. Philip Schuyler was ordered to the command of the expedition. His chief subordinate officer was Gen. Richard Montgomery (mentioned on page 192), and upon him the command shortly fell, Schuyler being disabled by illness. While the expedition was being organized, Ethan Allen was at Ticonderoga. In his "Narrative" he states: "The generals [Schuyler and Montgomery], with most of the field officers, requested me to attend them in the expedition. Though at that time I had no commission from Congress, yet they engaged me that I should be considered as an officer the same as though I had a commission, and I advanced with the army to Isle-aux-Noix."

From this point, on September 10, 1775, the expedition advanced to and invested St. John's, the first military post within the Canadian border. About the same time Allen was requested by the American officers to venture out among the Canadians in order to observe "their disposition, designs and movements." This he did, and, as shown by a letter from Samuel Mott to Governor Trumbull of Connecticut (written October 6, 1775, at "the camp before St. John's"), was "very serviceable in bringing in the Canadians and Indians; but, being encouraged by others, he, contrary to his own judgment, crossed the river below Montreal with a party of New Englanders and Canadians, intending to augment the number of Canadians and get possession of Montreal."

According to Allen's "Narrative" this raiding party consisted of about 110 men, "near 80 of whom were Canadians." In the morning of September 24, they crossed over the St. Lawrence from Longueuil, a village on the right bank of the river, some two or three miles from Montreal, on the left bank. Brig. General Prescott, getting news of Allen's foray, gathered together a force of nearly 500 men, consisting of regular troops from the Montreal garrison, Canadians and Indians, and marched forth from Montreal to intercept the invaders. They met about two miles from the town in the afternoon of the 24th, when a smart engagement took place, in which Colonel Allen and two or three of his men were taken prisoners, about the same number were wounded, while the rest retreated. Allen was immediately put in irons and thrown into the Montreal prison, from which place, on September 25th, he wrote to General Prescott, saying: "I expect an honorable and humane treatment." It is related that Prescott replied: "You shall grace a halter at Tyburn, in England, damn you!" Within a short time thereafter, Allen still in irons, was transferred with Major Hazen, Captain Turner and other American prisoners, to the *Gaspee*, an armed British vessel lying in the St. Lawrence.

At Philadelphia, on November 30, 1775, the Continental Congress having been "informed that Mr. Ethan Allen, who was taken a prisoner near Montreal, is [was] confined in irons on board a vessel in the river St. Lawrence ordered that General Washington be directed to apply to General Howe on this matter, and desire that he [Allen] may be exchanged." In the meantime, however, Allen had been conveyed to Quebec, where, on November 9, 1775, he was transferred to the British ship *Adamant*, which, a few days later, set sail for England. On board this ship as fellow passengers of Allen were other American prisoners, as well as Joseph Brant, the noted Mohawk Indian chief (see page 299, Vol. I), and other Indians of prominence, who were being escorted to England by Col. Guy Johnson, the Royal Superintendent of Indian Affairs for the northern department of America.

At Cambridge, Massachusetts, under the date of December 18, 1775, General Washington wrote to the British General, William Howe, in part as follows: "We have just been informed of a circumstance which, were it not so well authenticated, I should scarcely think credible. It is that Colonel Allen, who, with his small party, was defeated and taken prisoner near Montreal, has been treated *without regard to decency, humanity or the rules of war*; and that he has been thrown into irons, and suffers all the hardships inflicted upon common felons. \* \* \* Whatever treatment Colonel Allen receives—whatever fate he undergoes—such exactly shall be the treatment and fate of Brig. General Prescott now in our hands. [Washington had been informed by Generals Schuyler and Montgomery that Prescott was the cause of Allen's ignominious treatment and suffering.] The law of retaliation is not only justifiable in the eyes of God and man, but absolutely a duty which, in our present circumstances, we owe to our relatives, friends and fellow-citizens."

The *Adamant* arrived at Falmouth, in Cornwall (the southernmost County of England), on December 22, 1775 and the American prisoners were immediately transferred to Pendennis Castle, one of the defenses of the seaport situated on a rock 198 feet above the town.

At London, under the date of December 27, 1775, Alexander Wedderburn (see pages 441, 603 and 605, Vol. I), Solicitor General of England, wrote to the Hon. William Eden (later Lord Auckland), Under-Secretary of State, advising against "Ethan Allen and his people" being kept in England. The original of this letter is preserved among the "Auckland MSS." at King's College, Cambridge, and, so far as the present writer is aware, has never been printed—either wholly or in part—until now. It reads in part, as follows:

"It must be understood that Government does not expect to execute them. \* \* \* I would send them back; but I think something more might be done than merely to return them as prisoners to America. Allen, by the account of Kay [William Kay, Secret Intelligence Agent of the British Government at Montreal], took up arms because he was dispossessed of land he had settled between New Hampshire and New York, in consequence of an order of Council settling the boundary of these two Provinces, and had balanced for some time whether to have recourse to the rebels or to [Gen. Guy] Carleton. The doubt of being well received by the latter determined him to join the former, and Kay adds that he is a bold, active fellow. \* \* \*

"I would, then, send him to him a person of confidence with this proposal: That his case had been favorably represented to Government, that the injury he had suffered was some extenuation for his crime, and that it arose from the abuse of an order of Council which was never meant to dispossess the settlers on the lands in debate between the two Provinces. If he has a mind to return to his duty, he may not only have his pardon from General Howe, but a company of Rangers, and, in the event if he behaves well, his lands restored.

"On these terms he and his men shall be sent back to Boston, at liberty. If he does not accept them, he and they must be disposed of as the law directs. If he behaves well, it is an acquisition. If not, there is still an advantage in finding a decent reason for not immediately proceeding against him as a rebel. Some of the people who came over in the ship with him, or perhaps Kay himself, might easily settle this bargain, if it is set about directly."

At London, on the same day that the foregoing letter was written and delivered, Lord George Germain, Secretary of State for the Colonies, wrote to the Admiralty that it was the King's pleasure that Allen and his fellow prisoners should be "forthwith sent to Boston."

On December 29, 1775, Col. (later Lieut. General) the Earl of Cornwallis and Sir Peter Parker, Admiral of the Fleet, with three British war vessels (one of which was the *Bristol*, of fifty guns), sailed from Portsmouth, England, for Cork, Ireland, to convoy from that part to America certain troop-ships. One of these war vessels—the *Adventure*—put in at Falmouth and took on board Colonel Allen and his fellow-prisoners, who, on January 5, 1776, were transferred to His Majesty's Ship *Solebay*, about which time the leg-irons and handcuffs, with which Allen had been encumbered and harassed continuously from the day of his capture, were removed. In due time the *Solebay* and her consort's anchored in the harbor of Cork, and a few days later a gentleman in Cork writing to a friend in America said: "When Col. Ethan Allen, with about fifty other prisoners, arrived in the *Solebay* two gentlemen went on board to inquire into his situation. Allen's treatment on the *Solebay* is far different from the barbarous and cruel usage he experienced in his passage from Quebec. A subscription was begun this morning to buy clothes and necessaries for Allen."

At Salisbury, Connecticut, under the date of January 27, 1776, Levi Allen (previously mentioned) wrote to General Washington as follows: "I have rode some 100 miles in consequence of my brother, Ethan Allen (commonly called Colonel Allen), being taken prisoner near Montreal. \* \* \* I have some thoughts of going to England *inognito* after my brother. Your Excellency may think at first that though I can do nothing by going to England, as if I could do a great deal, and by *getting a mob in London*, bribing the jailor, or by getting into some servile employment with the jailor and, by overfamiliarity, make myself master of the key! Your Excellency must know Allen was not only a brother, but a real friend that sticketh closer than a brother. I have two brothers in the Continental army—one a Captain, the other a Lieutenant."

Congress, on July 22, 1776, resolved that "the several commanders-in-chief in each department be directed to exchange for Col. Ethan Allen any officer in the British service, or of under the rank of Colonel, now [then] a prisoner in any of the States."

It was not until February 10, 1776, that the war vessels and troop-ships under the command of Admiral Parker set sail from Cork. Ethan Allen and the other American prisoners were on board one of the vessels, and on the troop-ships were seven British regiments under the command of Cornwallis. Owing to bad weather the fleet did not reach the shores of America until early in May, when the vessels came to anchor at Cape Fear, North Carolina. There Parker and Cornwallis learned that on March 17, 1776, the British troops under Howe had evacuated Boston and set sail for Halifax, Nova Scotia. Detained at Cape Fear until June 28th, the troops of Cornwallis and the American prisoners sailed on that date for Halifax. Colonel Allen was detained on shipboard until August 5th, when he was transferred to the Halifax jail. Within the next few days he wrote two communications to the General Assembly of Connecticut which are printed in "American Archives", fifth series, 1: 860, 928. In the following October the Assembly adopted the following preamble and resolution:

"It being represented to this Assembly that Col. Ethan Allen, together with about eighteen other natives or inhabitants of this State, having been captivated in the service of this [State] and the United States of America by a party of armed forces of the king of Great Britain near Montreal, \* \* \* have suffered great hardships during their captivity, and are now confined in a suffering condition promiscuously in a common jail at Halifax; and Mr. Levi Allen of Salisbury is now about to attempt a visit to his brother the said Ethan, by whom a supply [of money] may be transmitted to said prisoners, to whom considerable wages are due. Resolved, That the Governor be desired to write on the subject to General Washington, the Continental Congress, or the commanding officer at Boston, requesting such seasonable and friendly interposition as may be necessary and most likely to procure a speedy exchange of said prisoners; and that an order on the Treasurer of the State be drawn for £120 to Levi Allen, to be paid to the prisoners on account of their wages."

Meanwhile all sorts of inducements were being offered by British emissaries to the leader of the Green Mountain Boys to get him to desert the cause of the Colonists, but he stoutly refused. Finally, early in 1777, he was transferred from Halifax to the city of New York, where he was incarcerated in the city prison presided over by the infamous Provost Marshal Cunningham.

This prison was a handsome and strongly constructed building, was known for some years as the "Debtors' Gaol", and later as the "Provost Prison". Beneath the marble floor of the first story were six dark and damp dungeons with walls three feet thick. The prison itself was horrible, but it had a greater horror in these dungeons, crowded with murderers and the worst criminals, and to which the prisoners in the stories above were consigned at the will of the Provost. During the occupation of New York by the British, this prison—which could accommodate about 800 inmates—was crowded promiscuously with felons of the worst character, prisoners of war, and others who had incurred the enmity of the British authorities. Although not exposed to the disease and pestilence which prevailed in the holds of the prison-ships in Wallabout Bay, at Brooklyn, nevertheless, the inmates of "the Provost" are said to have suffered worse things from the insolence and unmitigated cruelty of their tyrant, Cunningham. Among some of the instruments of torture which he utilized in "breaking the wills of the stubborn Yankees" were searing irons, the cat-o'-nine-tails, and a "slow" gallows. The northern half of the second floor of the prison was ironically termed "Congress Hall" by the Provost, because he herded together the bulk of his prisoners in this part of the building. Here they were said to lie so close together on the floor when sleeping that when one wished to turn over he had to awaken all the others and give the word of command for all to turn at once.

The Provost Prison stood in the northern part of what, since about 1803, has been called City Hall Park, and for a considerable number of years prior to its demolition in the Spring of 1903, it was known as the Hall of Records.

In November, 1777, Colonel Allen was released from "the Provost" on parole, and allowed the liberty of the town; but, some months later, it being alleged that he had attempted to break his parole, he was again placed in confinement. Finally, on May 8, 1778, he regained his liberty, being exchanged for Col. Alexander Campbell. He immediately crossed over to Elizabethtown Point, New Jersey and, to use his own words, "in a transport of joy set his foot on Liberty's ground." As he advanced across the State he everywhere received the enthusiastic acclamations of the people. As expeditiously as possible he made his way to Valley Forge, where Washington then had his headquarters, and there he met Putnam, Gates, La Fayette and other general officers. Congress was then in session at York, Pennsylvania, distant about seventy miles from Valley Forge, and as soon as the news of Allen's release became known at York, the Congress conferred upon him the rank of Brevet Colonel. Taking leave of Washington, Allen set out for Genesee, Vermont, where he arrived on the last day of May, 1778, some days subsequently to the death of his brother Heman. His unexpected and unheralded appearance, there was greeted with joy mingled with surprise, for by his old friends and followers, he had been given up as dead.

At Philadelphia, in 1806, the following verses were printed in *The Portfolio*, referring in part to Ethan Allen, and being based on the story that, while he was confined by the British, he one day, in a fit of rage, bit off the head of an iron nail.

"Whose were those brave and warlike sons,  
Who at the field of Bennington  
The vict'ry of the battle won?  
Green Mountains!  
When Britons did our land assail,  
Our brethren snatch'd and put to jail,  
Whose son, in rage, bit off a nail?  
Green Mountains!"

Having soon recovered his health, which had been somewhat shattered by his long imprisonment, Allen began to renew his opposition to the jurisdiction and authority which the State of New York was endeavoring to exercise over Vermont. In August, 1778, some of his friends in Congress endeavored to have issued to him a commission as Colonel in the Continental establishment, but their efforts were defeated. Relative to this matter Gouverneur Morris, at that time a Delegate in the Congress from New York, wrote from Philadelphia under the date of September 27, 1778, to Governor George Clinton of New York, in part as follows: "Application was made for a commission of Colonel to Ethan Allen, which I opposed. When he was redeemed [from captivity] I moved a brevet rank for him, which was granted, and he would certainly have had a commission [of Colonel] if I had not learnt that he hath lately interfered in opposition to the authority of the State of New York." (See the "Public Papers of George Clinton", IV: 100.)

At Dresden, (near the lower end of Lake Champlain) New York, under the date of November 27, 1778, Ira Allen previously mentioned issued a printed address "to the inhabitants of the State of Vermont", in which he set forth reasons and arguments for the establishing of Vermont as an independent Commonwealth. At Poughkeepsie, New York, under the date of December 17, 1778, Governor Clinton forwarded a copy of Allen's "Address" to the Delegates from New York in Congress, and wrote concerning the same as follows: \* \* \* "The enclosed publication of Ira Allen, Treasurer of the pretended State of Vermont. Copies of it are now circulating through the towns on the [New Hampshire] Grants. This paper is calculated to incourage the inhabitants in their revolt from this State and to persist in their plan of forming a separate Government."

About this time the Legislature of Vermont appointed, and the Governor commissioned, Ethan Allen as Brigadier General of the militia of Vermont. In this capacity Allen redoubled his activities with respect to the controversy with New York, and in the Spring of 1779, at the head of a considerable force of armed men, made a raid across the Green Mountains into the south-eastern end of Vermont. The following letter (see the "Public Papers of George Clinton", IV: 846), written at Brattleboro, Vermont, May 25, 1779, by the local Committee of Public Safety, and forwarded to Governor Clinton of New York, gives a partial account of this raid.

"Being now met for the purpose of opposing the authority of the State of Vermont, we take this opportunity to inform your Excellency that Col. Ethan Allen, with a number of Green Mountain Boys, made his appearance in this county yesterday well armed and equipped, for the purpose of reducing the loyal inhabitants of this County to a submission to the authority of the State of Vermont, and made prisoners of Colonel Patterson, Lieutenant Colonel Sergeant, and all the militia officers except one in Brattleboro. They have also taken the militia officers in Putney and Westminster, with others. Colonel Allen declared that he had 500 Green Mountain Boys with him. We are not a bit to ascertain the number, but believe there is not quite so many who are come from the west side of the Mountains. They are assisted by a number of the inhabitants of this county. Where they will carry the prisoners we cannot tell."

"Colonel Allen treated the people here with the most insulting language; assaulted and wounded several persons with his sword, without the least provocation, and bids defiance to the State of New York; declares they will establish



their State by the sword, and will fight all who shall attempt to oppose them. Nothing but the reluctance the people here have to the shedding of human blood could hinder them from attempting to rescue the prisoners. They had every insult which the humane mind is able to conceive of to prompt them to it. Our situation is truly critical and distressing. We therefore must humbly beseech your Excellency to take the most speedy and effectual measures for our relief; otherwise our persons and properties must be at the disposal of Ethan Allen, which is more to be dreaded than our Death, with all its Terrors!"

It was during this raid into south-eastern Vermont that Allen, with about 100 of his "Boys", arrived at the small town of Guilford, a few miles from Brattleboro. Some of the inhabitants of this place had manifested opposition to Allen's views and methods, and to them he issued the following unique proclamation: "I, Ethan Allen, declare that, unless the people of Guilford peaceably submit to the authority of Vermont, I will make the town as desolate as were the Cities of Sodom and Gomorrah, by God." It is needless to say that submission was soon promised.

Under the date of June 7, 1779, Governor Clinton of New York wrote to General Washington in part as follows: "It is with infinite regret I inform your Excellency that in consequence of some violent outrages lately committed in the County of Cumberland [later, and now, the County of Windham, Vermont], and which the resolutions of Congress do not in my opinion tend to remedy, the duty I owe to the State will soon constrain me to quit the field in order to convene the Legislature [of New York] and to make the necessary arrangements for vindicating the authority of this Government."

"I had flattered myself that in consequence of my representation (that Ethan Allen, having the rank of Colonel under Congress, had, with his associates, seized and imprisoned the principal civil and military officers of this State in the County of Cumberland), the justice and wisdom of Congress would have adopted such measures as might have prevented this State from the cruel necessity that it will probably be reduced to in a short time, of opposing force to force. \* \* \* I have, therefore, to request that your Excellency will give the necessary directions for returning within the State the six brass 6-pounders, together with their apparatus, which the State lent for the use of the army in 1776."

On June 23, 1779, the Hon. John Witherspoon and Colonel Samuel John Atlee arrived at Bennington as members of a committee sent by Congress "for the express purpose of endeavoring to bring about an amicable settlement of the differences between the State of New York and the inhabitants of the New Hampshire Grants who have [had] formed themselves into a State called by them the State of Vermont."

At Norwich, Vermont, under the date of July 13, 1779, Ira Allen, in a clear and exhaustive printed address of considerable length, presented to the inhabitants of the State "Vermont's Claim to Statehood." The document (see the "Public Papers of George Clinton", V: 132) contained the following paragraph: "The State of Vermont is at this time formidable against its old adversary, New York, and has little or nothing to fear from her power in arms or influence at Congress. \* \* \* All governmental power was given by God Himself to the people; therefore the inhabitants of the now State of Vermont did associate together and assume to themselves that inestimable blessing of Heaven, Civil Government. This they did on the same grand original basis, or great rule of eternal Right, on which the United States of America revolted from Great Britain. The inhabitants of Vermont, for more than ten years last past, have nobly exerted themselves for the defence of their liberties and property, since in the present Revolution did most heartily join their brethren for the joint defence of the liberties and property of the Americans in general."

On October 20, 1779, the General Assembly of Vermont, in session at Manchester, chose General Allen and four other gentlemen, as "agents in behalf of the freemen of the State, to appear at the Congress of the United States in February, 1780, authorized and empowered to vindicate Vermont's right to independence and to settle Articles of Union and Confederation in behalf of Vermont with the United States."

At Bennington, Vermont, July 25, 1780, Thomas Chittenden, Governor of the State, wrote to the Hon. Samuel Huntington of Windham, Connecticut, President of the Continental Congress, denying the right of Congress to determine the claims of jurisdiction, set up by the inhabitants of Vermont; and warning Congress that the State would "resist by force of arms and its own liberty in offer or accept terms for the cessation of hostilities with Great Britain" without the approbation of any other man or body of men.

"Inasmuch," declared Governor Chittenden, "as neither Congress nor the Legislatures of the States which they [the Delegates in Congress] represent will support Vermont in her independence, but devote her to the usurped Government of any other power, she has not the most distant motives to continue hostilities with Great Britain and maintain an important frontier for the benefit of the United States, and for no other reward than the ungrateful one of being enslaved by them." Further the Governor set forth the services of Vermont, and argued at some length on the invalidity of the claims of Massachusetts, New Hampshire and New York to the territory occupied by Vermont.

Reference is made hereinbefore to the efforts made, or suggested to be made, to win Ethan Allen over to the side of Great Britain. It seemed to be the opinion of some of the British military officers that, owing to the dissensions existing with respect to jurisdiction over the New Hampshire Grants, it would be an easy matter to tempt Allen and his adherents to desert the cause of the Colonies and establish Vermont as a British Province. According to a "Report on Canadian Archives," issued at Ottawa, in 1887, by the Dominion Government, "negotiations with Vermont were begun [by certain British authorities] in March, 1779, and in the course of that year Ethan Allen promised Sir Henry Clinton [commander-in-chief of the British forces in North America] that he would raise a body of 4,000 men to attack the Americans, and that his magazines were ready."

"In consequence of his [Allen's] nearer vicinity, Clinton advised Allen to fall back on Canada and cooperate with and act under Sir Frederick Haldimand [mentioned in the note on page 963, Vol II]. Instructions to that effect had previously been received by the latter from Lord George Germain in a letter dated April 10th, in which (referring to a letter of March 3rd to Clinton authorizing him to hold out encouragement to the inhabitants of the country they styled Vermont, to induce them to return to their allegiance) he suggests that Haldimand's situation might enable him to have a more ready access to them; that agents were to be employed, and that he [Haldimand] and Clinton were to act in concert. From the first, the strongest suspicions were entertained by these two officers [Clinton and Haldimand] of the sincerity of the Vermont leaders—those who were most prominent being Governor Chittenden, Gen. Ethan Allen Col. Ira Allen and Colonel Fay."

At the City of New York, March 30, 1780, Col. Beverly Robinson (a native of Virginia, but a resident of New York, who had raised and become Colonel of a regiment of Loyalists, or Tories, was prominent in diplomatic efforts to uphold the royal cause, and was closely connected with the treason of Benedict Arnold) sent by the hands of a confidential messenger a letter to Ethan Allen, the substance of the same being as follows: "That he [Robinson] had been informed that Allen and most of the inhabitants of Vermont were "opposed to the wild and chimerical scheme of the Americans to separate from Great Britain and set up an independent State", and that he (Allen) would willingly assist in uniting America to Great Britain. That if he (Robinson) had been rightly informed, he begged that Allen would communicate the proposal he would wish to make to the British commander-in-chief. That he (Robinson) could make no proposals till he should know Allen's sentiments; but he thought that, by taking an active part and embodying the inhabitants of Vermont in favor of the Crown—to act as the commander-in-chief should direct—Allen might obtain a separate Government, and the men raised would be formed into regiments, with such officers as Allen might recommend, to be placed on the same footing as the regular Provincial corps. That, being an American himself, and feeling for the distressed condition of his poor country, he had ventured to write to Allen, and he hoped that Allen would be as candid as he had been. That the reason for the long continuance of the war was that those who wished for an equitable connection with Great Britain did not communicate their sentiments to each other. That, should these hints be disapproved of by Allen, he hoped no insult would be offered to the bearer of his [Robinson's] letter to Allen."

To this letter Allen made no answer, whereupon, at New York, under the date of February 2, 1781, Colonel Robinson wrote to him again, to this effect: "Believing from what he had heard that Allen was still inclined to join the King's cause "he [Robinson] makes another trial, especially as he can now state with authority that Vermont can get the terms mentioned, provided the people take a decided and active part in favor of Great Britain."

Meanwhile, between the receipt by Allen of this letter and Robinson's former letter, the treason of Benedict Arnold had been uncovered (in September, 1780) and he had fled to the British lines, while Major André had been hanged.

At Sunderland, Vermont under the date of March 9, 1781, Allen forwarded to the Hon. Samuel Huntington President of Congress, the two letters which he had received from Colonel Robinson as aforementioned, accompanying them by a communication in which he stated that he desired to have the letters laid before Congress. He declared

hat they were the only letters he had received from Robinson, and that to them no answer had been sent. That they had been laid by him (Allen) before Governor Chittenden, and others of the principal men of Vermont, and it had been thought best to take no notice of Robinson's proposal. He stated that he believed Congress would not dispute his (Allen's) sincere attachment to the cause of his country; though he did not hesitate to say he was fully grounded in the opinion that the *State of Vermont had a right to agree on a cessation of hostilities with Great Britain*, provided the United States persisted in rejecting her (Vermont's) application for a union with them.

At Fort Niagara, under the date of May 30, 1781, Capt. Walter N. Butler (see page 929, Vol. II) wrote to the British Adjutant General at Quebec, stating that, "should Allen and his Green Mountain Lads return to their duty", he would like it if a few companies of "Butler's Rangers" could be sent to join them—if it would be for the good of the service. At Niagara, on July 2, 1781, Captain Butler wrote again to the Adjutant General at Quebec, saying: "A large number of royalists are daily going to join Ethan Allen."

On August 2, 1781, Sir Frederick Haldimand, at Quebec, writing to Sir Henry Clinton relative to the condition of affairs in Vermont, said: "If this [the Revolutionary] contest should eventually point to a favorable termination for Great Britain, Vermont will become loyal and offer assistance for a union with them; the contrary, she will declare for Congress. Eleven weeks later, on October 19, 1781, the successor of Lord Cornwallis at Yorktown, virtually put an end to the Revolutionary War.

In October, 1782, a British spy, writing to headquarters at Quebec relative to "the situation, plans and feelings in Vermont", stated that a change in conditions and sentiments there had taken place, "created by the capitulation of Cornwallis"; that the Vermonters dreaded Washington, who was, "under the curtain, their avowed enemy". Continuing, the writer said: "I am now in the State of Vermont, and have publicly assumed the character of an American officer. In private I have let my name, &c., be known, by which means I have possessed myself of the political situation of this Republic [of Vermont]."

As stated, the independence of Vermont was acknowledged by Great Britain in September, 1783, and the next year New York abandoned her claims to the "Green Mountain State." Of course, with the actual ending of the Revolutionary War and the establishment of peace between Great Britain and the United States, there was no longer any talk among the persistent Vermonters with respect to the annexing of their State to the Dominion of Canada. All the energies of Allen and his adherents were now directed towards the admission of Vermont to the Union of States.

At this point we may appropriately introduce the following paragraph concerning Allen, extracted from one of his biographies: "He had the confidence of Washington, and whatever lengths he went in the way of deceiving the British with promises made to be broken, his whole life—and especially his refusals to be bribed by the British—fully disprove any taint of treason."

At Bennington, Vermont, in 1784, there was published an 8vo book of 477 pages written by Ethan Allen and bearing the following title: "Reason | The only | Oracle of Man, | Or a | Compendious System | of | Natural Religion. Alternately Adorned With Conversations | of a variety of Doctrines | incompatible to it; | Deduced from The most exalted | ideas Which We are able to form | of the Divine and Human Characters | and from the | Universe in General. By Ethan Allen, Esq., | Bennington, | State of Vermont. | Published by Haswell & Russell, | M. D. C. LXXXIV."

This book is said to be, according to competent authority, the first work published in America in direct opposition to the Christian religion." Copies of the original edition of the book are now scarce, and are the rarest of Allen's publications. At a public sale in 1897 (at Philadelphia) a copy of the original edition sold for \$16, while at a sale in Boston, in 1901, three copies of the book sold for \$10, \$28, and \$20, respectively.

Allen subsequently prepared an essay on "The Universal Plenitude of Being, and On the Nature and Immortality of the Human Soul," which he intended to publish as an appendix to his "Oracles", in order to correct certain of his errors in that work. It was never printed by him, however, but about 1873 it was printed in Dawson's *Historical Magazine*. In a note prefixed to it the editor said that it had fallen to the lot of few men in the United States to have been more seriously misrepresented as a man and citizen, and in regard to his opinions on religious subjects than was Ethan Allen.

About 1793, Dr. Lemuel Hopkins, of Hartford, Connecticut (1750-1801), having read Allen's "Oracles," wrote the following poem:

"Lo! Allen 'scaped from British jails,  
His tushes broke by biting nails,  
Appears in Hyperborean skies  
To tell the world the Bible lies.  
See him, on green hills north afar,  
Glow like a self-entkindled star;  
Prepar'd (with mob-collecting club  
Black from the forge Beelzebub,  
And grim with metaphysic scowl,  
With quill just plucked from wing of owl),  
As Rage and Reason rise or sink,  
To shed his blood or shed his ink.  
Behold! inspired from Vermont dens,  
The seer of Antichrist descends  
To feed new mobs with hell-born manna  
In Gentile lands of Susquehanna.  
And teach the Pennsylvania Quaker  
High blasphemies again t his Maker  
Behold him move, ye stanch divines!  
His tall head bristling thro' the pines,  
All front he seems, a wall of brass,  
And brays tremendous as an ass.  
One hand is clenched, to batter noses,  
While t'other scrawls 'gain t Paul and Mo es."

Ethan Allen was married (first) in 1762 to Mary, daughter of Cornelius and Abigail (Jackson) Brownson of Woodbury, Connecticut, who bore him one son and four daughters, and died about 1783. He was married (second) February 9, 1784, to Mrs. Frances Buchanan, who bore him one daughter and two sons. This daughter died in a nursery at Montreal, and the sons—Hannibal and Ethan A.—became officers in the United States Navy, and died at Norfolk, Virginia.

Ethan Allen died February 12, 1789—a little less than three years after his pilgrimage to Wyoming Valley (as hereinafter related), and a trifle more than two years before the admission of Vermont to the Union. His remains were interred in Winook Falls Cemetery, Burlington, Vermont, and over them was erected a simple marble slab bearing this inscription: "Beneath this stone lies the corporeal part of Col. Ethan Allen, while his spirit has returned to his God, in whom he believed and firmly trusted."

In 1873 Allen's remains, together with the last fragment of his old gravestone saved from the ravages of relic hunters, were removed to Green Mount Cemetery, Burlington, where they were reinterred, and where, by authority of the Legislature of Vermont, a monument of Barré granite was erected at a cost of \$3,000. To the shaft of the monument are affixed four white marble tablets, bearing the following inscriptions: (1) "Vermont to Ethan Allen, born in Litchfield, Connecticut, 10 January, 1737, O. S. Died in Burlington, Vermont, 12 February, 1789, and buried near the site of this monument" (2) "Wielding the Pen as well as the Sword, he was the sagacious and intrepid Defender of the New Hampshire Grants, and Master Spirit in the arduous struggle which resulted in the Sovereignty and Independence of this State" (3) "The Leader of the Green Mountain Boys in the Surprise and Capture of Ticonderoga, which he demanded in the name of the Great Jehovah and the Continental Congress" (4) "Taken prisoner in a daring attack on Montreal, and transported to England, he disarmed the purpose of his enemy by the respect which he inspired for the Rebellion and the Rebel." On the capital of the shaft, upon a base bearing the word "Ticonderoga", stands a heroic statue of Allen in Carrara marble. The left hand of the figure is lifted as in the act of summoning the commander of Ticonderoga to surrender. The right hand grasps a sword, while at the feet of the figure lies a mortar.

Wyoming Yankees, and that he and some of his "Green Mountain Boys" were soon coming to Wyoming, did not long remain a secret in this locality, and in consequence the active opposition of the Wyoming Yankees against the few Pennamites who still remained in the region became more strenuous and, in some instances, extremely violent.

The Supreme Executive Council of Pennsylvania met at Philadelphia, August 30, 1785. President John Dickinson, Charles Biddle, John Boyd, Stephen Balliet and other members being in attendance. A petition was read from the magistracy of Northumberland County, stating that, "under the outrages of the people known by the name of the Connecticut claimants, a number of the good citizens have been put into great fear and suffering;" and praying that the Government might "take such speedy, judicious and effectual measures as may at once convince the deluded and lawless of the power of the State, and give effectual and permanent security and protection to those who have always acknowledged its jurisdiction and submitted to its laws." The Council ordered that this petition should be referred to the Assembly.

At Philadelphia, under the date of September 3, 1785, the Hon. John Bayard wrote as follows\* to Col. Zebulon Butler, at Wilkes Barre, concerning the prevailing disorder here and hereabouts.

"Sir—I am greatly distressed and disappointed to find that your people are conducting matters at Wyoming with such high handed violence and disorder by seising the Effects and banishing the persons of all those claiming under Pennsylvania at the very time that We are applying to Congress to determine whether your Claims shall be submitted to a Federal Court—Yea or Nay—this I am sure is not the Way to secure Success in the Decision & you must be certain will Justly irritate this Government. The Legislature cannot tamely look on such Insults & suffer them to continue and altho they are extremely averse to Hostile Measures, Yet I think they will unanimously and at every hazard support the Honor & Dignity of the State by bringing to condign punishment such Lawless & disorderly men.

"Squire Mead informs me these people have seised all His Grain, farming ntensils, part of his Stock, &c.—is this Conduct sufferable in a civilized Country? & will it not sooner or later bring down deserved Vengeance on the Heads of the perpetrators? I beseech you Sir if you have any Influence with those people, at least prevail with them either to restore the property so unjustly taken away or pay a reasonable consideration for it—but if you cannot or will not interfere I would advise you to withdraw from those desperate Freebooters & be not a partaker in their Wicked proceedings.

"I cant but entertain a good Opinion of you both from your former Character & The assurances you gave me of your Determination to submit to & support the Constitution & Laws of this State—& I shall be extremely sorry to have any Just cause to alter my sentiments on this Head. pray let me have a line from you touching these matters. In the meantime, I am Sir your very Hhle. Servt."

As noticed in the foregoing letter, Mr. Bayard referred to the question pending before Congress, as to whether or not the claims of the Connecticut settlers in Wyoming should be submitted to a Federal Court. Apparently the Pennsylvania authorities had allowed this matter to rest for a number of months, thereby disregarding the advice given to them by Mr. Wilson, one of their agents and counsel, in his letter of February 26, 1785, printed on page 1461, *ante*.

The records of Congress show that, for one reason and another, the subject of the Wyoming controversy was not formally taken up by Congress for final disposition until September, 1785, when Col. John Franklin, Ebenezer Johnson, Phineas Peirce and Lord Butler, repaired to New York from Wilkes-Barre, in behalf of the Wyoming Yankees. On September 21st, after considerable discussion, the following was adopted by Congress (see "Journals of Congress,"

\*The original letter is in the collections of The Wyoming Historical and Geological Society.

IV:574): "Whereas, the petition of Zebulon Butler and others, claiming private right of soil under the State of Connecticut, and within the jurisdiction of the Commonwealth of Pennsylvania, doth not describe with sufficient certainty the tract of land claimed by the said Zebulon Butler and others, nor particularly name the private adverse claims under grants from the Commonwealth of Pennsylvania, *Resolved*, That the resolutions of Congress, of January 23, 1784, relative to the claim of Zebulon Butler and others, be, and hereby are, repealed."

Colonel Franklin states in his "Journal" that on the day following the adoption of this resolution, he and his fellow committeemen presented a petition to the Congress, in which they set forth their desire "to know the grounds and reasons of the resolve of Congress of September 21st, and also urged that the Wyoming settlers should be quieted in their possessions until a memorial could be brought in and a decision had thereon.

This petition was referred to a committee of three delegates, who, on September 28th, reported in favor of the petition, declaring that "the repeal of the resolution of Congress was founded in the insufficiency of the allegations and defective description of the lands in controversy, and was not intended to foreclose the proprietors—settlers and claimants of lands at and near Wyoming—from the appointment of a Federal Court to try their rights of soil, \* \* \* when a petition shall be brought describing the land and naming the adverse claimants with a due degree of certainty."

This report was not approved by the Congress, and on September 30th and again on October 3rd; it was reconsidered, but in each instance the resolution to approve and adopt the report was voted down. Colonel Franklin and Messrs. Johnson and Peirce remained in New York until October 7, 1785, endeavoring to accomplish the objects of their mission.

At Bennington, Vermont, under the date of October 27, 1785, Ethan Allen wrote to "Colonel Butler and Mr. Franklin and such others as they see fit to communicate to, at Wyoming." Some time subsequently, a copy of this letter came into the hands of Col. Timothy Pickering, and is preserved among the "Pickering Papers,"\* Vol. LVII, page 28. The letter reads as follows, (and is now published for the first time, so far as the present writer is aware.)

"You have undoubtedly previous to this date, been informed that I have espoused your cause, against Pennsylvania. I purposed in August last to have made a visit to Wyoming, and to have consulted with your principle men, *on the best measures of defence*, but urgent business would not admit it. Extraordinaries excepted, I purpose to make a tour to your hostile ground next Spring.

"My father was an original proprietor in the Susquehannah purchase, and besides that I have since been considerably interested. Furthermore I am very sensible, that our cause is just, and our title to the fee of the land indefeasible; add to this, you have been greatly oppressed by the land schemers of Pennsylvania, more so than any district of country in English America. It is my opinion, that those schemers were *instrumental in bringing the common enemy against Wyoming*; and consequently [guilty] of their destruction. Avaricious men make interest their God, and plot against the lives of thousands to accomplish their mercenary designs.

"What a lawyer may suppose to be law, in this case, I will not determine, but I think that as the Connecticut charter which expressly covers the disputed territory, is eighteen years older than that to Sir William Penn; and as we have a *bona fida* purchase from the Indian original proprietors, and been in the possession of it twenty-five years last past, and thro the late revolution been an outpost and guard to Pennsylvania, the right of soil, of right, belongs to The Susquehannah Company. If this is not a sufficiently authentic & legal title, it is in vain for mankind ever to acquire one to any lands whatever.

"Probably the justice of our claim will have but little or no effect on our haughty antagonists, who seek our lands and labours, it may nevertheless inspire us to defend our rights with

\*See page 29, Vol. I, of this work.

great zeal and fortitude and serve to make us friends abroad, particularly in Congress, & justify our opposition, *even to blood*.

"I hope that Congress will finally adjudge the right of soil to the Susquehanna Company, but whether they do or not, it is good policy to solicit for it, and in the meantime crowd your settlements, add to your numbers and strength, procure fire arms and ammunition, be united among yourselves. I hope to see you face to face next Spring, nor will I give up my interest to usurpers, without trying it out *by force of arms*; if we have not fortitude enough to face danger in a good cause, we are cowards indeed, and must in consequence of it be slaves, and our posterity, to Penemithish land thieves. Liberty & Property, or Slavery & Poverty, are now before us, and our Wisdom and fortitude, or Timidity and folly, must terminate the matter.

"I am gentlemen your friend and humble servt."

Colonel Franklin, referring in his "Brief" to the distribution of shares and half-shares in the Susquehanna Purchase, in pursuance of the action taken by The Susquehanna Company, at its meeting on July 13, 1785, says: "A large number of new settlers were accordingly admitted. In the month of November, [1785] the settlers had got to be numerous. A meeting was called—about 400 being present. A regiment was formed and officers were appointed. A form of government was also established by the authority of the people, to remain in force until law should be established on constitutional principles. A committee of directors was also appointed to regulate the affairs of the settlement agreeably to the form of government then adopted. Upwards of 400 subscribed their names to support the committee, or directors, in the execution of the important trust reposed in them."

The town-meeting thus briefly referred to by Colonel Franklin was held at Forty Fort, in Kingston Township, Tuesday, November 15, 1785, and John Franklin was elected Colonel, and John Jenkins, Jr., Major, of the regiment which was formed at that time. So far as now known, the fullest contemporary account of that meeting is contained in a letter which was written at Wyoming, February 1, 1786, and was published in several Connecticut newspapers. It was reprinted in *The Pennsylvania Packet*, at Philadelphia, March 21, 1786, and reads in part as follows:

"At a meeting of the Connecticut settlers and inhabitants of Wyoming held in Kingston November 15, 1785, Dr. William Hooker Smith being chosen chairman, the following regulations and resolves were unanimously agreed upon and voted.

"Whereas, The Connecticut settlers of Wyoming and the lands adjacent became proprietors of the soil from an original, fair and *bona fide* purchase of the natives, and under the patronage of the then Colony, now State of Connecticut, which claims—and we think justly claims—by charter grant a large territory of the western lands, of which these settlements are a part.

"And Whereas, We have experienced every kind of calamity from the blood thirsty savages on the one side, and the more cruel Pennsylvania land-jobbers on the other; from destroying floods and a mortal pestilence; and in addition to all these, from the time the jurisdiction of these settlements was Congressionally decreed in favour of Pennsylvania, we have ever had to regret the want of Government and the fruits of anarchy. The Legislature of that State—by adhering to wicked and false representations against us—have withheld from us the rights of free citizens and the benefits of civil government and participation of their laws on constitutional principles, though solemnly pledged to us by a resolve of the legislative body of February 20, 1783. That troops have been raised and quartered among us in time of peace. That they have been suffered, without constraint, to assist the land-jobbers of the State in driving us from our justly acquired habitations and property—all which they affected in a most cruel and barbarous manner, without any apparent discrimination of health, age or sex, as by sufficient testimony can be abundantly proved to the satisfaction of the impartial world.

"And Whereas, The depravity of mankind renders government necessary to the end that each member of society may peaceably possess, enjoy and be protected in his life, liberty and property—so far forth as he shall be found not to encroach upon the similar blessings which belong equally to others.

Therefore, Resolved, That, in order to prevent as much as possible that disorder and licentiousness which are inseparable from a state of anarchy, we find it indispensably necessary to agree upon and adopt some concise mode of Government, whereby to regulate our conduct towards each other and towards all men until the laws of Pennsylvania can operate in these settlements, and be administered on constitutional principles.

"Therefore, Resolved, First, That a committee of five of the most wise and judicious men be appointed to regulate the internal police of this settlement, according to justice and equity

(to be chosen by votes to be given in to a clerk appointed for that purpose), until we shall have laws established in this settlement. *Second*, That the committee who shall be elected as above shall have full power to regulate the police of this settlement, so far as respects the peace, safety and welfare of the whole, according to justice and equity. *Third*, That we the subscribers, being convinced of the necessity of order and regulation in this settlement, do pledge our faith to each other, our interests, if necessary, and our personal aid when called for, to support the committee in the execution of the important trust reposed in them. *Fourth*, That the committee shall be removable by the people for maladministration; and others be selected to fill any such vacancies.

"In pursuance of the foregoing resolves, it was voted that Messieurs JOHN FRANKLIN, EBENEZER JOHNSON, WILLIAM HOOKER SMITH, JOHN JENKINS [Jr.] and JOHN PAUL SCHOTT be a committee to put said resolves in execution."

The members of this committee became known as "Directors," and were so styled by themselves and the inhabitants of Wyoming generally.

The foregoing plans and specifications for the government of the people of Wyoming—both by their nature and the method of their adoption—remind one somewhat of the rules and regulations put in force by the vigilantes of San Francisco and other western frontier towns of the United States, in the early days of their existence.

Governor Hoyt, in his "Brief of a Title in the Seventeen Townships in the County of Luzerne" having in mind the proceedings of the Susquehanna Company, and the conduct of some of the Connecticut settlers at Wyoming during the period of 1783 to 1787, declares: "The action of the Susquehanna Company, after 1782, was inexcusably mischievous and wholly unjustifiable. The power and pride of Pennsylvania were sure to be successfully arrayed against them, and it was certain that its authority must finally prevail. \* \* \* During the years 1785-86, the conduct of some of the leaders of the Connecticut people, under the reckless proceedings of The Susquehanna Company, were simply insurrectionary. Pennsylvania was then pursuing no hostile measures towards them, but, on the contrary, able advocates were springing up in Pennsylvania in their behalf, and had already made a deep impression in the councils of the State."

Miner ("History of Wyoming," page 386), referring to the proceedings which took place in Wyoming in November, 1785, and during the two or three previous months, says; "It would be an imputation on the vigilance and sagacity of Pennsylvania to suppose that these proceedings were not known to and watched by her with jealous solicitude. What could she do to avert the threatened evil?"

A meeting of the Supreme Executive Council was held at Philadelphia, November 17, 1785, Vice President Charles Biddle, John Boyd, Peter Muhlenberg and other members being present. On motion, the following was adopted†: \* \* \* "It is the sense of this Board that a law should be passed [by the House of Representatives] as early in this session as possible, requiring the insurgents at Wyoming or elsewhere in the county of Northumberland to submit to the laws of this Commonwealth, and give clear and unequivocal evidence of such their submission on or before the 15th day of January next, in such manner as the House will be pleased to prescribe; and that such of them as shall neglect or refuse to comply with this requisition should *be deemed outlaws* and made liable to be proceeded against as such."

On December 24, 1785, the House of Representatives passed "An Act for quieting disturbances at Wyoming, for pardoning certain offenders, and for other purposes." After reciting that "a spirit of licentiousness, and disobedience

†See "Pennsylvania Colonial Records", XIV: 579.

to the laws," prevailed in the counties of Northumberland and Northampton, in consequence of the controversies between the Connecticut claimants and other citizens of the State; and that, "to strengthen the hands of Government and quiet the disturbances," it was fit "that lenient means be tried, before the most coercive ones" should be used, the Act provided that all offenses committed before "the 1st of November, 1785, be pardoned and put in oblivion", provided the persons having so offended should surrender themselves to the authorities before April 15, 1786, and enter into bonds to keep the peace. The Act also authorized the calling out of the militia, and repealed the Act of Assembly passed September 9, 1783, confirming the division of the townships of Shawanese, Stoke and Wyoming into two districts for the election of Justices of the Peace, and "annulled and made void" the commissions granted in pursuance of the election of said Justices.

The year 1786 was a year of disturbances and unsettled conditions throughout the majority of the thirteen United States—which, however, were not then either very heartily or very firmly united together, for the Federal Constitution had not yet been framed, adopted and ratified.

The State of Franklin (later to become the State of Tennessee) which had been forcibly carved out of the territory of North Carolina in 1784, had a semblance of State Government established in 1785, but in 1786 was in a state of turmoil and chaos. Vermont, as previously related, was in a state of eruption and rebellion, and in some parts of the State armed bands of "Regulators" menaced the lives and the property of certain of their fellow citizens. In New York, Governor Clinton, who had been "toiling persistently to make his State the most powerful member of the Union", was now attempting to pull down the rivals that struggled at her side—in other words, he was steadily laboring to either thwart or disregard the wishes and the resolves of Congress, and break down the Union. New Jersey—chiefly owing to a controversy with New York—stoutly refused to pay her share of the taxes apportioned among the State by Congress for the support of the Confederation.

In Massachusetts, "Shay's Rebellion" broke out in August, 1786; and during the remainder of the year, and for several months in 1787, a large body of malcontents—who called themselves "Regulators", but who were in reality "persons of small abilities, of little or no property, embarrassed in their circumstances, and of no great integrity"—made life a burden to the respectable, law-abiding citizens of the Commonwealth.

At Philadelphia, on January 6, 1786, there was laid before the Supreme Executive Council, a communication from the Hons. John Bayard and Charles Pettit, Delegates from Pennsylvania in the Continental Congress, then meeting in New York City. This communication was dated December 31, 1785, and read in part as follows:\*

"We think it our duty to communicate to your Excellency & the Honorable Council the intelligence we have this day received from his Excellency, Governor Clinton, which is:

"That he has been informed, on undoubted authority, that a large quantity of powder and lead has lately been purchased and lodged at Fishkiln with a view of transporting it to the Susquehanna.

"That the quantity vastly exceeds what is necessary for the peaceable and ordinary consumption of the country, and that there remains no doubt of its being intended during the course of this winter to be transported to Wyoming. The Governor is not at liberty to give us the name of his informant, but assures us we may depend upon the truth of his information, and added—

\* Pennsylvania \* Se eArchives", 45X:16.

had we not been here as Representatives of the State, he should have thought it his duty to have given Your Excellency the above information.

"We have not yet been favoured with the act passed by our Assembly respecting the settlers at Wyoming, but doubt not of the wisdom and propriety of it.

"We wish only to suggest the necessity of the state being well informed with respect to the views of these deluded people, and suggest the propriety of Council directing us to employ a proper person or persons to watch the movements of these stores, and give the earliest intelligence thereof to Government."

Vice President Biddle replied immediately in behalf of the Council, requesting Delegates Bayard and Pettit "to take such steps for watching the progress of the stores through the States of New York and the Jerseys, and for their eventual seizure in Pennsylvania", as they deemed most proper. "We should, on our part," continued Mr. Biddle, "have taken some measures for executing the latter part of this object could we have ascertained, with any degree of precision, the time or place of their arrival in this State; but as both are rendered so extremely uncertain from the various routes by which they may be moved, and other circumstances, we have upon the whole thought it most proper to commit the business entirely to you."

Six days later Secretary Armstrong of the Council wrote to Alexander Patterson, at Easton, Pennsylvania, in part as follows:\*

"Council has received advice that the Connecticut Claimants at Wyoming have now in store at Fishkill, in the State of New York, a large quantity of military stores, which it is presumed they mean to convey as early as possible to the Susquehanna, in prosecution of their absurd and iniquitous system of opposition to the laws of this Commonwealth. Under these circumstances Council has thought proper to authorize you to take such steps for seizing these stores in their progress through Northampton County as your own prudence and knowledge of the country may suggest. I need scarcely observe that the most profound secrecy will be necessary to the success of this design, and that if, from the variety of routes by which they may be carried, the communication of it to some second person should become unavoidable, you will make choice of one in whose secrecy and understanding you can safely confide. When seized you will take measures for carrying them to Easton, or some other place of security, where they will remain subject to the future directions of this Board.

"In executing this Trust it may be necessary for you to engage the assistance of some few hands at a moderate daily pay. You must take care that they be as few in number as may be consistent with the nature of the Business. This and such other expence as will attend it, shall be discharged on your presenting an account of them."

Speaking of the Act passed by the Pennsylvania Assembly, December 24, 1785, "for quieting disturbances at Wyoming," Miner (History of Wyoming, page 386) says: "To suppose the whole people—for all were concerned—would go forward, acknowledge their guilt, and sue for pardon by entering into bonds for their good behavior, was a presumption founded elsewhere than in reason. No notice was taken of the law!" In making this last assertion, Miner was in error, for we find that early in 1786, after the people at Wyoming had become pretty familiar with the *language* of this Act of Assembly, Col. John Franklin prepared a petition to the House of Representatives, which, having been signed by "408 inhabitants of Wyoming and vicinity", was dated February 21, 1786, and forwarded by the hands of Capt. John Paul Schott, as an express, to the Supreme Executive Council at Philadelphia. This petition read as follows:†

"To the Hon. the Representatives of the Freemen, etc.—

"The petition of the freeholders at and near Wyoming on the Northwest (*sic*) Branch of the Susquehanna River, most respectfully sheweth:

"That your petitioners have endeavoured to take due notice of the act of Assembly passed last session, entitled 'An Act for quieting the disturbances at Wyoming', etc., but how far it respects us, your petitioners, we are unable fully to determine; wherefore we pray for an explanation of such parts thereof as we do not so readily understand.

"Does the act relative to the pardon of offences, misdemeanors, etc., mean such only as have been found guilty upon trial? Or does it extend to all who stand indicted for supposed

\*See "Pennsylvania Archives", XI: 457.

†A copy of the original petition, in the handwriting of Colonel Franklin, is now preserved among the "Dr. Wm. Samuel Johnson Papers", mentioned on page 29, Vol. I.



offences? Or, still further, does it comprehend and mean all who have acted defensively as well as offensively in the dispute alluded to in the act? An explanatory answer to these questions will enable your petitioners to act consistently in the matter, and *supercede the necessity of sending the militia hither to execute the laws among us.*

"Your petitioners view with pleasure that paragraph of the Act that disannuls that establishment of districts and magistracy here, which we have always esteemed grievous and unconstitutional; by the making void of which your petitioners would fondly hope that your Honors mean to open a door for us to proceed as the 30th Section of the Constitution\* encourages. Pursuant thereto we would humbly request that we might be divided at present into two districts, one on each side the aforesaid river, and as extensive as your honors may think best, with the power and privilege of electing magistrates, etc., as the Constitution directs.

"Your petitioners would furthermore most earnestly request that *this settlement might be set off as a district county.* The arguments we would humbly urge for such a measure are, the oblong and incommodious extension of the present county[of Northumberland], our local distance from the seat thereof, the great disadvantage we are subject to on account of travel, time and expences in attending the courts, and above all, *the habitual and mutual prejudices which subsist between the upper and lower parts of the county we now stand annexed to,* occasioned by the disputes respecting lands, etc.,—putting us under the disadvantage of each trial by jury as is inconsistent with that impartiality which the spirit of the Constitution intends.

"Your honors will permit us just to observe that prior to the Decree of Trenton we lived happy under the jurisdiction of the State of Connecticut and the enjoyment of her laws. We now wish to be received as good citizens of the State of Pennsylvania, and to enjoy the blessings of your glorious Constitution! Be pleased most graciously to take this our petition into your wise and candid consideration. And we, as in duty bound, will ever pray, etc."

Captain Schott left Wilkes-Barre, for Philadelphia, on Tuesday, February 28, 1786, and, in addition to the foregoing petition, carried with him the following letter\* addressed to Benjamin Franklin, who had become President of the Supreme Executive Council in October, 1785:

"May it please your Excellency:

"On your Election to the Elevated office of President to the Supreme Executive Council of this Common Wealth, every soul here acquainted with your Excellencies Character, and capable of sentiment and reflection, exulted on the joyous occasion, from a conception that something favorable to this settlement might yet be hoped through the instrumentality of such a known friend to the sacred rights of mankind, whose election wrought in our imaginations the affectionate epithet of a political Father, who would impartially consider and weigh the opposite claims of his Children, dispensing his smiles or his frowns, according to their adherence or non-adherence to those pure, original Laws which can neither be superceded nor abrogated by human Tribunals.

"In the character of a Father, then, would we address your Excellency and complain of our grievances. We know your attention has for many years been occupied with greater and more national concerns, which renders it possible, if not probable, that you may not be duly apprized of our many and complicated sufferings.

"The dispute which has for a number of years subsisted betwixt this State and that of Connecticut respecting territory, the arguments which have been urged on both sides of the question, and the Decree of Trenton, are matters well known to your Excellency. We would humbly crave your attention, therefore, only to such facts as you may not have been duly apprized of, which have rendered our situation nearly wretched and desperate.

"We have no hopes from the avaricious land schemers of this State (who have been seeking to sheath the sword in our bosoms, and have stripped us nearly of our all, and whom we have reason to think wish our utter extirpation), through whose insinuations the Legislature have been made to believe that we are a People who desire no Law and deserve little Mercy.

"Our anarchal and local situation have, indeed, brought hither from the different States some licentious Characters, by which we have been denominated a bad People by our enemies, who have had the advantage of us in Representation and *ex-parte* hearings before Council and Assembly, and who wish to mislead, to our prejudice, those Honorable Bodies as well as the good people of this State at large.

"Tis true that the most unexceptionable Characters amongst us—influenced by the Law of self-preservation—have fought in defence of their lives, their Families and their all, when attacked by merciless Assaultants. Such defence has been judg'd highly criminal by those who judge the actions of others good or bad as they feed or oppose their own avarice. With such Characters revenge stands for justice! Accordingly we find that the most innocent Persons among us who have occasion to travel through the State, if they have been defensive actors, must be loaded with vexatious suits under pretence of Debt or Criminality; but for no other purpose than to add a pecuniary distress to the already distressed.

"Could we, free from such vexatious but expensive prosecutions, *send an Agent who could be honour'd with an interview with your Excellency,* we could be able to exhibit such incontestible facts relative to our sufferings, both from the land-jobbers and a former Assembly (influenced by them), as your Excellency would hardly imagine. And could your Excellency in some way furnish a protection for such an Agent, we shall duly acknowledge the Favour, and readily embrace

\*See note, page 881, Vol. II.

†See "Pennsylvania Archives", XII:296. This letter was printed, also, in *The Pennsylvania Packet*, Philadelphia, August 24, 1786, together with President Franklin's reply.

the opportunity; and we would hope by this means to furnish your Excellency with such kind of knowledge as may through your wise and paternal influence, terminate in a just and amicable settlement of these unhappy and ruinous disputes.

"We would beg leave to mention to your Excellency that we have noticed a late Act of Assembly Entitled 'An Act for quieting the disturbances at Wioming, &c.,' but how far it respects us we are unable fully to determine. We send a petition to the Hon'ble Assembly accompanied with this, praying for an explanation, &c.

"We wish to have an existence in the world above that of Slaves or beggars, and we ardently wish as good Citizens to enjoy the blessings of the glorious Constitution of this State, and to have the Laws operate among us and administered on Constitutional principles. These are the ideas, may it please your Excellency, we have ever expressed in our Addresses, Petitions and Remonstrances to the Hon'ble Council and General Assembly since the Decree of Trenton; conformable to which has been the general tenor of our conduct, however misconstrued by our Enemies.

"We submit to your Excellency the propriety of the above requests.

"Our best wishes attend your Excellency in all your important trusts. May no faction in the State over which you Preside disturb your tranquillity at the eve of life, which we hope will be crowned with every reward which a long and most useful life has merited.

"We are, may it please your Excellency, with due esteem and respect your Excellency's Most obedient, Humble Servants,

[Signed]

"JOHN FRANKLIN,

"WM. HOOKER SMITH,

"JNO. JENKINS,

in behalf of the People.

"To

"His Excellency, BENJAMIN FRANKLIN,

"Wioming, 25 February, 1786."

On February 28, 1786, Vice President Biddle, in behalf of the Supreme Executive Council, sent to the General Assembly "a message respecting the disturbances at Wyoming," together with the letter from Messrs. Bayard and Pettit printed on page 1492, *ante*, and certain other communications relating to the same subject. The same day the Assembly resolved that these documents be referred to a committee composed of Representatives Irvine, Clymer, and others, with directions to report thereon at an early date. The committee's report was made to the Assembly on March 6, 1786, whereupon it was ordered "to be laid over" until March 9th. The petition of the 408 inhabitants of Wyoming, previously mentioned, was, on March 6th, "presented to the Chair and read, and was ordered by the Assembly to be laid on the table."

On March 9th the aforementioned report of the Assembly's committee was taken up and read, as follows: "That in the opinion of this committee the intelligence communicated by Council affords little room to doubt but the people at Wyoming are meditating a serious opposition to the authority of Government, and it appears to them highly expedient further to strengthen the hands of Council, to enable them effectually to carry into execution the Act passed at the last Session. They therefore submit the following: *Resolved*, That a committee be appointed to bring in a Bill to authorize the Supreme Executive Council to raise and equip——\* volunteers, in addition to the provisional measures directed by an Act entitled 'An Act for quieting the disturbances at Wyoming, for pardoning certain offenders, and for other purposes therein mentioned.'" On motion the Assembly ordered that this "Bill," or report, should "be recommitted, and the committee instructed to confer thereon with the Supreme Executive Council."

At Philadelphia, on the same day that the foregoing action was taken by the Assembly, Col. Timothy Pickering wrote to his friend John Gardner, in Massachusetts, as follows:‡

"The Wyoming dispute is revived. Some are for expelling those settlers by the sword; but I believe rather that such violence will be avoided. They can muster 800 fighting men, and have resolved to stand by one another. The late Council of Censors of this State, in September, 1784, pronounced all the measures of Government respecting those people to have been

\*A motion was made to fill this blank with "300", but the motion was voted down.

‡See the "Pickering Papers", XXXV: 3, mentioned on page 29, Vol. I.

'destitute of wisdom and foresight'\* I think so too. Those measures were taken during the feeble administration of President Dickinson."

Just about that time Secretary Armstrong of the Supreme Executive Council, sent to Robert Levers, Esq., Prothonotary of Northampton County, and Lawrence Keene, Esq., Prothonotary of Northumberland County, a letter reading as follows:

"By the Law relating to the business of Wyoming, herein inclosed, you will find what is required from the offenders before the pardon provided by the Act [of December 24, 1785] can take effect. To ascertain, therefore, how far these requisitions have been complied with (& of course, in what instances the pardon will operate), Council have thought proper to direct that the Justices of the peace of Northumberland Co. shall respectively make return to you of the names & first names of all such offenders as have given security agreeably to the Act aforesaid on or before ye 20th day of April next—which returns, certified by you as original, you will be pleased to transmit as early as possible to this office."

At Wyoming, under the date of February 1, 1786, some one who signed himself "A Settler at Wyoming," wrote a letter "To the Proprietors of The Susquehanna Company, and other friends of Justice and fair Dealing". This letter was published in a Connecticut newspaper March 14, 1786, and was reprinted in *The Pennsylvania Packet*, Philadelphia, a week later. The writer gave a brief history of the purchase and settlement of the Wyoming region by The Susquehanna Company, and referred to the loss of life and property sustained by the Connecticut settlers during the Revolutionary War. He then proceeded as follows:

"Taking advantage of the debilitated state of that settlement, certain persons—inhabitants of Pennsylvania (some of whom early took a decided part with the enemy), not contented with the distresses of that infant country—having by mere accident *possessed themselves of the papers, evidences, deeds and documents* necessary to establish the right of the State of Connecticut to the lands in question, did induce the State of Pennsylvania to petition the United States in Congress assembled, for the establishment of a Federal Court to try the question of jurisdiction between the contending States.

"And notwithstanding it was objected on the part of Connecticut that she was deprived of all her deeds, evidences, papers, documents, &c., necessary to evince her claim to the jurisdiction of the country aforesaid—supposing the same to be in Great Britain, where they were deposited while the same question was depending before the King in Council, and could not be obtained at that time, the war between Great Britain and this Country being then undetermined. Nevertheless, the objection was overruled (by means of what secret and unjustifiable influence is unknown to Connecticut), and a trial was had at Trenton in November 1782—two of the Judges most relied on by Connecticut being absent—and a decision was had in favor of Pennsylvania† *by the opinion of three Judges against two*—the majority being at best but doubtful.

"Whereupon the settlers made an early proposal of submission to the Government of Pennsylvania, and claimed the lands purchased of the natives, which had been settled and cultivated only at the expense and endeavours of themselves and their associates. But instead of that protection expectable from a great and respectable Commonwealth, the inhabitants have been seized, their persons dragged to prison, loaded with irons, their loose property plundered by mercenary troops assembled by order of Government for the destruction of the settlers; their old men, women and children driven out of the country like brute beasts, without respect to age, sex or condition, and the rights of citizenship denied them on all occasions.

"Roused by such cruel treatment the settlement is regained by its inhabitants, and now increased to more than 1,000 able-bodied and effective men, sufficiently exasperated and desperate, who have been compelled, for their own security, to adopt a *temporary system of policy* (until the State of Pennsylvania shall extend to them the rights of citizenship, and the protection of law and civil government), which is in the words following. [Here the writer gave an account of the proceedings, and the resolutions adopted, at the meeting held November 15, 1785, *ante*, and then continued as follows:]

"And now we are credibly informed that the State of Pennsylvania are aiming for the destruction of that settlement, and the last dreadful appeal to arms is soon expected. Confident of the justice of our cause, we dare rely on Providence, the sovereign arbiter, for the issue. The Susquehanna Company, whose associates we are, will do well to remember that their fate depends upon the issue of our cause. Numerous as you are, and opulent as you may be, no benefit can accrue to us or you without your speedy exertion. Will you suffer your brethren to be murdered and their families turned again naked upon the wide world, and not lift your finger in our behalf? Surely not! We too well know your interest, and your honor is concerned in our welfare.

\*See page 1431.

†See page 1304.

On April 3, 1786, in the Pennsylvania House of Assembly, Representative Robert Morris\* moved, and the House adopted, the following:†

“Resolved, That the message from the Supreme Executive Council respecting the disturbances at Wyoming, the report of the committee read March 9 on that subject, the petition of the settlers at Wyoming, and, generally, such other papers as are before this House respecting that business, be referred to a committee for the purpose of bringing in a Bill to comply so far with the prayer of the petitioners as respects a *division of the county of Northumberland* and appointing districts for the election of magistrates; and that said committee do also report such other measures for the consideration of the House as they shall think necessary for quieting the said disturbances.

In pursuance of this resolution Representatives Robert Morris and George Clymer‡ of Philadelphia, Robert Whitehill§ of Cumberland County, Frederick Antes of Northumberland County and John Smilie|| of Fayette County, were appointed “a committee for the purposes contained in the foregoing resolution.” The next day this committee made a partial report to the House and presented a Bill for dividing the county of Northumberland, which was read and ordered to be laid on the table. Four days later, without taking any further action with respect to Wyoming matters, the Assembly adjourned until Tuesday, August 22, 1786.

\*The “Financier of the Revolution”. He was born in Liverpool, England, January 20, 1734, and came to Philadelphia with his father in 1747. From 1754 till 1793, he was a member of the firm of Willing and Morris. The Stamp Act was opposed by Morris, and in 1765 he signed the non-importation agreement—although this action was against his financial interest. He was a member of the Continental Congress in 1775; voted against the Declaration of Independence July 1, 1776, and on July 4, declined to vote, but when the instrument was formally adopted he attached his signature to it. He was re-elected to Congress in 1777 and again in 1778. He was one of the originators in 1780 of the Bank of North America, established at Philadelphia under a charter granted by Congress in 1782, and from 1781 to 1784 he was Superintendent of the national finances—freely using his personal means and credit to advance the public interests. In 1783 he was made an honorary member of the Pennsylvania Branch of the Society of the Cincinnati. He was a member of the Pennsylvania Assembly in 1786, and the next year was one of Pennsylvania’s representatives in the convention which framed the Federal Constitution.

Prior to 1790 Mr. Morris erected on the south side of Market Street, between Fifth and Sixth Streets, Philadelphia, “one of the finest and most centrally located residences in the city.” It was “the best single house in Philadelphia”, and from December, 1790, until March, 1797, was occupied by President Washington as the Executive Mansion. Subsequently it was occupied by President Adams until the seat of Government was removed to the City of Washington.

In 1788 Robert Morris was elected to the first Senate of the United States, and served in that body until 1795. About that time he engaged in some extensive speculations in land, which resulted in his financial ruin. In 1798 he was confined in the debtors’ prison, Philadelphia, where he was held until the national bankrupt law of 1802 opened a way for his release. He died at Philadelphia, May 8, 1806.

Morris, quite as much as Washington or Franklin, saved the country in the Revolution. Washington relied much upon his political and financial advice, and they were intimately associated in working out public policies during the first few years of our Republic’s history. On account of the more romantic and conspicuous individualities of his famous contemporaries, Morris has been long neglected by the American people.

†See *The Pennsylvania Packet*, Philadelphia, April 8, 1786.

‡GEORGE CLYMER was born in Philadelphia in 1739. He was a member of the Philadelphia Council of Safety, was one of the first Continental treasurers (1775), and, as a member of the Continental Congress, in 1776 and ’77, was a signer of the Declaration of Independence. He was re-elected to Congress in 1780, and served on numerous committees and commissions. In June of that year he contributed \$5,000 towards paying the expense of carrying on the war. He was one of the organizers, in 1780, at Philadelphia, of the Bank of North America, chartered by Congress in 1782. He was a member of the Pennsylvania Legislature in 1784, and 1786, and in 1787 was a member of the convention which framed the Federal Constitution. He was a Representative in Congress from Pennsylvania during the years 1789-1793, and in 1791, was Collector of the tax on spirits.

The first President of The Philadelphia Bank (now The Philadelphia National Bank)—which began business September 19, 1803, and was chartered by the Legislature of Pennsylvania in March, 1804—was George Clymer who served continuously in that office until his death. He was President of the Philadelphia Academy of Fine Arts, and one of the founders of the Pennsylvania Agricultural Society. He was married at Christ Church, Philadelphia March 18, 1765, to Elizabeth, daughter of Reese and Martha (Carpenter) Meredith. Reese Meredith was a wealthy Quaker merchant of Philadelphia, and one of the founders and original trustees of the Pennsylvania Hospital. His son Samuel (born in Philadelphia, in 1741) was a Brigadier General in the Continental army, a member of Congress and in 1789 became the first Treasurer of the United States—holding the office continuously for twelve years.

George Clymer died at his home in Morrisville, Bucks County, Pennsylvania, January 23, 1813. His son Henry, (the only one of his children who grew to maturity) resided in Wilkes-Barré from about 1815 till 1818 or 1819, and during that period was one of the Trustees of the Wilkes-Barré Academy. His wife was Mary, a daughter of Thomas Willing, of Philadelphia, and they had the following named children; Eliza, Francis, William, Bingham, George, Mary, and one other whose name is unknown to the present writer. The first named of these was married at Wilkes-Barré, May 13, 1818, to Edward Overton (born in England, December 30, 1795; died at Towanda, Pennsylvania, October 17, 1878), who was admitted to the Bar of Luzerne County, August 5, 1818, and resided in Wilkes-Barré in the practice of his profession, for a number of years. George Clymer, son of Henry, became a Surgeon in the United States Navy.

§ROBERT WHITEHILL was born July 24, 1738, in the Pequea settlement, Lancaster County, Pennsylvania, the son of James and Rachel Whitehill. In the Spring of 1771, he removed to a farm in Cumberland County, about two miles west of Harrisburg. In 1774 and ’75, he was a member of the Cumberland County Committee. In 1776 he was a delegate to the Pennsylvania Convention, which assembled at Philadelphia on July 15th to frame and adopt a Constitution for the State. Mr. Whitehill was a member of the Committee on the Frame of Government. The Convention completed its labors and adjourned in September, 1776, and a month later Mr. Whitehill was elected a member of the State Assembly from Cumberland County under the new Constitution. He was re-elected to this office in October, 1777, at which time he was also a member of the Committee of Safety of Cumberland County.

Mr. Whitehill was elected to the Supreme Executive Council, December 28, 1779, and served as a member of that body until November 30, 1781. From 1784 to 1787, inclusive, he was a Representative in the General Assembly. With Gen. William Irvine he represented Cumberland County in the convention which met in 1789 and ’90 and framed a new Constitution for Pennsylvania; and under this new Constitution Mr. Whitehill served as a member of the State

On April 9, 1786, William Shaw, Esq., a Justice of the Peace in and for the County of Northumberland, arrived at Wilkes-Barre on the invitation of Capt. John Paul Schott, acting as agent for a considerable number of the Wyoming inhabitants. Justice Shaw's visit was made for the purpose of taking the recognizances of the Connecticut settlers who were willing to comply with the terms of the Act of Assembly of December 24, 1785, by surrendering themselves to the civil authorities before April 15, 1786, and entering into bonds to keep the peace. In a report subsequently made to the Supreme Executive Council, Justice Shaw stated\* that "178 of said settlers entered into recognizance on and before the 15th of April, agreeable to law; and afterwards a number took the oath of allegiance to the State, and the inhabitants in general then appeared very desirous of being citizens."

At this time, as we learn from some fragmentary records of The Susquehanna Company,† the Company's "Committee, appointed to order and direct the laying out of towns," was busy at Wyoming. Among other doings at Wyoming, April 17, 1786, Zebulon Butler, Nathan Denison and Obadiah Gore, members of the above mentioned committee, accepted and approved of the survey of the township of Putnam, and granted the same to its proprietors. As shown by the map facing page 468, Vol. I, of this History, Putnam was located on both sides of the Susquehanna at the mouth of Tunkhannock Creek, about thirty miles up the river from Wilkes-Barre. The principal proprietors of the township were Zebulon Marcy, Capt. Caleb Bates, Gideon Osterhout, Elijah Shoemaker, Jonathan Slocum, Increase Billings, Isaac Tripp, Jr., John Paul Schott, Nathaniel Goodspeed, John Platner, John Cary, Barnabas Cary, Frederick Budd and Reuben Taylor.

At the "city of Hudson, New York, April 19, 1786," Dr. Joseph Hamilton, previously mentioned, wrote a long letter addressed "To Col. Zebulon Butler, Col. John Franklin, Col. Nathan Denison or Dr. William H. Smith." This letter was sent from Hudson to Wilkes-Barre by the hands of a messenger, and was probably delivered to one of the above named addressees. Ultimately, however, the letter came into the hands of Col. Timothy Pickering, and is now

House of Representatives from 1797 to 1801, and as a State Senator from 1801 to 1804. During a portion of his term in the Senate, he was Speaker of that body, and presided at the celebrated impeachment trial of the judges of the Supreme Court of Pennsylvania. He was elected to the IXth, Xth, XIth and XIIth Congresses (March, 1805—March, 1813) as a Representative from Pennsylvania, and served acceptably as such.

Mr. Whitehill was married, in 1765, to Eleanor (born 1734), daughter of Adam and Mary Reed of Hanover, Lancaster County. She died in 1785, and Mr. Whitehill died at Lauther Manor, Cumberland County, April 7, 1813. His remains were interred in the Presbyterian graveyard at Silver's Spring.

J. Q. A. Ward (born 1830; died 1910), the eminent American sculptor, was a great-grandson of Robert Whitehill.

JOHN SMILIE was born in Ireland in 1741. He emigrated to America in 1760 and settled in Lancaster County, Pennsylvania. In 1776, he was a Lancaster County "Associator," and was a delegate to the Provincial Conference which met in Carpenter's Hall, Philadelphia, from June 18th to June 24th. On the last mentioned date the Conference adopted "A Declaration on the subject of the Independence of this [Pennsylvania] Colony of the Crown of Great Britain," and unanimously declared their "willingness to concur in a vote of Congress declaring the United Colonies free and independent States." In 1776, Mr. Smilie was a member of the Committee of Safety of Lancaster County, and in 1778 and again in 1779, was a Representative from that county in the Pennsylvania Assembly.

In 1780 or '81, John Smilie removed to Westmoreland County, Pennsylvania, and settled about five miles below the site of the present town of Connellyville, where he resided until his death. He and William Findley were elected October 20, 1783, to represent Westmoreland County in the Pennsylvania Council of Censors. In February, 1784, that part of Westmoreland County where Mr. Smilie was located (including the site of Connellyville, was annexed to and made a part of Fayette County which had been erected out of Westmoreland County in September, 1783. In October, 1784, Mr. Smilie was elected one of the Representatives from Fayette County to the Pennsylvania Assembly, and was re-elected in October, 1785. He was elected to the Supreme Executive Council, from Fayette County, November 2, 1786. In 1789-90 he and Albert Gallatin represented Fayette County in the convention which framed a new Constitution for the State; and in October 1790, Mr. Smilie was elected a State Senator under the new Constitution.

In 1792, he was elected a Representative to the 11th Congress of the United States (March 1793—March, 1795). In 1796, he was a Presidential Elector. In 1798, he was elected a Representative to the 11th Congress (March, 1799—March, 1801), and was re-elected to the six succeeding Congresses. During a part of the time that he was in Congress he served as Chairman of the Committee on Foreign Relations. He died in Washington, D. C., December 29, 1812, and was buried in the Congressional Cemetery there—a monument being erected over his grave by order of Congress.

The wife of John Smilie was Janet, daughter of Col. Thomas Porter of Drumore, Lancaster County, Pennsylvania.

\*See "Pennsylvania Archives," O. S., X : 764.

†See "Proceedings and Collections of The Wyoming Historical and Geological Society," VII : 161.

to be found among the "Pickering Papers" (LVII: 29, 30), mentioned on page 29, Vol. I. The following is an extract from the same:

\* \* \* "Gen. Ethan Allen, having a large interest in that country [Wyoming, or the Susquehanna Purchase], proposes to take up his future abode among you; and as he appears to be a *great lover of peace and good neighbourhood*, I conclude you may like him as a neighbour. As it was not previously known at what time his appearance in that quarter would be most political and to the best advantage, he, on my positive requisition now makes this move, and is, therefore (by what I can learn), unprovided for as to personal support. Therefore I desire that such provision as you think proper may be made (even on public cost, if necessary); for I could wish that his circumstances while among you may be rendered as easy as possible, that he may be the most free and liberal in his counsels and plans." \* \* \*

Ethan Allen paid his long promised visit to Wyoming in April, 1786. He arrived at Wilkes-Barre on Thursday, the 27th of the month, and during his stay here of about two weeks was entertained at the home of Col. Zebulon Butler, at the south-east corner of River and Northampton Streets.\* Col. John Franklin, in his "Brief"—frequently referred to hereinbefore—states, with reference to this occurrence: "In April, 1786, Gen. Ethan Allen paid us a visit at Wyoming, and proposed to settle amongst us, and to bring on with him a number of his 'Green Mountain Boys' and assist us in supporting and defending our rights against the Pennsylvania claimants. A large number of Proprietors' Rights were given to General Allen to induce him to espouse our cause."

\*In a letter to Col. Timothy Pickering, written at Wilkes-Barre in October, 1787, Dr. Wm. Hooker Smith stated that it was Capt. Solomon Strong who went to Vermont to escort General Allen to Wyoming; and that while the latter was here "he lodged with Zebulon Butler." (See the "Pickering Papers," LVII: 331.)

Capt. SOLOMON STRONG mentioned above settled, in Wyoming, in the Autumn of 1773, and soon began to take an active part in the affairs of the community. Judging by the original documents in his handwriting which the present writer has seen, he was a man of more than ordinary education. Wm. Hooker Smith and James Sutton conveyed to him May 11, 1774, about 300 acres of land in Exeter Township (being a lot surveyed to John Dewey), "in consideration of a certain lot of land in Exeter, surveyed to James Flint, with a saw-mill thereon, belonging to said Strong." Pearce in his "Annals of Luzerne County" says: "The first saw and grist-mills in Lackawanna Township were built by the town (then Pitt-ton) at the falls on the Lackawanna River in the year of 1774. The next year they passed into the possession of Solomon Strong, and soon after were swept away by a flood. In a deed executed subsequently to 1787 (see Luzerne County Deed Book III, page 249) a reference is made to 'a forge mill-seat on the Lackawanna Creek at Pittston, opposite to the place where Solomon Strong's grist-mill was formerly built—said forge being on the south side of the said creek.'"

About 1774, Solomon Strong became a lot owner in Providence Township. Shortly thereafter he sold 300 acres of woodland in Providence to Benjamin Bailey for "a few furs and a flint gun."

In 1776, and probably in 1775, Solomon Strong was a tax payer in Pittston Township, and in 1776 was one of the Selectmen of Westmoreland and also one of the Representatives from the town to the General Assembly of Connecticut. In October, 1775, he was established and commissioned Captain of the Fourth, or Pittston, Company of the 24th Regiment, Connecticut Militia. (See page 857, Vol. II.)

At a meeting of the Connecticut Assembly in October, 1776, Solomon Strong was appointed Captain, to serve in one of the eight battalions then ordered to be raised in Connecticut. A couple of months later, in pursuance of the Assembly's orders, the 14th Regiment, Connecticut Line, was organized, to continue in the Continental service until the end of the war. The regiment was recruited largely in Fairfield and Litchfield Counties, with men from all parts of the State, and its Colonel was Philip B. Bradley. Captain Strong was duly commissioned and assigned to this regiment, January 1, 1777. The regiment rendezvoused at Danbury, Connecticut, and went into camp at Peckskill, New York, in the Spring of 1777. In the following September, the regiment was ordered to Pennsylvania as a part of McDougall's Brigade. It took part in the battle of Germantown, October 4, 1777, and later went into winter quarters at Valley Forge. The regiment participated in the battle of Monmouth, June 28, 1778, and then went into camp at White Plains. Captain Strong resigned his commission August 25, 1778.

In the winter of 1780-'81, Captain Strong was residing at Sheffield, Berkshire County, Massachusetts, where, on February 19, 1781, describing himself as "gentleman", he conveyed to Jeremiah Hogeboom of Claverack, Albany (now Columbia) County, New York, for £20, one-half right in the Susquehanna Purchase which he had bought from Abraham Harding; also all his right "in the two ten-mile tracts of land given to the 200 proprietors that should first settle on the Susquehanna Purchase." About the time of making this conveyance, Captain Strong removed to Claverack, where, on May 27, 1782, Abraham Bradley of Litchfield, Connecticut, conveyed to him two half-rights in the Susquehanna Purchase.

At Claverack, New York, on November 4, 1783, Captain Strong conveyed to Peter Hogeboom of Claverack, for £200, three half-rights in the Susquehanna Purchase, together with all his right, title and interest in "the town of Claverack on the Susquehanna River." This town had been laid out by Jeremiah Hogeboom and Solomon Strong at what is now Towanda, Bradford County, Pennsylvania, in the Summer or Autumn of 1774, in pursuance of authority received from the Committee of the Susquehanna Company, empowered to supervise and control the laying out of towns or townships. Jeremiah Hogeboom reported to this committee in June, 1778, that, "at the request of Col. John H. Lydius, Balthazar Lydius, Capt. Abraham Lausing, Peter Hogeboom, and others, their associates, proprietors in the Susquehanna Purchase, he had surveyed a township containing twenty-five square miles of land, lying partly upon each side of the river." This survey was duly approved by Zebulon Butler and Obadiah Gare of the committee above referred to. (For other references to Lydius and Lausing mentioned above, see pages 270 and 280, Vol. I.)

Under the date of December 18, 1785, Zebulon Butler and Obadiah Gare, of the committee for laying out townships, issued the following certificate: "This is to certify that Col. Jeremiah Hogeboom and Capt. Solomon Strong laid out and located a township on the Susquehanna River, in the Susquehanna Purchase, agreeably to the rules and orders of The Susquehanna Company; and it was granted to them by the Committee appointed for that purpose, and they are still entitled to it—*provided they proceed to settle it by the first of May next.*"

Although this township was formally named Claverack, it was commonly called *Claverack* 1785 and '86) "Strong and Hogeboom's town", for the reason that Messrs. Strong and Hogeboom owned one-third of the whole number of "rights" in the town. In the Autumn of 1800, Benjamin Dorrance of Kingston and Col. John Franklin, by conveyances from former claimants, became the joint-owners of over 12,000 acres of land in Claverack, which they subsequently leased and sold to settlers.

Captain Strong, so far as can now be ascertained, continued to make his home at Claverack, New York, until the Autumn of 1785, when he returned to Wyoming. He was living in the upper end of Luzerne County (probably in what is now Bradford County) in 1794.

General Allen's presence here aroused a good deal of curiosity and comment and the news soon leaked out that General Allen, Colonel Franklin and John Jenkins, Dr. Joseph Hamilton and Dr. Caleb Benton\* of New York State, and Maj. William Judd of Farmington and the Hon. Oliver Wolcott of Litchfield, Connecticut, and other radical and ardent enthusiasts who were members of The Susquehanna Company, were determined to take steps to erect a new State out of the Wyoming region.

Of course there were more than a few of the conservative settlers under The Susquehanna Company who were strongly opposed to a move of this kind, and as a result discussions concerning the matter were many and frequent in the community and sometimes hot, while divers letters written by the opponents of the scheme were sent hence to Pennamite land-claimers and State authorities at Sunbury, Easton and Philadelphia. Up to this time the settlers under The Susquehanna Company had been singularly united and harmonious in their policies and aims, but dissensions and jealousies, and divergent views as to what was best for the community, now divided the inhabitants into two parties, and the line of demarcation was sharply drawn. Those who were opposed to any attempt being made to erect a new State out of the Wyoming region saw that, in the event of such a procedure, all their hopes for an early and peaceful solution of their long-standing difficulty would go a-glimmering.

Two or three days before the arrival of General Allen at Wilkes-Barre, Dr. William Hooker Smith and Capt. John Paul Schott, two of the "Directors" who had been chosen by the inhabitants at their town-meeting on November 15, 1785, notified the inhabitants to attend a town-meeting at Kingston, on

\*CALEB BENTON became interested in Wyoming affairs in the Autumn of 1785. At that time (according to a memorandum under the date of September, 1787, found among the papers of Col. Timothy Pickering) he resided at "Hillsdale, Columbia County, New York, adjoining Eremont, Berkshire County, Massachusetts." In November, 1786, the town of "Hamilton", five miles square, located near the eighty-ninth mile-stone in the Pennsylvania—New York boundary-line, was surveyed for and granted to Dr. Joseph Hamilton, Gen. Ethan Allen and Dr. Caleb Benton, and others their associates to the number of fifty half-share proprietors. This survey was approved November 24, 1786, by John Franklin and John Jenkins, "Committee of The Susquehanna Company to order and direct the laying out of towns." At the same time the towns of "Goresburgh" and "Bentonburgh", adjoining "Hamilton", were surveyed, laid out and granted for and to the same proprietors. The town of Hamilton was located at the junction of the Cowanesque and Tioga Rivers, to what is now Tioga County, Pennsylvania. (See "Map of The Susquehanna Company's Survey", facing page 468, Vol. I.)

In the Winter of 1787-88 the "New York Genesee Land Company" was organized. It was composed of some eighty or ninety individuals, mostly residing along the Hudson River, in New York, and many of whom were wealthy and influential. Dr. Caleb Benton, John Livingston of Livingston Manor and Jared Coffin were the principal managers of the company.

In September, 1788, an important council was held at Fort Schuyler with the Six Nation Indians by Commissioners representing the State of New York. Governor Clinton was one of the Commissioners, and thousands of Indians were present. During this council careful inquiry was made—by affidavits, oral testimony, etc.—relative to certain long leases of land which had been made by land-grabbers with the Indians. These leases were largely for 999 years, and covered all the lands of the Six Nations in New York except some small reservations. The consideration was 2000 Spanish milled dollars per annum. The inquiry conducted at the Fort Schuyler Council exposed the fact that a connected scheme of deception, bribery and threats had been practised upon the Indians.

The Commissioners who were conducting the Council finding that the Senecas were holding back from a participation in the council, that many headmen of the Cayugas and Onondagas were absent, and that a counter gathering was being held at Kaadesaga (see page 967, Vol. II), sent messengers to that town. Arriving there they found Dr. Caleb Benton surrounded by Indians and his agents, dealing out liquor and goods, and delivering speeches in which he assured the Indians that if they went to Fort Schuyler the Governor of New York would cheat them out of their lands, etc. Many of these Indians were undecieved, and finally were induced to proceed to Fort Schuyler when they had recovered from the nasty state of intoxication in which they had been kept by Benton and the other agents of the land-grabbing lessees. Such had been the excesses into which they were led, to keep them from the council at Fort Schuyler, that many of them, upon becoming sober, were too sick to be able to get to the fort; and one of the Cayuga chiefs died on the road thither.

According to the testimony of the Rev. Samuel Kirkland (see page 1190, Vol. II) two of the principal lessees and their agents, in order to hold the Cayugas back from the Fort Schuyler council, had kept them in a continual state of intoxication for three weeks; and Dr. Caleb Benton and Coloel M——— had between twenty and thirty riflemen in arms for twenty-four hours. It may be remarked here, that in 1789 the lessees were compelled to give up the long leases that had occasioned so much trouble. (See the "History of the Pioneer Settlement of Phelps and Gorham's Purchase," by O. Turner, Rochester, New York, 1852.)

In 1795, at least eight or ten townships, of 16,000 acres each, within the limits of the Susquehanna Purchase, were granted by John Franklin, Simon Spalding and John Jenkins, Commissioners of The Susquehanna Company, to "Dr. Caleb Benton of Columbia County, New York", who had bought up the rights of a large number of proprietors. One of the townships thus granted was named "Savannah," and lay next to Wilkes-Barré on the east—the metes and bounds of the same beginning at the south-east corner of Wilkes-Barré and the north-east corner of Hanover.

In 1797 and '98, Dr. Benton was a Representative in the New York Assembly from Columbia County. In 1802, one of the earliest and most important turnpikes in the State of New York—the Catskill and Susquehanna Turnpike—was completed, and soon became a famous highway to Central New York and the navigable Susquehanna, and so remained for more than a quarter of a century. In 1804, Dr. Benton, then living at Catskill, was President of the corporation which owned and operated this road—be, his brother Stephen and John Livingstone having been among the original incorporators of the turnpike company. Stephen Benton, brother of Caleb Benton, was a well-to-do merchant for many years at Unadilla, New York, having come there from Sheffield, Massachusetts, in 1804.

April 28; but only seven or eight persons responded to the notice. Consequently on May 4, 1786, Dr. Smith wrote and issued the following:\*

"A SERIOUS ADDRESS TO THE INHABITANTS OF WYOMING."

"Gentlemen:—Two reasons induced me to address you in the following manner, viz.: The first Reason is because my interest is connected with yours. The second Reason is my appointment by you in a public character.

Gentlemen and neighbors, what have we been doing ever since the Decree of Trenton, which determined the Jurisdiction in favor of Pennsylvania? I answer, petitioning repeatedly the Legislature for their Laws in a Constitutional line, and to admit us as free Citizens of the State—which is now about to be done. Our former conduct has the approbation of every good man in this and neighboring States. Pennsylvania has fixed to us Terms of admittance, namely, that we shall take the Oath of fidelity to the State, and some of us be recognized.

"Does not Pennsylvania now hold out to us their Constitution, and desire us to take hold of it? I answer, Yes! They have marked out a Road for us to walk in, in order to a full admittance. They have sent to us a magistrate, who attended to recognize the people; who recommends it to the people to apply for a free election. That is now the thing wanting, namely, application, as there is a necessity of Constables to be elected in the first place—for when a warrant is granted for an election it must be directed to a Constable, who must warn, attend and direct the Election.

"As Captain Schott and myself are the only Directors that are willing to act at this time, we did warn a meeting for the twenty-eight ult. at Kingstown, which was attended only by seven or eight persons. What can be the reason of this conduct? Do you intend to prove to the world that you have been hypocritical from first to last? God forbid! It has ever since the Trenton Decree, been my sincere desire to embrace the Laws and Constitution of Pennsylvania, if I could have them on honorable Terms. This I also expected was the desire of the people—a few excepted. Nothing but a sincere desire to do good to the people and myself in this line induced me to act in a public capacity. If I have misunderstood the people, I am sorry. This is a critical hour. Pray rouse, act judiciously, candidly and consistently! and as a warning will be put up for a meeting on the West side of the River, I do earnestly desire the people to consider whether it is not for their interest to attend.

[Signed] "WILLIAM HOOKER SMITH"†

\*See "Pennsylvania Archives," First Series, XI: 105.

†WILLIAM HOOKER SMITH was born in the city of New York, March 23, 1725, the eldest child of the Rev. John and Mehitabel (Hooker) Smith. The Rev. John Smith was the third of the four sons of Thomas and Susannah (Odell) Smith, and was born at Newport-Pagnell, Buckinghamshire, England, May 5, 1702.

Thomas Smith born at Newport-Pagnell, September 19, 1675, was the sixth and youngest child of William and Elizabeth (Hardy) Smith. William Smith, who had been a soldier under Oliver Cromwell, was married, September 4, 1661, to Elizabeth Hardy, and they settled at Newport-Pagnell.

Thomas and Susannah (Odell) Smith and their family of three sons (the fourth and youngest had died in infancy) sailed from London for America May 24, 1715, and landed at New York the 17th of the following August. They located in New York City but some years later removed to Smith's, or Woodbury Cove, in Orange County, New York, a few miles down the Hudson River from West Point. There Thomas Smith, the father, resided until his death, which occurred November 17, 1745, at the age of 70 years, 1 month and 28 days. The date of the death of his wife has not been recorded.

William Smith, the eldest child of Thomas and Susannah (Odell) Smith, entered Yale College, from which he was graduated in 1719—subsequently becoming a tutor in the institution. Later he located in New York City, where he became a lawyer of prominence, and served as a member of the King's Council of the Province and as a Judge of the Court of King's Bench. He died at New York, leaving a numerous family.

Thomas, the second child of Thomas and Susannah Smith, was a farmer at Woodbury Cove, where he died, leaving a large family.

In the winter of 1722-'23, while Jonathan Edwards was preaching in New York City, he is reported to have been on terms of intimacy with the Smith family and to have made their house his home. This intimate friendship undoubtedly influenced John Smith to enter the ministry some twenty years later. He was graduated at Yale College in 1727, and subsequently practised medicine in New York and in Guilford, Connecticut.

According to Dexter's "Biographical Sketches of the Graduates of Yale College," I: 359, the history of John Smith "for some years after his graduation is obscure; he studied medicine as well as theology, and the record of his children shows that one died in New York in September, 1729, and another in Guilford a few weeks later. He probably practised medicine in both places." According to an original manuscript written by William Hooker Smith about the year 1796, and now in the possession of The Wyoming Historical and Geological Society, John Smith practised his profession at Milford, New Haven County, Connecticut, from 1739 till 1742, when he "got a license to preach the gospel as a Presbyterian minister, and had a call to Rye and there settled as minister."

At the desire of the people of Rye, Westchester County, New York, the Eastern Convocation of Ministers of Fairfield County, Connecticut, met at Rye December 30, 1742, according to Dexter, and ordained John Smith to the gospel ministry and installed him as pastor of the Church at Rye. Here Mr. Smith (or Dr. Smith, as he was commonly called, in recognition of his useful labors as a physician) continued to preach until the close of his life. In 1752 he joined the Presbytery of New York. After a residence of some years in Rye he removed to White Plains, distant six or seven miles, in the northern part of the same township; but he continued to preach at Rye on alternate Sabbaths—riding to and fro on horseback. In 1763, he added to his other labors the care of the Presbyterian Church at Ossining, eight or ten miles distant, where he occasionally preached during the next five years.

The Rev. John Smith was married May 6, 1724, to Mehitabel (born May 1, 1704) daughter of Judge James and Mary (Leete) Hooker of Guilford, Connecticut. Judge Hooker (born in Farmington, Connecticut, October 27, 1666) was the first Judge of the Court of Probate of Guilford. He was a grandson of Thomas Hooker, the great Puritan reformer and founder of Hartford, Connecticut. Mrs. Mary (Leete) Hooker was the daughter of William Leete, who was a signer of the Plantation Covenant, 1639; Assistant of New Haven Colony, 1643-'58; Deputy Governor of the Colony 1658-'61; Governor, 1676-'83, and original founder of New Haven Colony.

The Rev. John and Mehitabel (Hooker) Smith were the parents of four sons and eight daughters. The second daughter became the wife of the Rev. Benjamin Tallmadge, a graduate of Yale College in 1747. The Rev. John Smith died at White Plains, February 26, 1771, and was buried in the churchyard adjoining the church in which he had labored. The inscription on his tombstone refers to him as the "first ordained Minister of the Presbyterian persuasion in Rye



and the White Plains," and states that, "worn out with various labors, he fell asleep in Jesus." The house in which he lived at White Plains was still standing in 1885, about one-half mile from the churchyard where his remains lie. His wife died September 5, 1775.

William Hooker Smith, the eldest child of the Rev. John and Mehitable (Hooker) Smith, as previously noted, came with his parents to Rye, Westchester County, in 1742. According to the Historical Society manuscript, previously mentioned, he had gone from New York City to Guilford, Connecticut, at the age of nine years, and lived there with his mother's father, James Hooker, until he was fourteen years of age, when he joined his parents at Millford and lived there until the family removed to Rye. During all that period—1734 to 1742—he declares he "never had one day's schooling." "After I came to Rye," he states, "I studied Physick under my father, who was a practical physician." In 1746 or '49 William Hooker Smith removed to White Plains. In February, 1763 (according to an official record on file in the Court House at White Plains), he was engaged in mercantile business in Rye. In 1768 he was residing at White Plains, engaged in the practice of medicine, as is indicated by the following advertisement which appeared in *The New York Journal* of March 2, 1769, and in previous issues:

"Whereas, the Rev. John Smith, Minister of the Gospel in Rye and White Plains, is possessed of a Piece of Skill for the help of distracted Persons, and has been for many years successful in the cure of them—but being advanced in years and very infirm—has therefore communicated his Skill to his son, WILLIAM HOOKER SMITH, who hereby informs the Public that he lives at the White Plains, and is ready to serve in such cases, on reasonable terms; any Persons whose Friends or Relations may stand in need of his Relief and Help in so deplorable a Case, either at his own House or elsewhere. And as my Father has relieved a Number of persons who have been given up as incurable, who have been under the Direction of the ablest Physicians in New York and elsewhere, and as this is a peculiar Piece of Skill, beside the common practice; shall be obliged to any Person of the Faculty that will recommend.

"I would further inform the Public that I can almost infallibly determine the curable Persons by an examination of the Age, Inclination, Constitution, Shape and Make of the head, &c. For particulars, any Person desirous may inquire of Mr. Isaac Rykeman, in New York. "WILLIAM HOOKER SMITH."

"White Plains, September 29, 1768"

Dr. Smith came from North Castle, Westchester County, New York, to Wyoming in 1772, joining here his son-in-law, James Sutton, who had come hither from North Castle only a short time previously. At Wyoming, October 8, 1771, James Sutton paid to Zebulon Butler, of the Committee of Settlers of the Susquehanna Company ("12-lawful money of Connecticut, for one Right in the Susquehanna Purchase." (See page 1257, "The Town Book of Wilkes-Barré.") Smith and Sutton acquired lands under a Susquehanna Company title in Exeter Township—which as mentioned on page 467, Vol. I, was laid out by The Susquehanna Company in November, 1772. On May 11, 1774, William Hooker Smith and James Sutton conveyed to Solomon Strong about 300 acres in Exeter—"being a lot surveyed to John Depew"—in consideration of a lot of land in Exeter surveyed to James Flint, "with a saw-mill thereon, belonging to John Depew Strong". (See "The Town Book of Wilkes-Barré," page 1321.) On the 28th of the following July Dr. Smith purchased of Joseph Sprague, for £100, "Meadow Lot No. 46 on Jacob's Plains, in the First Division of Wilkes-Barré," which lot had been originally drawn by said Sprague.

In 1776, Dr. Smith was a taxpayer in Kingston Township, and in 1777 and '78 in Wilkes-Barré—living in what is now Plains Township. In May, 1777 (as mentioned on page 922) he was established, and was subsequently commissioned, Captain of the "2d Alarm List Company" of the 24th (Westmorland) Regiment of Connecticut Militia.

On page 1650, Vol. III of "Colonial and Revolutionary Families of Pennsylvania," published in 1911, the following paragraphs will be found: "Dr. William Hooker Smith enlisted at Wyoming May 15, 1775, in the Third Company of the 1st Regiment of Connecticut, raised in the Wyoming Valley at the first call for troops, and served with it at the siege of Boston. He marched with this regiment from Boston to New York in the latter part of June, where they were encamped until September at Harlem. About September 28, 1775, the regiment, under General Schuyler, marched to the Northern Department, New York, and took part in the campaign along Lakes Champlain and George and assisted in the reduction of St. John in October.

"Doctor Smith left this regiment in December, 1775, and enlisted in the 10th Continental Regiment of Connecticut under Colonel Parsons in 1776, and marched under General Washington to New York City, taking part in the battle of Long Island August 27, 1776. In 1777 Doctor Smith was commissioned Captain in the 24th Connecticut Regiment. May 27, 1778, he was commissioned Surgeon of the regiment and served in this capacity during the remainder of the Revolutionary struggle. He assisted in the building of Forty Fort, but was away with the army at the time of the [Wyoming] Massacre."

There is very much more of fiction than of truth in the two foregoing paragraphs. No enlistments whatever took place at Wyoming in May, 1775, "at the first call for troops." Moreover, at that time Doctor Smith was not only beyond the military age, as fixed by Connecticut statute law (see pages 826 and 827, Vol. II), but was exempt from military service by reason of the fact that he was a practising physician.

The writer of the paragraphs in question undoubtedly consulted, before writing them, the book entitled "Connecticut in the Revolution," which was compiled by authority of the General Assembly of Connecticut, and published at Hartford in 1889. Therein will be found the records of service and, so far as they have been preserved, the rosters of certain companies of the 1st and 10th Connecticut Regiments. The name "William Smith", appears in the roster of private soldiers of the Third Company of the 1st Regiment in 1775, and in 1776 the same name appears in the roster of Captain Gallup's company of the 10th Continental Regiment of the Connecticut Line. But this "William Smith" was not William Hooker Smith. The latter, as shown by existing legal documents and other manuscripts, always—from as early at least, as the year 1763, until his death—was particular to use his full name when he had occasion to write it in business and other transactions. In consequence, it is fair to presume that had he enlisted as a soldier he would have seen to it that his correct name should appear in the records of his Company.

Furthermore, Doctor Smith was in Wyoming during the years 1775, 1776 and 1777, as is evidenced by authentic records of that period which have been preserved; and, what is an equally interesting fact, there is not in the rosters of the two Connecticut Companies mentioned above the name of a single Wyoming man!

When, in May, 1777, Doctor Smith was appointed and commissioned Captain of one of the "Alarm List" Companies of the Westmorland Regiment, he was in the fifty-third year of his life, and could not, therefore, under the then law of Connecticut (see page 911, Vol. II), be "included in that part of the militia called the train-band."

The writer of the paragraphs, which we have extracted from "Colonial and Revolutionary Families" states that on May 27, 1778, Doctor Smith "was commissioned Surgeon of the [24th] Regiment, and served in this capacity during the remainder of the Revolutionary struggle. He assisted in the building of Forty Fort, but was away with the army at the time of the [Wyoming] massacre."

Forty Fort was built in 1772, before Doctor Smith came to Wyoming.

The present writer has been unable to find anywhere any authentic record to the effect that Doctor Smith was ever appointed, or ever served as, Surgeon of the 24th Regiment. The existence of the regiment ended practically with its defeat and rout at the battle of Wyoming, July 3, 1778. At the time of that battle and the subsequent massacre Doctor, or Captain Smith was not "away with the army", but was at Fort Wilkes-Barré in command of the slender garrison.

After the surrender of this fort to the enemy and their destruction of it, Captain Smith repaired to Forty Fort, where he remained until about July 18th, when he set out for Fort Penn. He seems to have been at Catawissa (on the Susquehanna, about forty miles south-west of Wilkes-Barré) at some time between July 22nd and July 30th. He was at Fort Penn on July 30, (as noted on page 1060), but a few days later returned to Wilkes-Barré in the detachment of militia commanded by Colonel Butler. (See page 1095.) From that time until the Summer of 1780 he was in the military service at the Wyoming Post, Wilkes-Barré, in command of a small company of Wyoming militia-men, except during a brief period in 1779, when he accompanied the Sullivan Expedition in the capacity of an Assistant Surgeon or Surgeon's Mate.

In the Summer of 1780, Doctor Smith was appointed a Surgeon's Mate in the Pennsylvania Line, and was stationed at Fort Wyoming, Wilkes-Barré, in the performance of his duty until the close of the war. With reference to his services at this period the following paragraphs have been extracted from an official document entitled "Revolutionary Claims", issued by the United States Government in 1838.

"December 22, 1837. The Committee on Revolutionary Claims [of the House of Representatives], to which was referred the petition of the heirs of William Hooker Smith, report. It appears from the testimony in this case that William Hooker Smith was appointed a Surgeon's Mate in the Pennsylvania Line, on the Continental Establishment,

at an early period of the Revolutionary Contest, and continued in service to the end of the war. It further appears from the depositions of Thomas Williams, George P. Ransom, Rufus Bennet, Elisha Blackman and Geo. William Ross that, from July 3, 1778, until the close of the war, Doctor Smith acted as surgeon at the post of Wilkes-Barré, Wyoming Valley, and that he was the only officer of the medical staff attached to that post during that period. The garrison consisted of two companies of regulars, and the militia of the Valley.

"These facts sustain, in the opinion of the Committee, the claim of the petitioners to commutation on account of the services of the said Doctor Smith, and a Bill is accordingly reported."

"Act of Congress allowing commutation to representatives of William Hooker Smith passed during the Second Session of the XXVth Congress. Approved July 7, 1838."

The amount of money appropriated, and subsequently paid, to the heirs of Doctor Smith, under this Act of Congress, was \$2,400.

Relative to the aforementioned grant by Congress the *Wyoming Republican and Farmer's Herald* (Wilkes-Barré) of June 6, 1838, printed the following: "By the proceedings of Congress we see that a Bill has passed the House of Representatives granting to the heirs of the late Wm. Hooker Smith compensation for his services at Wyoming in the Revolutionary War. Dr. Smith acted in the capacity of Surgeon and Captain. The grant is just. His services were of a highly meritorious character. We are glad to see claims for Wyoming Services and sufferings recognized at Washington."

Upon the organization of Luzerne County, early in 1787, Doctor Smith was elected a Justice of the Peace in and for the First District of the new County, and was also commissioned one of the seven "Justices of the County Court of Common Pleas in and for said County". His commission, dated May 27, 1787, was signed by Benjamin Franklin, President of the State. Judge Smith took the oaths of allegiance and of office at Wilkes-Barre May 29, 1787, and exercised the duties of his office until 1791, when the new Constitution of Pennsylvania, adopted in 1790, effected general and important changes in the Courts of the Commonwealth.

Dr. Horace Hollister, in his "History of the Lackawanna Valley, Pennsylvania" (the first edition of which was published in 1857), makes the following references to Doctor Smith: "One of those unusual characters, who give color and shape in a great measure to the community around them, was Dr. William Hooker Smith. Having a winning and superior tact, he was enabled to take hold of the affections of the inhabitants of Wyoming Valley, which he retained as the chief physician for a long period of years. He was a citizen of influence and property. His remarkable acuteness of perception is exhibited more so boldly as upon the Luzerne County records, where are recorded his purchases of the right to dig iron ore and the mineral called stone-coal, or any other mineral, as he said Smith may think proper to dig or raise."

"These purchases, considered then so visionary by the inhabitants who knew nothing of the nature nor the existence of coal, were made between the years 1791 and 1798, in the townships of Exeter, Plymouth, Pittston, Providence and Wilkes-Barre. The first was made July 4, 1791, of John Scott of Pittston, who, for the sum of five shillings, Pennsylvania money, sold one-half of any mineral, or ore of iron, or other metal, which he said Smith, or his heirs or assigns, may discover on the hilly land of the said John Scott by the red spring, or adjacent, with free liberty to dig and raise any ore or said lands, to dig and carry off any ore or mineral, without interruption. [Some of the other grantors to Dr. Smith, of rights and privileges similar to the foregoing, were: Isaac Benjamin, Plymouth, 1794; Martin Smith, Newport, 1792; Luther Jones, Wilkes-Barré, 1799.]

"While these purchases were the result of the superior foresight of Smith, stone-coal and iron-ore lands possessed so little value here that their owners were glad to exchange them for a mere nothing. In 1850 these old claims passed into the hands of George P. Steele [of Wilkes-Barre], and the same year to their present owner, J. Ross Snowden of Philadelphia.

"After the Sullivan Expedition Doctor Smith located on the Lackawanna River near the place subsequently designated as Old Forge [then in Pitt town Township], where first in the valley [of Lackawanna] the trip-hammer sound reverberated along its banks. The forge stood immediately below the rapids, or falls, in the Lackawanna, and was erected (upon the site of the grist mill spoken of before) by Doctor Smith and James Sutton in the Spring of 1789. Two fires and one trip-hammer furnished about 400 pounds of iron in twelve hours, from ore procured from the neighboring hills."

Relative to the mineral rights acquired by Dr. Smith, as mentioned above, the following paragraphs appeared in *The Record of the Times*, Wilkes-Barré, in the Summer of 1859. "J. R. Snowden vs. The North Pennsylvania Coal Co. In Special June Court, 1859. Colonel Snowden claims, under one of the old Dr. Wm. Hooker Smith reservations, some 200 acres of land purchased by and in the possession of the Company. This is a pioneer suit in the Smith claims, which, if successful, will cause considerable trouble among purchasers of coal lands, the Doctor having obtained reservations of all the minerals under a great portion of the Wyoming and Lackawanna Valleys."

At some time between 1788 and 1793 Dr. Smith removed from Jacob's Plains in Wilkes-Barre Township to Old Forge, previously mentioned. In 1796, he was still residing in Pittston Township. Subsequently he removed to the north-western corner of Luzerne County, in what is now Wudham Township, Wyoming County. A few years later he removed thence to Tunkhannock Township, in what is now Wyoming County, where he continued to reside until his death.

Peck, in his "Wyoming" (edition of 1872, page 206), says: "Dr. Smith, during his latter years, was known to be somewhat skeptically inclined. The idea of a warning from the spirit of his departed wife proves that at the time he had strong convictions of the existence of disembodied spirits. Whether the serious circumstances by which he was then surrounded for the time dissipated his doubts, or the sense of personal security which supervened in after years overcame the convictions of earlier life, we are not prepared to say." He was undoubtedly a believer in dreams, visions and omens.

Prior to 1809 Dr. Smith wrote a treatise on alchemy. Under the date of September 1, 1809, he enclosed the MS of this treatise, together with other MSS, (all in his own handwriting), in an envelope, upon which he wrote the following directions: "Let the papers which are wrapped up with this book be kept with this book until Isaac Smith Osterhout, son of Isaac Osterhout and my daughter Susannah Osterhout, comes of age. Then the papers and this book I wish to be delivered to him. I am very sick, and expect to dye in a few days, & I dye in the full belief of the art of Transmutation. [Signed] Wm. HOOKER SMITH."

The original envelope above mentioned, as well as some of the MSS, which it contained, are now in the possession of the present writer. One of the manuscripts relates to a process by which the writer declared it was possible to transmute copper into silver. Appended to the "receipt" is this statement: "This discovery is worth £500. It is my own entirely. March 8, 1809. [Signed] Wm. HOOKER SMITH."

Although Dr. Smith was then in the eighty-fifth year of his life he did not "dye in a few days," but lived several years longer. In his treatise on alchemy was printed and published in pamphlet form, bearing the following title: "Sichymy Explained, and made Familiar, or a Drop of Honey, for a Despairing Alchemist." Collected from the Alchymist's Rock, or Philosopher's Stone. By William Hooker Smith, M. D. Putnam Township, Luzerne County, Pennsylvania, January 1, 1812. Printed for the Author."

What was the Tunkhannock Township had been originally Putnam Township (see page 1497); but although the name had been changed in 1790 many residents of the township and County continued to refer to the township by its early name.

Kulp, in his "Families of the Wyoming Valley," III: 222, says: "To religious belief Dr. Smith was a predestinarian in the sense of the word. In his will, written by his own hand and dated March 19, 1810, he uses the following language: 'I recommend my soul to Almighty God that gave it to me, nothing doubting but that I shall be finally happy. My destiny I believe was determined unalterably before I had existence. God does not leave any of His works at random, subject to chance; but in what place, where or how I shall be happy, I know not.' And at the close of his will the following: 'Now, to the sacred spring of all mercies, and original fountain of all goodness to the Infinite and Eternal Being whose purpose is unalterable, whose power and dominion is without end, whose compassion fails not, to the High and Lofty One Who inhabits eternity and dwells in light, by glory, majesty, dominion and power, now and evermore, Amen!'"

Dr. Smith died at his home in Tunkhannock July 17, 1815, aged 90 years, 3 months and 24 days. William Hooker Smith was married, first, in 1743, to Sarah (born March 13, 1725), daughter of Jonathan Brown of Rye, New York. As stated in the note on page 1056, Vol. II, Mrs. Smith died at Wyoming in the Summer of 1778. According to the record made by Dr. Smith in his family Bible, she died on Friday, June 12, 1778, about 9 o'clock at

night, and was buried June 14, on Dr. Smith's land at Jacob's Plains. Concerning her Dr. Smith wrote in his Bible the following paragraph: "My first wife, Sarah, was in some part of her time—until she was changed by the power of God from a State of Nature to a State of Grace—of an uneasy, worldly disposition, but after her change, perfectly Easy. She was Merciful, Obedient, Honest, Sober and Religious. She told me in her last hours she had made her peace with God. She said she knew in whom she had trusted, and that she would not be deceived."

At Wilkes-Barré, November 2, 1779, Dr. Smith was married (2nd) to Mrs. Margery (Kelllogg) Smith, mentioned on page 1400. Mrs. Smith was a widow at the time of the battle of Wyoming, and with her children—one of them a daughter named Olive, aged between two and three years, and another a daughter named Esther, aged about one year—escaped down the river. A few months later they returned to Wyoming.

By his first marriage Dr. Smith was the father of the following named children—the first two of whom were born at Rye, and all the others of White Plains, New York. (i) *Mory*, born March 13, 1744; became the wife of — Baker of New York City. (ii) *Sarah*, born January 19, 1747, died in Exeter, Pennsylvania, August 20, 1834. (iii) *Nesomah*, born November 17, 1750; died in Wyoming Valley June 12, 1778. (iv) *John*, born January 29, 1752. (v) *Maria*, born March 27, 1754. (vi) *James*, born May 1, 1757. (vii) *Elizabeth*, born June 4, 1759; became the wife of — Bailey, and lived and died in "the lake country," New York. (viii) *Deborah*, born August 22, 1761. (ix) *William*, born October 7, 1762. (x) *Jonathan*, born August 27, 1764.

(ii) *Sarah Smith*, born January 18, 1747, was married in Westchester County, New York, June 2, 1769, to James Sutton (born March 7, 1744), who at that time, and for some years later, was engaged in mercantile business at North Castle, Westchester County. He belonged to the Society of Friends, or "Quakers." As noted hereinbefore (page 1501) Mr. Sutton came to Wyoming and purchased lands in the Autumn of 1771, but he did not bring his family with him then nor did he himself remain here long. Just at that period the times in Wyoming were somewhat disjointed and unsettled.

Inasmuch as his third child (Deborah) was born in North Castle, in 1773, and as his name does not appear in the Westmoreland tax-list for 1776 (see page 877, Vol. II.), it is quite probable that he and his family did not locate here until late in 1775 or early in 1776. They took up their residence on Jacobs Plains in Wilkes-Barré Township, but shortly afterwards removed to Exeter Township, where, as stated in the note on page 989, Vol. II., he and James Hadsall built and operated the first grist-mill and saw mill in Exeter Township, near the mouth of the stream which soon became known as Sutton's Creek. The name of James Sutton appears as a tax-payer in Exeter Township in the Westmoreland tax-lists of 1777 and 1778. (See pages 947 and 952.)

In 1778 Mr. Sutton leased his interest in the Exeter mills, purchased a mill-seat at what was afterwards known as Mill Hollow, within the present limits of the borough of Luzerne, and removed his family thither. When the British and Indians made their incursion into Wyoming in July, 1778, the Suttons repaired to Fort Fort and were there when the fort was surrendered to the enemy on July 4th. The family of Mr. and Mrs. Sutton at that time consisted of their daughters Polly and Deborah and son William. Their daughter Sarah C. (the youngest child) had died in May, 1778, aged about eleven months. (It is erroneously stated on page 1056, Vol. II., that in July, 1778, the family consisted of Mr. and Mrs. Sutton, "their daughter Deborah, and a younger daughter.")

As narrated on page 1056 the Suttons fled from Wyoming about the 20th of July, 1778, floating down the Susquehanna river to Hagerstown, below Harrisburg. There they remained for nearly two years, when they returned to Wyoming. The name of James Sutton appears in the Westmoreland tax-lists for 1780 and 1781, and in the roster of Capt. John Franklin's militia company for April, 1780. (See page 1229, Vol. II.) In 1781-82 he was a private in the First Company of the 5th Regiment of Connecticut Militia, commanded by Captain Franklin at Wyoming (See page 1230, Vol. II.)

For some time after the return of the Suttons to Wyoming they lived on River Street, between Market and Northampton Streets, Wilkes-Barré. Their home was burned down in 1784, during the Second Pennamite-Yankee War, and then they returned to their former home in Mill Hollow. A few years later they moved up to Exeter. July 4, 1808, James Sutton was commissioned Justice of the Peace, and the same day was appointed Sealer of Weights, and Measurer for Luzerne County. At this time he was an active worker in the Methodist Episcopal Church. James Sutton died at his home in Exeter July 19, 1824, and his wife died there August 20, 1834. Their children, who grew to maturity were as follows: (1) *Mory ("Polly") Sutton*, born September 30, 1770. She became the wife of Putnam Cattin a member of the Bar of Luzerne County, who died at Great Bend, Pennsylvania, in 1842. (For a sketch of his life see a subsequent chapter.) She died at Delta, New York, July 15, 1844. (2) *Deborah Sutton*, born at North Castle, Westchester County, New York, February 8, 1773. She was married May 16, 1799, as his second wife, to Jacob Bedford (born in 1762, son of Stephen Bedford), who came from New York to Wyoming Valley in 1792, and settled in Kingston Township. (The first wife of Jacob Bedford was a daughter of Benjamin Carpenter of Kingston Township, of whom a biographical note will be found hereinafter.) Jacob Bedford was commissioned Coroner of Luzerne County November 3, 1804. In October, 1810, he and Jabez Hyde were chosen by the votes of the electors of Luzerne County as candidates for the office of Sheriff. The Governor of the Commonwealth selected Mr. Hyde for the office and duly commissioned him. Jacob Bedford died at Waverly, Lackawanna County, Pennsylvania, August 23, 1849, and his wife Deborah died there April 3, 1869.

Dr. Feck, in his "Wyoming," devotes a chapter to Mrs. Deborah Bedford. Writing in 1858, he says of her: "From early childhood she has maintained a character not only without reproach, but above suspicion. She is the oracle of her family circle, and is universally loved. She is one of the few instances which are met in a century, of a contented happy, hopeful mind, which has borne the friction and sustained the hardships of eighty-five years. She joined the first Methodist Society which was formed in Wyoming. Her memory of the events of the olden time is still quite perfect, and her relations are given with more emotion than is common to those of her years."

Andrew Bedford, born in Kingston Township, Luzerne County, April 23, 1800, was a son of Jacob and Deborah (Sutton) Bedford. In 1824 he pursued a course of medicine in the Medical School of Yale College, and soon thereafter began to practice his profession at Abington Center, Luzerne County (now the borough of Waverly, Lackawanna County), Pennsylvania. He was a member of the Pennsylvania Constitutional Convention of 1837-38 and in October, 1840, was elected (on the Democratic ticket) Prothonotary, Clerk of the Courts of Quarter Sessions and Oyer and Terminer, and Clerk of the Orphan's Court of Luzerne County. At that period these several offices were held by one person. Dr. Bedford entered upon the duties of these offices in January, 1841, for a term of three years, at the end of which he was re-elected to serve a second term. He was the first Burgess of the borough of Waverly (incorporated in January, 1854), holding the office continuously, by successive elections, until 1871. He also held the offices of Postmaster and School Director at different times, and in 1840 was one of the incorporators of the Madison Academy at Waverly.

Dr. Bedford was twice married. First, February 18, 1827, to Hannah (born October 22, 1806), third child of Benjamin and Lydia (Fuller) Reynolds of Plymouth, Pennsylvania; second, in 1853, to Mrs. Mary M. (Porter) Burtiss, widow of John M. Burtiss and daughter of Maj. Orlando Porter, at one time a resident of Wilkes-Barré. By his first marriage Dr. Bedford had seven sons, and by his second marriage one son and one daughter. George Reynolds Bedford (born November 22, 1840), a prominent citizen of Wilkes-Barré and a member of the Bar of Luzerne County, is the sixth child of Dr. Andrew and Hannah (Reynolds) Bedford. Dr. Bedford died at his home in Waverly September 3, 1889.

(3) *William Sutton*, born February 20, 1775; died January 30, 1828, was the fourth child of James and Sarah (Smith) Sutton. (4) *James Sutton*, born September 10, 1779; died July 27, 1827, was the sixth child of James and Sarah. His wife was Nancy Smith, and they had a son, James H. (born in April, 1817), who was living in Honesdale, Pennsylvania, in 1898. (5) *Sarah Sutton*, born July 4, 1782, was the seventh child of James and Sarah. She was married at Exeter November 17, 1800, to Daniel Sterling, and died June 12, 1812. (6) *John Sutton*, born October 9, 1786, was the ninth child of James and Sarah. He became an Indian trader in early manhood, and in time his family lost track of him. (7) *Samuel Sutton*, born November 2, 1788, was the tenth and youngest child of James and Sarah. He was married November 14, 1822, to Mary Dorrance (born January 26, 1799), daughter of Stephen and Mary (Dorrance) Buckingham of Kingston. Samuel Sutton died March 25, 1842, and his wife, Mary D., died March 13, 1882. They were the parents of (a) Nancy Anne, (b) James, (c) Stephen B., (d) Samuel and (e) Charles B. (twins), and (f) Benjamin D. (g) Charles B. Sutton (born July 9, 1830; died September 6, 1897) was Mayor of the City of Wilkes-Barré from February, 1886, to April, 1892. (h) James Sutton (born December 22, 1825), the last survivor of the family of James and Sarah (Smith) Sutton. Mr. Sutton died in Wilkes-Barré, June 15, 1917, establishing by his will the Sutton Home for Men.

(ii) *Susannah Smith*, born November 17, 1750, was married in 1774 to Lemuel Gustine, Jr., born at Saybrook, Connecticut, in 1749, the son of Lemuel Gustine, Sr., and grandson of Samuel Gustine of Stonington, Connecticut.

On the same day that he wrote the foregoing address Dr. Smith wrote to Jonathan Cory and James Lasley of Hanover, in part as follows:\*

"I am as fond of my proprietors Right as any man. Perhaps I wish to obtain it in a sure way. I urged Colonel Franklin many times last Winter to make provision for the half-share men. I am convinced that Pennsylvania will give us some lands—whether it will be only the Towns which were laid out and confirmed whilst we were under Connecticut, or whether they will give us a certain right on each side the River, is to me unknown. I wish from my heart that those of the half-share men which are honest, well-disposed men would get into the Towns which are laid out, or plant themselves on vacant lands as near the River as possible, so that they may be included with us who are settlers.

"Pray, Gentlemen, have we not told Pennsylvanians, and the whole World, that we wished to be owned by them in a constitutional way, and that then we would submit to their Government? They have at last held out to us terms of admittance. We have complied to every Requisition—conditionally that they do us Justice. Are not most of us under the Tie of an Oath to the State? Have we not voted that we will take their Laws? Pray Sirs, if we shall now refuse to take their laws, or act in violation [of them], what can we expect but to be despised by all men, expect the severe resentment of the State, and to be treated as Rebels and Traitors? \* \* \* For my part, I should not expect pity either from God or Man."

The name of Lemuel Gustine, Jr., is mentioned several times in Volume II of this History, but his surname is erroneously spelled "Gustin". He came to Wyoming either in 1773 or 1774, and was a settler and tax-payer in Kingston Township in 1776, '77 and '78. He is said to have studied medicine with his father-in-law, Dr. Wm. Hooker Smith, and thereafter to have practised as a physician in the Wyoming settlements.

In May, 1776, Dr. Gustine was appointed by the General Assembly of Connecticut a Surveyor of Lands in and for Litchfield County—which County then included Westmoreland, or Wyoming. He was a member of the 24th Regiment, Connecticut Militia, and took part in the battle of Wyoming, and following it, was at Fort Mifflin and other survivors. He signed, as one of the witnesses, the articles of capitulation executed at Fort Mifflin July 4, 1778. (See pages 1031-1034, Vol. II.) Some two weeks later—as narrated on page 1056, Vol. II.—Dr. Gustine and his young daughter, Sarah (born in Kingston Township, in 1773), removed to Carlisle, Pennsylvania. Mrs. Susannah (Smith) Gustine had died at her home in Kingston Township June 12, 1778. Her remains are interred in Fort Mifflin Cemetery.

A few years after locating at Carlisle Dr. Gustine was married (2d) to Mary Parker, and they became the parents of several sons and daughters. Dr. Gustine practised medicine at Carlisle until his death there in 1807.

Sarah, the only child of Dr. Lemuel and Susannah (Smith) Gustine, was married at Carlisle in 1792 to the Rev. Nathaniel Randolph Snowden, born at Philadelphia in 1770, the son of Isaac Snowden (1732-1809), a Revolutionary soldier. At the time of his marriage Nathaniel R. Snowden was a licentiate of the Presbytery of Philadelphia, but had been for some time residing at Carlisle as a student of divinity under the eminent Rev. Charles Nesbit, D. D. The Rev. Nathaniel R. and Sarah (Gustine) Snowden became the parents of several children. Three of their sons were as follows: (1) *Dr. Nathaniel Dufield Snowden*, (2) *Dr. Isaac Wayne Snowden* and (3) *James Ross Snowden*. (1) Dr. Nathaniel Dufield Snowden was married to—McClelland, and Gen. George Randolph Snowden of Philadelphia (born at Franklin, Venango County, Pennsylvania, February 12, 1841) is their son. He was admitted to the Bar in April, 1862. Later he enlisted as a private in the 142d Regiment, Pennsylvania Volunteers, in the Civil War. He was promoted Lieutenant and subsequently Captain. In 1874 he located in Philadelphia as a lawyer. In 1877 he was Colonel of the 3d Regiment, Pennsylvania Militia. In 1878 he was commissioned Brigadier General of the 1st Brigade, National Guard of Pennsylvania, and in 1893 succeeded Major Gen. John F. Hartranft as Division Commander (with the rank of Major General) of the N. G. I.

(2) Dr. Isaac Wayne Snowden (born in 1794) was married to Elizabeth, daughter of Archibald Louden of Cumberland County, Pennsylvania, and they became the parents of Archibald Louden Snowden, who was born in Cumberland County, August 11, 1837. He became Register of the United States Mint at Philadelphia in 1857, and in 1861 was commissioned Lieut. Colonel in a regiment of Pennsylvania Volunteers in the Union Army. Some years later he was elected Captain of the First City Troop, Philadelphia. In 1866 he became Chief Coiner in the Philadelphia Mint, from December 11, 1876, till February 17, 1879, he was Postmaster at Philadelphia, and then, until 1885, he was Superintendent of the Mint. In 1885 he became one of the Commissioners of Fremont Park, being elected President of the Board in 1902. He was United States Minister to Greece, Roumania and Servia, 1889-'91, and Minister to Spain, 1891-'93.

(3) James Ross Snowden was born near Chester, Pennsylvania, December 9, 1809. He was graduated at Dickinson College, Carlisle, studied law, and was admitted to the Bar. In 1842 and '44 he was Speaker of the Pennsylvania House of Representatives, and in 1845 and '46 State Treasurer. He was Treasurer of the U. S. Mint at Philadelphia from 1848 to 1850, and Director of the Mint from 1853 till 1861. In 1861 he was appointed Prothonotary of the Supreme Court of Pennsylvania, and held the office continuously until 1874. He was a Trustee of Lafayette College from 1861 till 1877. At one time he was Solicitor of the Pennsylvania Railroad Company, and for a number of years held the rank of Colonel in the Pennsylvania militia. He was the author of several books and pamphlets on coins and medals. Colonel Snowden was married September 13, 1848, to Susan Engle, daughter of Maj. Gen. Robert and Sarah (Engle) Patterson of Philadelphia. He died at his home in Bucks County, Pennsylvania, March 21, 1878.

In May, 1846, Colonel Snowden was invited to participate in the ceremonies to be held at Wyoming on July 3, 1846, to celebrate the completion of the Wyoming Monument. In replying to the letter of the committee having charge of the arrangements, for the occasion Colonel Snowden wrote: "As a descendent of the first settlers of your beautiful valley, who participated in the stirring scenes which have marked its early history, the occasion will be of great interest to me. I shall, therefore, endeavor to accept your kind invitation; and in the event of my doing so I will take with me to Wyoming my mother, who was in one of the forts on the day of the battle."

(iv) John Smith, fourth child of Dr. Wm. Hooker Smith by his first marriage, was born January 29, 1752, and undoubtedly came to Wyoming about 1774 or '75. In 1776 and '77 he was living in Kingston Township and was a taxpayer there, and in 1778 was living at Jacob's Plains in Wilkes-Barré Township. In December, 1781, he conveyed to his father certain lands on Jacob's Plains. In October, 1787, being then a resident of New York State, he conveyed to his father certain lands in Luzerne County, Pennsylvania. Thomas and William Smith were witnesses to the deed of conveyance.

By his second wife Dr. William Hooker Smith became the father of a daughter—Susannah—who was born March 22, 1782, at what is now the south-west corner of Franklin and Northampton Streets, Wilkes-Barre. About 1802 she became the wife of Isaac Osterhout, son of Jeremiah Osterhout of Tunkhannock Township, in what is now Wyoming County, Pennsylvania. (For a sketch of the Osterhout family see a subsequent chapter.) Isaac Osterhout died near Tunkhannock June 27, 1824, and in 1828 his widow was married, as his second wife, to Fisher Gay, mentioned on page 1151, Vol. II. (Fisher Gay was not "one of the two brothers" of Mrs. Eleanor (Gay) Pettebone, as stated on page 1151, but was her uncle. Also, Mrs. Eleanor (Gay) Pettebone was married to her husband Jo-thua July 27, 1809, and not "in February, 1810," as stated on page 1151.) The first wife of Fisher Gay was Elizabeth Mygatt of America, Dutchess County, New York, to whom he was married February 8, 1801. They removed to Wyoming Valley and settled in Kingston Township in May, 1807. They were the parents of ten children. Mrs. Elizabeth (Mygatt) Gay died February 16, 1827, aged 45 years, 11 months and 2 days, and her remains are interred in Fort Mifflin Cemetery. Mrs. Susannah (Smith) Gay bore her husband one child, Ann, who died February 14, 1830. Mrs. Gay died at her home in New Troy, now the borough of Wyoming November 2, 1852, and was buried in Fort Mifflin Cemetery.

\*See "Pennsylvania Archives", First Series, XI : 104.

In the latter part of April, 1786, a number of full and half-share proprietors of The Susquehanna Company determined upon having a new township laid out in their behalf. Whereupon Colonel Franklin and Major Jenkins, assisted by Elisha Satterlee, located, and surveyed the boundaries of, a township at Tioga Point, to which the name of "Athens" was given. This made the eighteenth township to be laid out under the authority of The Susquehanna Company within the bounds of The Susquehanna Purchase. The seventeen others were: Wilkes-Barre, Kingston, Plymouth, Hanover, Pittston, Exeter, Providence, Newport, Huntington, Salem, Bedford, Northmoreland, Braintrim, Springfield, Claverack, Ulster and Putnam.

Some of the fifty original proprietors of Athens were: Gen. Ethan Allen, Col. Nathan Denison, Col. John Franklin, Maj. John Jenkins, Capt. John Swift, Mathias Hollenback, Christopher Hurlbut, William Slocum, Abram Nisbitt, John Hurlbut, Prince Alden, Jr., Justus Gaylord, Elisha Satterlee, Uriah Stephens, Waterman Baldwin, Mason F. Alden, Ira Stephens, Elisha Harding, Benjamin Allen, William Hyde, Ebenezer Slocum, Thomas McClure, Reuben Cook, Richard Halstead, Ishmael Bennett and Solomon Bennett. Colonel Franklin entered for himself two whole rights in the township, based on certificates which had been issued to him on May 1, 1786, under the resolution of The Susquehanna Company, passed July 13, 1785.

At Wilkes-Barre, May 9, 1786, agreeably to the request of Messrs. Franklin and Jenkins, agents, Messrs. Butler, Gore and Denison, the "Committee for the Granting of Townships", granted and confirmed the township of Athens to the fifty proprietors thereof "as a part of their general right in the Purchase".

Three or four days subsequently to the issuing of this grant, General Allen and Colonel Franklin set out from Wilkes-Barre for Hartford, Connecticut, for the purpose of attending a meeting of The Susquehanna Company to be held there on May 17th. Colonel Franklin carried with him the certificate of the Athens grant, which, on May 22nd, he turned over to the Secretary, or Clerk of the Susquehanna Company, by whom it was duly recorded.

At New York City, May 7, 1786, the Hon. Charles Pettit, one of the Delegates from Pennsylvania in Congress, wrote, on behalf of himself and his colleagues, to President Benjamin Franklin at Philadelphia, in part as follows:\*

"We transmit the report of a committee on a proposal of the State of Connecticut to cede part of the claim of that State to lands lying westward of Pennsylvania. If the proposal had been to cede the whole of the claim of that State to the Western Territory, there would scarcely have been any hesitation in accepting it, without enquiring how far the claim was well founded. But an apprehension that the acceptance of a part, as such, may be construed as an admission of their claim to the residue, creates some difficulty. The Delegates of Connecticut urge warmly, for an acceptance of this cession. \* \* \* They urge, as a special motive for our agreeing to it, that it will induce the State of Connecticut to discountenance the further pretensions of The Delaware and The Susquehanna Companies to lands in Pennsylvania, and tend to detach the real settlers at Wyoming from the more disorderly partizans of those Companies.

"Permit us also to mention that an advertisement has appeared in the Connecticut papers calling a meeting of those Companies on the 17th of this month, for certain purposes—amongst others, to take measures for counteracting the machinations of the State of Pennsylvania!"

On May 14, 1786, Dr. Wm. Hooker Smith, Samuel Hover and Abraham Westbrook, residents of that part of the township of Wilkes-Barré which is now the township of Plains, wrote to Col. William Montgomery at Northumberland, as follows:†

"My conscience and my oath to the State bind me to inform you that I wrote to Esquire [William] Shaw on the subject of a design of forming a new State, which is to include Wyoming, and also to include the Genesee and territory of lands claimed by New York. The principal

\*See "Pennsylvania Archives", First Series, XI : 106.

†See "Pennsylvania Archives", First Series, X : 760.

agents live in the States of New York and Connecticut. I am become acquainted not only with those agents, but their whole plan of proceedings, by means of *letters which I have intercepted!* I have neither money nor horse fit to ride, or I would have gone to the Governor (*sic*) and Council myself. Col. John Franklin and Capt. Solomon Strong are the principal actors. Strong lives in the State of New York, and is now gone up to Wysox, where he pretends to have a large share in a town [Claverack] which was laid out under Connecticut. Strong has told me and a number of others that he went twice to Varmount before he could prevail with General Allen to come to Wioming. \* \* \*

"Esquire [William] Shaw informed me that he expected to send fifty men here to take, if possible, Allen and many others whom I described. Yesterday Franklin and Allen left and set out to go to Connecticut, in order to attend a meeting of the Susquehanna Proprietors. Pray stop the intended force. If they are set out, send after them and call them back. I wish that this matter may lie still & my proceedings remain a Secret until the minds of the Governor & Council are made manifest to me and the undersigners (who are the only Persons in the settlement acquainted with my discoveries), who are hearty in the Cause. Whenever we shall get orders from authority we will take and deliver to the authority at Sunbury the following persons: Ethan Allen, John Franklin, Solomon Strong, James Finn, John Jenkins, and Christopher Hurlbut.

"Their Designs is, if possible, to persuade the people on the West Branch to joyn them. Franklin & Jenkins did engage James Finn\*, a Baptist minister, some time back to make a visit to the West Branch and to preach about amongst the people there, and feel out their minds in regard to a new State. If Allen, Franklin & Strong were removed the others would do but a Little. The longer the matter is delayed, the stronger they get. They have some ammunition stored, and some provision in store. A timely exertion would perhaps prevent a deal of trouble and bloodshed. Allen and Franklin and Strong have used many arguments & stratagem to seduce the People and prejudice them against Pennsylvania; but to little purpose.

"I have put up many advertisements† urging the people to attend to their Duty agreeable to their Engagements. Allen and Franklin and Strong made it their business to go from district to district and pull down my papers which were put up, and repeatedly threatened my life—which I disregard. I expect Captain Schott, & we will soon call the people together. The people in general are determined to adhere to Pennsylvania. I have, with unwearied labor & argument got the people to believe that Pennsylvania will do us Justice. If we were properly organized with authority we would Exert ourselves when the above men arrive. If they should have force, and we think it not prudent to attempt taking them, we shall call on you for assistance.

"I send you copies of the papers which I had put up in each District."

Dr. Smith forwarded to Colonel Montgomery by an express the foregoing letter, accompanied by a second letter, reading in part as follows:

"There will be no danger of letters being intercepted. The Bearer is unsuspected. Strong and his associates say that you are leading us wrong; that districts must be first set off by the Assembly before we can with propriety elect, and that we ought to wait until the next sitting of the Assembly and insist that we ought to have security from the State that they will do us justice. \* \* \* In the greatest Hurry—my hand, head and mind is confused!"

Immediately on receipt of these letters Colonel Montgomery, on May 17th, at Northumberland, wrote to the Supreme Executive Council a sensible lucid and forceful letter reading as follows:‡

"As a citizen of Pennsylvania, & much more as a civil officer,§ I consider myself under the strongest obligation to lay before you the information I have received respecting the state of things, & the measures now pursuing, at that part of the Country called Wyoming.

"As you will perceive by the letters inclosed, Col. Ethan Allen from Vermont, at the solicitation of a certain Capt. Solomon Strong of the State of New York, has arrived there, who, with Col. John Franklin, a liver at Wyoming, has been endeavoring to take off & divert the people (who had entered into recognizances before Esquire Shaw) from their allegiance to this State, & to go into measures for erecting a new State—which is to include a part of this and part of New York State. However wild the scheme, I believe they have made many converts at Wyoming, particularly among the late-comers and half-share men, as they are called; who, having no chance of pleading an early occupancy, or regular settlement [of the land], of course cannot flatter themselves with having any plea to hold their improvements under the jurisdiction of this State.

"Besides the above letters sent me by an Express. I have had the opportunity of being more fully informed of the same things by William Shaw, Esq., and Thomas Grant, Esq., who

\*The name of James Finn first appears in the records of Westmoreland, or Wyoming, in the year 1777, at which time he was a taxpayer in the "North District" (Exeter and Providence) of Westmoreland. In 1787 he resided near the confluence of the Lackawanna and Susquehanna Rivers. Pearce, in his "Annals of Luzerne County" (page 301) says: "In 1786 the Rev. Mr. Gray made special efforts in Pittstown Township, and in the Fall of that year a congregation [of Baptists] was organized there by the Rev. James Benedict. In 1787 this congregation was attached to the Philadelphia Association. Mr. Benedict was succeeded by the Rev. James Finn, and he by the Rev. William Bishop, who settled in Luzerne County in 1794. The Rev. James Finn died at Tunkhannock, Pennsylvania, in 1797, prior to December 2, and Solomon Finn of Pittston became Executor of his estate.

†Undoubtedly the "Serious Address" printed on page 1500.

‡See "Pennsylvania Archives," First Series, XI : 108.

§At this time Colonel Montgomery was President Judge of the Courts of Northumberland County.

are just arrived from there; so that, with me, the matter is beyond all doubt that a new Independent State is intended, and that speedily. Col. Ethan Allen and Franklin are now gone to meet The Susquehanna Company in Connecticut, & are expected to return in four or five weeks. What the consequences will be or where it will end is not easy to foresee; but I conceive it would be sound policy, & will be found absolutely necessary, to take the most speedy & effectual measures to send up there such a body of troops as would support & give countenance to all who would desire to continue in their allegiance to this State, confirm the wavering, & check the giddy in their mad career.

"If this could be done, so that the world would see the State only meant to support the peaceable Inhabitants having title & property to be disposed of in Courts of Law, it would probably divide those people among themselves, & facilitate a full establishment of the jurisdiction of the State there. If our General Assembly, at their next meeting, go on to set that district off as a separate County, I believe it would tend to the same happy purpose, as it will open the way to some of the honors & emoluments of a County, which will operate as a counterpoise to the honors and emoluments expected in a New State. And, indeed, submission to Government, circumstanced & situated as they are—subject to a great number of petty suits, & no Justice of the Peace nearer than fifty miles—is a real difficulty, & should be removed as soon as possible.

"What troops (if any) will be raised is not for me to determine, but I sincerely believe none can be more unfit for this business than militia—for a variety of reasons which I need not mention. But, considering I am, that unless something is done—and that speedily and effectually—a new State will be attempted to be created within a very short time; while a vigorous and timely opposition, on liberal principles, may crush the whole scheme & establish Peace in that unhappy district.

"William Shaw, Esq., who also writes you on this business, sends you a copy of an intercepted letter, properly authenticated, which lays open their whole scheme. The letters and papers inclosed [herewith] will also shew their design, & the pains taken by the Signers to prevent the people being misled. They sent them to me by a special Express, and wished that it might not be generally known how they came by some part of their information that they had communicated so fully, as it would render their situation very insecure unless they received timely and effectual support.

"I hope his Excellency, the President, & the Honorable the Supreme Executive Council, will pardon my plainness on this occasion, as I look upon the affair to be of so much importance & of so serious a nature as to render a scrupulous attention to ceremony improper."

Justice William Shaw, of Northumberland, who had come to Wilkes-Barré on official business early in April, 1786, returned to his home about May 1st. He came again to Wyoming, arriving here on May 14th and leaving three days later for the home of Colonel Montgomery, near Northumberland, where, on May 18th, he wrote to the Supreme Executive Council in part as follows:\*

\* \* \* "Unluckily on the 27th [of April] Col. Ethan Allen came to Wyoming, who alarmed them by telling them he despised their treating with Pennsylvania; that he had formed one new State, and with one hundred Green Mountain Boys and two hundred Riflemen he could make that a new State in defiance of Pennsylvania. On the 10th instant I received a letter from a settler there nearly to the same purport of one inclosed by Col. Wm. Montgomery, Esq., which I shewed to a few, who advised I should again go up to Wyoming, which I did, and the 14th arrived there. I found a number that did not seem to be so familiar as formerly. I also meet with a number who appeared to be much in favor of, and wished to comply with, the Laws of the State—one of whom produced to me the copy of a letter he had intercepted and taken, which he made oath before me was a true one, a copy of which I inclose. The man is a person who may be relied on, but wished his name might not be made known, lest some of the enemies of the state would take away his life for it. On the evening of the 14th the Sheriff of this County [Thomas Grant] arrived at Wioming, and on the three following days served several Writs, but most of them on whom they were served refused to give bail bonds, and on the 17th a number of them collected and ordered the sheriff to leave the place in two hours, or they would abuse him. On the same evening we left the place.

"The schemes of the Proprietors of The Susquehanna Company is discovered by the inclosed copy of a letter from Joseph Hamilton to John Franklin, which perhaps it might be good policy in the Government to endeavour to prevent by raising and sending some men there; which would be a means of encouraging those that are friendly to the Government and Laws of this State, and a discouragement to those who are wavering. Much will depend on the firmness of the soldiery and the disinterestedness of the Officers."

A "legally warned" meeting of The Susquehanna Company was held at Hartford, Connecticut, Wednesday May 17, 1786, the General Assembly of the State being then in session at Hartford. Ethan Allen and John Franklin attended the meeting of the Company which was presided over by Col. Gad

\*See "Pennsylvania Archives", First Series, X: 7 64.

†See (\*) note page 1509.

Stanley as Moderator; Samuel Gray, Esq., filling the office of Clerk. Among other transactions the following resolutions were adopted:\*

(1) "*Then Voted*, That all persons settled *under the authority of the State of Pennsylvania*, and now actually inhabiting upon that tract of Country situate upon the *westerly waters* of the Susquehannah River, and purchased of the natives by the company called The Susquehannah Company, be, and the same are hereby, fully established and confirmed in their full and absolute possession of the lands by them actually possessed under the said State of Pennsylvania.

(2) "*Voted*, That this Company, conscious of the equity of their title to the lands *bona fide* purchased of the natives, and situate upon the waters of the River Susquehannah, *will support and maintain their Claims to the lands aforesaid, and effectually justify and support their settlers therein.*

(3) "*Voted*, That Samuel Gray, Esq., Col. Thomas Dyer and Col. Ebenezer Gray, be and they are hereby, appointed a Committee, with full power and authority to make out a list of all such persons as are proprietors of the said Company, and have paid their taxes agreeably to the votes of the said Company; and that all persons that have neglected to pay their taxes and shall neglect to pay the same by the first day of September next, shall be, and the same are hereby, excluded from any right, interest or property within the Territory aforesaid. Said list of proprietors to be completed by the first day of September next.

(4) "*Voted*, That the Committee of the said Company be, and hereby are, fully authorized to apply to the Honorable General Assembly of this State for such justice as shall be due to said Company, and for such other advantages, benefits and emoluments as said Assembly may see cause to grant to the said Company; and further, to do and transact other matters necessary to be done for the benefit of said Company, according to their best discretion.

(5) "*Voted*, That Col. John Franklin, Gen. Ethan Allen, Maj. John Jenkins and Col. Zebulon Butler be, and they are hereby, appointed a Committee with full power to *locate townships* within the territory aforesaid (agreeable to the votes of the said Company), in the room and stead of the former Committee appointed for that purpose; and the said Committee are also hereby fully authorized and empowered to inquire into the claims of all persons now settled at Wyoming, and such as shall make out their claims in pursuance of the votes of said Company. Said Committee are hereby authorized to quiet them in such lands as they shall find them justly entitled to, agreeable to the votes of said Company. And that Col. John Franklin be, and is hereby, appointed Clerk of said Committee, and directed to keep fair records of the proceedings of the said Committee, and the transfers of all property in said settlement. And that said Clerk transmit, from time to time, fair copies to the Clerk of this Company of all such locations of townships, and the names of such as shall be admitted proprietors by such Committee in virtue of the authority aforesaid.

"Col. John Franklin was then duly sworn before Samuel Gray, Justice of the Peace, faithfully to execute the office of Clerk of said Committee, according to the above vote."

Of the foregoing votes, or resolutions, the first three were given out to the public and were printed in certain Connecticut newspapers in May, 1786, and soon thereafter were reprinted in a few newspapers in New York, Philadelphia and elsewhere. *The fourth and fifth votes were not made public until a considerable number of years later.*

Miner, commenting on the foregoing votes, states (in his "History of Wyoming," page 388) that "it was doubtless politic, as well as liberal, to quiet the Pennsylvania settlers [on the West Branch of the Susquehanna] in their possessions; although the formal resolve to do so may now excite a smile. A declaration that the Company would 'effectually justify and support their settlers,' shows the boldness and earnestness of their proceedings. Wyoming was in a state of comparative repose. Hundreds of scattered settlers, who had been expelled by the war—many of them boys, now grown up to manhood—returned to claim their own or their fallen fathers' possessions. New adventurers, attracted by the wonderful tales of [Wyoming's] richness and beauty, came in to purchase; while a productive year, diffusing plenty, restored cheerfulness and invigorated industry. Frame buildings began to take the places of log huts."

Colonel Franklin, referring to local conditions at this period, states in his "Brief": "We in a short time increased our numbers to upwards of 600 effective men, and were determined to support our claims and interest, until decided by a legal course of law. We were also determined to oppose any authority from Pennsylvania residing among us, until we could have a regular es-

\*See Miner's "History of Wyoming", page 387; "Pennsylvania Archives", Second Series, XVIII · 108, 659.



tablishment on Constitutional principles, and our lands be in some way secured to us. \* \* \* I will remark that a large number [of settlers] on the West Branch of the Susquehanna River had proposed to join us and extend the claims of The Susquehanna Company into that part of the country. A committee [of those settlers] was appointed in 1786, and sent to Wyoming for that purpose."

Miner, referring to the above statement ("History of Wyoming," page 389), says: "It will be admitted that, in the actual posture of public affairs—the promised Green Mountain Boys, with Ethan Allen to head them, the Wolcotts, and Barlow and Hosmer and Judd to back them, by aid from Connecticut, the proposed auxiliaries from the West Branch, and 600 enrolled, effective men on the ground, with a civil government in operation, and a military organization complete—it was time for Pennsylvania to throw aside such agents as Patterson and Armstrong, and to exercise her utmost wisdom and vigilance."

At Northumberland, May 20, 1786, Thomas Grant\*, Sheriff of Northumberland County, wrote to President Benjamin Franklin, at Philadelphia, in part as follows:†

"As an officer of Government I think it my indispensible duty to inform Council of the Treatment which I lately received at Wyoming. Declarations of Ejectment, & sundry other processes, were put into my hands against People living at & near Wyoming in order to the Execution of which I arrived at that place on the fourteenth instant. The fifteenth I spent mostly in making Enquiries respecting the disposition of the Inhabitants, the next day I arrested John Paul Schott, who declared he would not submit nor pay any respect whatever, to my arrest. This he did in the presence of Mr. Shaw, before whom he had not long before entered into Recognizance. Sundry others whom I had arrested behaved in the same manner as Schott, & declared against any submission

"I had information at sundry times of persons who had declared they would take my life, but on the next day (the Seventeenth) I observed some people collecting at one Yarrington's, & soon after a greater number appeared at Schott's. Being told that their Intentions were against me, I went towards my lodgings, but was overtaken by them on the way. They accosted me with the most insulting language & concluded by saying the orders of the settlement were, that I should leave the place in two hours with my damned writs or abide by the consequences. One of them struck with a stick William Wilson, the man who accompanied me, & made towards me; but, having pistols, I declared I would blow his Brains out if he advanced, I however made to my lodging, & posting myself in the door, declared I would shoot the first man that advanced.

"After some time one of them sired to speak to me in private, I agreed on condition that the Rest would retire. They retired a little, but while I was in Conversation with the one who came in, they returned & order'd the Landlady to turn out the damned Pennamite Rascal or they would shoot through every door & window of the house. Much insulting and abusive language was used by them, & as they were armed with Clubs and pistols, I was obliged as well for my own safety as for the protection of the woman and poor children, to submit to their terms viz.: That I would execute no process whatever, and would leave the place in two hours. On my giving them my honor that I would comply, they returned to Yarrington's to see that I complied. I cannot help observing that I have every reason to believe that my life depended on my compliance.

"To mention every insult & contempt that was showed me during the time I was there, would far exceed the bounds of a letter. It was impossible to execute the Laws of Pennsylvania in those parts without armed force to support the officers. It is now knowing publicly that their intentions are to form a new State. Ethan Allen, with a great number of new adventurers, are at the head of this business, and since their arrival every idea of submission to the laws of Pennsylvania has vanished."

At Northumberland, also on May 20th, Col. William Montgomery wrote to the Supreme Executive Council, in part as follows:‡

"Since the letter of the 17th a meeting was had of the Justices, the Sheriff, the Lieutenant of the County, & a number of other principal Gentlemen, where, upon consideration of the Intelligence from Wyoming, they intirely concur in sentiment (respecting the danger) with the

\*THOMAS GRANT was born November 20, 1758, near Fort Augusta, in what subsequently became the town of Sunbury. His father was Alexander Grant, a native of Scotland, who emigrated to Pennsylvania and settled near the Susquehanna River, opposite Shamokin Island, prior to the erection of Northumberland County. Thomas Grant was elected Sheriff of Northumberland County in 1785, and again in 1788. He was a member of the General Assembly of Pennsylvania in 1796 and 1814, and was at one time a Captain in the Pennsylvania militia. His wife was a daughter of Robert Martin, Esq., of Northumberland, referred to on page 309. Thomas Grant was initiated into Lodge No. 22, Ancient York Masons, at Sunbury, September 8, 1786, and was Treasurer of the Lodge in 1792 and Junior Warden in 1800. He died June 16, 1815. His son, Thomas Grant, Jr., was Worshipful Master of Lodge No. 32 in 1821, and his grandson, William Thomas Grant, held the same office in 1857.

†See "Pennsylvania Archives," First Series, XI: 110.

‡See "Pennsylvania Archives," First Series, X: 765.

representation in my letter & that of William Shaw, Esq., and are clearly & decidedly of opinion: That no time—not a moment—should be lost; that there is the greatest & most eminent danger of a dismemberment of the State; that the party under Ethan Allen, John Franklin & Solomon Strong increase daily; that, from the nature of their views, they will be a combined force acting constantly and in concert—as their encroachments, like the feudal system of old, will furnish the reward of their adherents and followers; and no person in The State, however remote from the present scene (if within the above limit—the 42° of Latitude) can hope to continue a Pennsylvanian, without the most speedy, effectual and vigorous exertion of Government in suppressing this dangerous insurrection.

“There appear still a number of people at Wioming who talk in a favorable strain. Whether they are sincere, God knows; but if there are any sincere friends there they should not be lost. Their timely support might have a powerful tendency to divide the party and the more readily crush the scheme. It is also the opinion of all present that it is extremely proper to give you this timely information by a person of Intelligence, and for that purpose [we] have unanimously appointed Gen. John Bull\*, Esq., to carry these dispatches—to whom they beg leave to refer you for more minute and particular information.”

The same day Colonel Montgomery wrote to the Hon. Thomas McKean, Chief Justice of Pennsylvania, who was then holding court in one of the counties at some distance from Philadelphia. This letter (printed in “Pennsylvania Archives”, First Series, X : 766) reads in part as follows:

“I do myself the honor of inclosing you a copy of an intercepted letter, which placeth the designs of a Number of People at Wioming in a clear and decided point of view. Therein we are informed of some of the active persons in the scheme of a new and Independent State; of the best mode of carrying it on, and of the then expected arrival of Col. Ethan Allen from Vermont—since the writing of which Allen has arrived, talks freely of a new State, Reprobrates the idea of submission to Pennsylvania, and he, in conjunction with a Col. John Franklin of that place and a Capt. Solomon Strong of New York State, are gone about a week ago to meet the Susquehannah Company to consult what measures are next to be pursued.

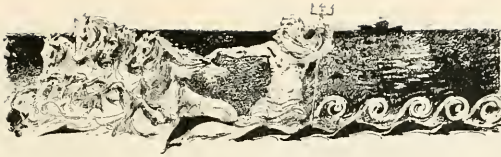
“We find they have some ammunition & stores laid up, so that the upon the whole it appears to us beyond a doubt that a dismemberment of the State will take place unless immediate force prevent, for we find that no overtures can be made that will satisfy all parties there. The most limited claim of the Schemers is the whole of the 42d Degree of Latitude throughout Pennsylvania. Can she submit to this? She cannot! Surely our yeomenry will not longer say, It is a Land Jobbing Quarrel. The Bill for striking them off as a separate County eventually seems to put that out of Question. It is no longer a private Quarrel; it is now become a serious Governmental concern, and I hope Pennsylvania will support as dignified a Character in this affair, and assert her supremacy as fully, as she did her Independence in the late Revolution. It is wished here, by a meeting of the most respectable Characters at this place, that you might be informed of the state of things here, as you will have an opportunity on the circuit to communicate the information and remove the scruples of Gentlemen about interesting themselves in the controversy, as supposing it rather a debate about private property than otherwise.

“William Maclay† will hand you this, from whom you will hear everything more particularly on this subject.”

\*JOHN BULL was born June 1, 1731 in Montgomery County, Pennsylvania, and removed to Northumberland in 1785. In 1775 he was appointed Colonel of the 1st Pennsylvania Battalion; June 17, 1777, he was appointed Adjutant General of Pennsylvania; in 1780 he was Commissary of Purchases at Philadelphia. He was a member of Lodge No. 22, Ancient York Masons, at Sunbury, and an interesting sketch of his life will be found in Godcharles' "Free Masonry in Northumberland and Snyder Counties, Pennsylvania," 1: 45. General Bull died at Northumberland, August 9, 1824.

†See page 759 Vol. II





## CHAPTER XXVIII.

THE "WESTERN RESERVE"—GENERAL ETHAN ALLEN RETURNS TO VERMONT—  
COLONEL TIMOTHY PICKERING VISITS WILKES-BARRÉ.—JOHN FRANK-  
LIN AND JOHN JENKINS, JR. "YANKEE OUTLAWS", PLEAD THE  
SETTLERS' CAUSE BEFORE THE PENNSYLVANIA ASSEM-  
BLY—A LAW ERECTING LUZERNE COUNTY  
FOLLOWS THIS VISIT.

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"To suffer woes which hope thinks infinite;  
To forgive wrongs darker than the death of night;  
To defy power which seems omnipotent;  
To love and bear; to hope till hope creates  
From its own wreck the thing it contemplates;  
Neither to change, to falter, nor repent;  
This, like thy glory, Titan, is to be  
Good, great and joyous, beautiful and free;  
This alone is life, joy, empire and victory."

Shelley.

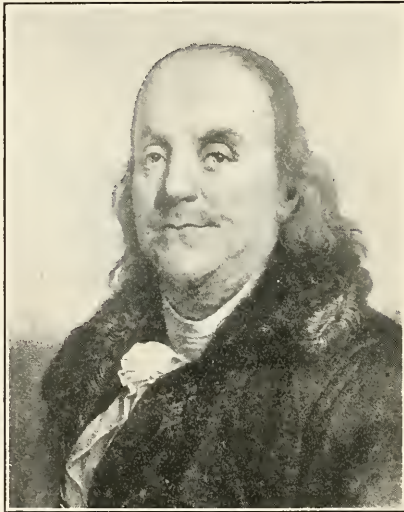


At this point we will digress, because of its connection with the Wyoming claims, in order to bring in the fact that on May 26, 1786, Congress, after a severe struggle, accepted the offer of Connecticut to cede its claims to certain western lands, covering portions of what are now the States of Ohio, Indiana, Illinois and Michigan. This matter had been brought before Congress by the Connecticut delegates some weeks earlier—but as the cession authorized by Connecticut was not complete, its acceptance met with considerable opposition in Congress—the delegates of Maryland, in particular, voting against it to the last. Instead of beginning at the western boundary-line of Pennsylvania, the offer of Connecticut was to convey lands lying *beyond a line 120 miles west of Pennsylvania's western boundary*, whereby she would retain her claim to a large tract of land contiguous to Pennsylvania.

The vote of acceptance of Connecticut's offer was passed in these unqualified terms: "*Resolved*, That Congress accept the said deed of cession, and that the

same be recorded and enrolled among the Acts of the United States in Congress assembled." In the following September, (1786) the actual deed of cession was executed by Connecticut, by which she granted "all right, title, interest, jurisdiction and claim to certain western lands, beginning at the completion of the forty-first degree of North latitude, 120 miles west of the western boundary line of the Commonwealth of Pennsylvania as now [then] claimed by the said Commonwealth; and from thence by a line drawn north, parallel to and 120 miles west of said west line of Pennsylvania, and to continue north until it comes to 42° 2' of North latitude," &c.

The reservation, or rather, *the tract not ceded, by Connecticut*, was (bounding it easterly by the west line of Pennsylvania) 120 miles east and west, and 1° 2' wide north, and south, and contained several millions of acres. It was subsequently known as "New Connecticut" or the "Western Reserve—a goodly part of what is now north-eastern Ohio. At the time, this territory was supposed to be equal in extent to the Susquehanna Purchase, or the Wyoming region, which had been lost to Connecticut by the Decree of Trenton.\*



BENJAMIN FRANKLIN.

The digression is concluded. Let us, then, return to the main thread of our narrative, which leads us directly to Philadelphia. There, on May 27, 1786—the Supreme Executive Council, having received and considered the communi-

\*Governor Hoyt, in his "Brief of a Title in the Seventeen Townships in the County of Luzerne", referring to the above-described dicker between Connecticut and Congress, says: "This still left the Connecticut claim in Pennsylvania unaffected. The claim was finally and literally torn out by the roots in this wise: In 1800 Congress passed an Act authorizing the President of the United States to convey to the Governor of Connecticut, for the benefit of all persons holding under Connecticut, all the territorial right of the United States to said Western Reserve; *Provided that* within eight months the State of Connecticut should, by legislative act, *rejoice forever*, for the use and benefit of the United States and the several individual States who might be therein concerned, respectively, and all those deriving claims or title from them, or any of them, 'all territorial and jurisdictional claims whatever, under any grant, charter or charters whatever, to the soil or jurisdiction of any and all lands whatever lying westward, northwestward and south-westward of the counties in the State of Connecticut which are bounded westerly by the eastern line of the State of

cations from Judge Montgomery, Sheriff Grant and Justice Shaw, brought from Northumberland by General Bull—President Benjamin Franklin, the shrewd diplomatist and wise counselor, wrote to Judge Montgomery as follows:\*

"The Council have received your Letters of the 17th and 20th *instant*, by Gen'l Bull, containing the important Intelligence of fresh Disturbances at Wyoming, which will be taken into Consideration.

"We are sensible of your attention to the Public Welfare, manifested in these Dispatches, and desire you would continue to send us what farther Information you may from time to time obtain of the Proceedings in that part of the Country; using in the meanwhile what Influence you have to quiet the minds of the unhappy Settlers there, by assuring them that there is the best Disposition in the Government to treat them equitably and even with kindness, and to take them under its Protection, and extend to them all the Privileges of our free & happy Constitution, on their demonstrating—by their peaceable and orderly Behaviour—that the Sentiments expressed in their late Petition to the Gen. Assembly are sincere, and that they are truly dispos'd to become good Citizens. We hope they will wisely pursue this Conduct, and thereby render all thought of taking compulsive Measures unnecessary."

On the same day, President Franklin wrote to Justice Shaw as follows:

"We have received your Letter of the 18th *Inst.* by General Bull, with the important Intelligence of the Steps taken by some restless Men to raise fresh Disturbance among the Settlers at Wyoming, after the good Disposition you had so lately left those People in when you had been among them taking their Recognizance & Oath of Allegiance. We still hope that the Pains you took in that serviceable Journey will not be lost, but continue to have a good Effect in disappointing the Projects of those who aim at continuing a Discord that cannot possibly produce any Good.

"You may be assured that no imprudent use will be made of the Letter you communicated. It is to be regretted that when Measures were in Meditation by the Government to accommodate the Difference, fresh Occasion of Tumult should be afforded by the Sheriff's going up to serve New York; which Act was accepted in 1800 by the Assembly of Connecticut, and the cession made accordingly—Connecticut releasing to the United States all *jurisdictional title* to the Reserve."

Soon thereafter the State of Ohio was organized, being admitted to the Union February 19, 1803.

In May, 1792, the General Assembly of Connecticut quit-claimed to the inhabitants of several Connecticut towns, (Fairfield, New London, Danbury, Groton, Norwalk, etc.) who had lost property in consequence of the incursions into the State made by the British troops in the Revolution—or to their legal representatives when they were dead—and to their heirs and assigns, forever, 500,000 acres of land lying across the western end of the Reserve, bounded north by the southern shore of Lake Erie. The total number of sufferers, as reported, was 1,870, and their aggregate losses amounted to \$161,548, 11s. 6½d. The grant by Connecticut to these Connecticut sufferers was of the soil only. (It is proper to state here that none of the Wyoming sufferers were in any particular considered, recognized, or permitted to participate, in this donation of lands!)

The lands thus granted are known in Connecticut history as "The Sufferers' Lands", and in Ohio history as "The Fire Lands." In 1796, the Sufferers were incorporated in Connecticut, and in 1803 in Ohio, under the title "The Proprietors of the Half-million Acres of Land Lying South of Lake Erie." In May, 1793, the Connecticut Assembly offered the remaining part of the Reserve for sale, and in September, 1795, the whole tract was sold—without survey or measurement—for \$1,200,000. The Connecticut State School Fund, which now amounts to something more than \$2,000,000., consists wholly of the proceeds of that sale, with capitalized interest. The purchasers of the Reserve—most of them belonging to Connecticut, but some to Massachusetts and New York were men desirous of trying to make their fortunes in Western lands. Oliver Phelps, perhaps the greatest land speculator of the time, was at their head.

In May, 1839, the Hon. Charles Miner of Wilkes-Barré prepared an address entitled "A Plea for Wyoming," to be delivered before the General Assembly of Connecticut. Subsequently the address was published in full, and from it the following paragraphs relating to the Western Reserve have been extracted:

"Every one who will go patiently through the motions and votes found in the old Congressional Journal, cannot fail to be convinced that there was an understanding among the wise heads of that day that Connecticut should have an indemnification for the loss of land claimed by her in Pennsylvania. Though her Charter rights were denied within Pennsylvania, there was an eager alacrity to acknowledge those same Charter rights west of that State. \* \* \*

"Was it not owing to the settlement at Wyoming having been kept up, under the Connecticut Patent, that Connecticut's western claim was finally admitted? Was it not owing to the great efforts, the efficient services, the dreadful sufferings, of the Connecticut settlers on the Susquehanna—creating admiration and pity throughout the civilized world—that the public mind was turned to the subject of your claim, and all heart were moved with effective kindness? Is it too much to affirm that the noble Reserve of five million acres—the source to you of so many blessings—was finally confirmed to the State in a great degree by the efforts, the tears and the blood of your settlement at Wyoming? And would it not be the extreme of injustice that they should not only be denied any participation in your prosperity, but receive no mark of your consideration, remembrance or favor?"

"Allow me to trace this matter one step farther. To your severest judgment I put this question: If the five million acres belonged to Connecticut originally, as the Westmoreland settlers did not *emigrate from the State*, but were still citizens—part and parcel of the State—were they not justly entitled to a part of the land in proportion to their numbers? If Connecticut was estimated at the Revolution to contain 230,000 inhabitants; Westmoreland, 3,000. Now, by Root and Daboll, as 230,000 is to 3,000,000, so is 3,000 to 65,000 acres! Again, suppose the Reserve a grant for Revolutionary services and sufferings, how would the matter stand? Connecticut, in 1776, was called on by Congress for 3,238 men as her quota, or about 1.4 men to every 100 persons. Thus the portion of Westmoreland would have been 43 men; but there were about 20 with Gore, 160 with Durkee and Ransom, besides individual enlistments. Add the company of Hewitt—annihilated as soon as raised—say 40, we furnished at least 220 men—more than five times our rightful share; and when, in truth, from the exposed situation of Wyoming, there ought not a single man to have been drawn away. [In this connection see pages 915, 916, and 957, Vol. II, of this History.]

"If the State had furnished troops in equal proportion, she would have sent out at one time above 16,000 men. If the whole United Colonies had done the same, Washington's army instead of containing from 10,000 to 20,000 men would have consisted of more than 170,000—enough to have eaten up the whole British army! \* \* \* If, therefore, the Reserve was confirmed to the State for her military services, losses and sufferings, would it not follow that Wyoming should receive a still greater share?"

"I defy the shrewdest casuist, the acutest logician, to suggest a plausible reason why those towns [Fairfield, New London, Danbury, Groton, Norwalk, etc.] should be the recipients of your bounty, which would not apply with equal or greater force to this. *Westmoreland was as obedient, as faithful; did as much, paid as much, fought as much, and suffered more!* True, before the State was in a condition to appropriate those lands to their relief, the Deere of Trenton had separated Westmoreland from your jurisdiction. Could that make the slightest difference? Was it the act of the people of Wyoming? And if it had been, would it have affected their claim? If any citizen of New London or Groton, or either of the other towns, whose house was burnt, had, after the Peace, removed to any other part of the State, or to the West, would not he have been indemnified as fully and as cheerfully as if he had remained at his original place of residence?"

\*See "Pennsylvania Archives", First Series, X: 767.

Writs of Ejectment there, which might possibly, by those Measures, have been rendered unnecessary."

Shortly after the adjournment of the meeting of The Susquehanna Company, held at Hartford, on May 17, 1786, Ethan Allen returned to his home in Vermont, while John Franklin visited various places in Connecticut and eastern New York, and then started for Wyoming. While en route, at Amenia, Dutchess County, New York, on Thursday, June 8, 1786, he wrote to Dr. Joseph Hamilton, at Hudson, in part as follows:\*

"I left Hartford last Week on Wednesday evening, [May 31], and am now on my Journey to Wyoming. I expect you have received my Letter of the 3d *Inst.*, in which I informed you that Congress have Accepted the Cessions from Connecticut. I expect that to be a Confirmation of our Title. Nothing farther Done in Assembly respecting Wyoming affairs. It's thought best by friends to rest quiet at Present—to hold fast to our Purchase, &c.

"I have been to Windham. Esquire Gray had no Blank Certificates. I send you ten full Shares, from No. 140 to 149 Included. I took a receipt from Esquire Beach, and expect he will take one from you; he will also send you 15 shares, to make 25 in the whole. Esquire Gray thinks best to issue no more Certificates at Present, as 300 have already been Delivered to the Com'tee. Should it be necessary, others may be Issued hereafter. It's best to take Care how Lands are Disposed of.

"I expect that many Certificates have been given out that will answer but a small Purpose to the Company. I find that Esquire Gray has given out near 50 half Shares to Persons to repair to Wyoming and Continue three years; that no Condition is mentioned in the Certificate; that not more than 7 of those Persons are in that Country—which I Conceive to be an argument that it's best to be careful. The 400 half Shares are not all taken up. It's thought best to fill them. Let those that are disposed to become Adventurers, have a recommendation, to repair to Wyoming, to receive Certificates from the Com'tee on the Spot—which may prevent trouble hereafter. I would wish to have every Plan put in Execution to get on Settlers.

"I hope you will Procure the Physick and Pills you talked of at Hartford, and send the same on. I can administer them if Necessary, Though I have not the Theory of Physick, I Profess to know something of Practice. By late Accounts from Wyoming I hear that a Justice of Peace, a Sheriff, and one other Person as Assistant, all from Sunberry, have lately been in the Settlement to Execute Warrants against those that neglected to give Bail for good Behaviour, but met with Poor Success. That, attempting to take one of our Party, the Sheriff's Bully Presented a Pistol and Demanded a Surrender; but the Bully received a flogging, and the whole have returned to Sunberry to make report. As I had the news from a Second hand, I cannot give the Particulars.

"I expect they will use every Plan to execute their Laws. They appear more fond of fighting us with their Law Books than with Rifles, though they appear fond of the latter as often as they can find us in a Defenceless Situation; and more especially when they have only Women and Children to oppose them. I shall make a List of those that have taken Certificates for Rights as soon as may be after I return, and shall endeavor to let you know the number of those that have taken Certificates from you, and are on the Spot."

At New York, on June 9, 1786, Messrs. Charles Pettit and John Bayard, Pennsylvania Delegates in Congress, wrote to President Benjamin Franklin in part as follows:†

"The Delegates from Connecticut being absent from Congress, we have transmitted to Mr. Mitchell, one of those Delegates (who we understand to be also a Member of the Legislature, and now at Hartford) a Copy of your Excellency's Letter of the 4th *Instant*, except the cautionary Part respecting the intercepted Letter; also a Copy of Mr. Shaw's Letter to your Excellency, leaving out the name of the writer of the intercepted Letter, and the name of the Person to whom it was directed.

"This morning Dr. [Wm. Samuel] Johnson‡ has resumed his Seat in Congress. We have communicated to him the Contents of your Excellency's Letter & Inclosures. He expresses great Concern that the Distractions in Pennsylvania are thus Continued, but seems very confident that the State of Connecticut will discountenance it's Citizens in all farther pursuit of Claims in Pennsylvania other than such as the Laws and Policy of the latter shall warrant. He has not lately been at Hartford, where the Legislature are now sitting, but says he is well informed that the Act of Congress respecting their proposed Cession [of western lands] will enable the State to induce the Susquehanna Company to transfer their views from Pennsylvania to a more western Country. This done, the Insurgency in Pennsylvania will probably subside."

At Philadelphia, under the date of June 11, 1786, President Benjamin Franklin wrote to Col. John Franklin, Dr. Wm. Hooker Smith and Maj. John Jenkins, at Wyoming, in part as follows:§

"I received in its time your Letter of the 25th of February last,|| written in behalf of the People settled at Wyoming, and requesting a Protection of Government for an Agent who might

\*See "Pennsylvania Archives", XI : 3.

†See, "Pennsylvania Archives," First Series, XI : 5.

‡See page 1480.

§See, "Pennsylvania Archives", First Series, XI : 14.

||See pages 1494 and 1495.

be sent hither to explain your Grievances, &c. The Request appear'd to us to be reasonable, and such a Protection would have been immediately sent, but that we were told the Gentleman who brought your Letter (Captain Schott) being in Town, and well acquainted with your Affairs, the giving him a Hearing might possibly answer your purpose as well, and spare you the Expence & Trouble of sending a special Agent. He was accordingly heard before the Council, and had an opportunity of conversing separately with several of the Members, as well as with the Members of Assembly, and gave so clear and so affecting an Account of the situation of your People, their present Disposition and former Sufferings, as enclined the Government in general to show them every kind of reasonable Favour.

"The Assembly accordingly took the necessary previous steps for a Compliance with *your Request respecting a separate County*," which will probably be compleated at their next Session. But as there may be other Matters necessary to be consider'd and discuss'd—in order to establish solid and lasting Quiet—the Council have since judged that it might still be useful if your first Proposal of sending an Agent hither were agreed to and if one or more, chosen & appointed by the People, should accordingly be here about the beginning of the Session, which was fixt for the 22d of August next. You may therefore, now acquaint the Settlers that, upon Information of such Appointment, a Passport or Safe Conduct, under the great Seal, for the Person or Persons so appointed shall be sent to you, giving him or them perfect security in coming, residing here, and returning, from all Arrests or suits of any kind, and full Freedom & Protection from every Hindrance, Restraint or Molestation whatsoever.

"Be assured, Gentlemen, that it will be a great Pleasure to the whole Council, as well as to myself in particular, if we can be instrumental, by just & reasonable Measures, in promoting the Happiness of so great a Body of our People as the Settlers at Wyoming consist of."

At Wilkes-Barré, under the date of June 26, 1786, Col. John Franklin wrote to Colonel and Judge William Montgomery, in part as follows:†

"I have had the perusal of your letter to Mr. [Lawrence] Meyers of the 22d *inst.* As you made mention of my name with great reflections I think proper to return you an answer. I think your letter very Extraordinary. You undertake to tell us what Congress have done, what The Susquehanna Company has consented to, &c., and what his Excellency the President of Pennsylvania has authorized you to inform us of. \* \* \* I must tell you Sir, that we are not unacquainted with the resolutions of Congress or the proceedings of The Susquehanna Company. Your representations are inconsistent with truth. The votes of The Susquehanna Company of the 17th of May last may convince you of their intentions. A copy of said votes I send enclosed.

"You tell us that you expect the Wise and Virtuous amongst us will avail themselves of the kind intentions of Government, and thereby secure the benefits of your free, equal and happy Constitution. I would wish to be informed whether the removal of 6,000 souls from their justly acquired habitation at Wyoming, to be fixed among the Natives at Lake Erie, is to such Emigrants the enjoying of the benefits of your free and happy Constitution? Or whether your Constitution and right of Government extend to a territory northward of your State and westward of New York?

"You query whether it will satisfy Allen and Franklin and their adherents to give up their farms, which they have justly acquired and cultivated at Wyoming, to Pennsylvania Land Schemers, and run the chance of having wild lands on the hunting-grounds at Lake Erie. Be assured, Sir, it's no query in my mind. I expect to enjoy my Lands here, unless legally removed by a regular course of Law had before a proper tribunal.

"You query whether, after all that the wisdom and forbearance of Government can do for us, we must be a people devoted to hard-ships, danger and devastation. I wish you had explained yourself more fully on that head—whether you mean the forbearance whereby you saved some part of our women and children alive at the time you expelled us from this Country by an armed force in the year 1784; or whether, by giving us Liberty to have a being in that part of Gods' world on the waters of Lake Erie. Wonderful forbearance, indeed! You threaten us with devastation in case of our non-compliance; but let me tell you Sir, that we disregard your threats.

"You tell us you are authorized by a letter from his Excellency, the President, to inform us of the resolution of Congress, and the assurances of protection from the Government. \* \* \* You also recommend that we demean ourselves as good citizens, and not be drawn from our allegiance by the wild schemes of men who live by fishing in troubled waters; that these men, when distress ariseth, will leave us to shift for ourselves, and hunt out a new scene in which to exercise their unhappy talent. To which I answer: It ever has been, and still is, our desire to demean ourselves as good Citizens; and we would wish to be protected as such, though we are sorry to say we have never yet enjoyed the benefits of your Constitution, though solemnly plighted to us.

"You pretend to be afraid that the people here will be drawn from their allegiance by the wild schemes of men who live by fishing in troubled waters. Had you been honest you would have said you was afraid that the exhortations of the wise, righteous and just will have such a deep impression on the minds of the good people at Wyoming as will induce them to stand forth in their defence in a just and righteous cause, and overthrow the hellish schemes of the Land monopolizers, who wish to destroy the Yankees from the face of the Earth, that they may enjoy the Lands our hands have cultivated and our blood enriched.

"You further pretend to be afraid that the wild schemers (as you term them) will leave the people at Wyoming when danger ariseth. I believe, Sir, it's your sincere wish that the wise and

\*See page 1496.

†See, "Pennsylvania Archives", Second Series, XVIII : 656.

virtuous should withdraw, that you might thereby have a better opportunity of drawing the more ignorant and innocent people into a snare, and persuade them to give up their all for a Rattle Box. I then query whether you would not cheat *that* from them—provided the honor of land schemers only could be pledged for the delivery thereof. But be assured, Sir, the wise and virtuous will not withdraw. We have been inured to dangers, hardships and devastations; we have been too often deceived by your people, the land schemers, as well as by some of the officers of the Government, who made great pretension of Honesty, Justice and Friendship, and whose fair words and flattering speeches are not to be believed; for thus saith the Lord—"Their hearts are full of all manner of abominations." \* \* \*

"Let me tell you, Sir, that we esteem ourselves capable of transacting our own business, and I would advise you to avail yourself of the late votes of The Susquehanna Company, and thereby secure your land. I wish for Peace on just and honorable terms.

"N. B.—The benevolent intention of the Company to your settlers, and particularly to yourself, is to the disadvantage of my honored Father, who is the sole owner of those lands you claim at Mahoning [Creek]."

At Smithfield, Northampton County, Pennsylvania, on June 27, 1786, the Hon. John Van Campen (previously mentioned hereinbefore) wrote to General Armstrong, Secretary of the Supreme Executive Council, in part as follows:\*

"It Remains no Longer a Doubt with me that this Bandity at Wioming is determined not to Subordinate to the Laws of this State. You will observe by the inclosed paper, Sign'd Franklin, his assuming authority at that place. The woman he mentioned was Legally Removed to that place agreeable to the Law provided for that purpose.

"Franklin is Lately arriv'd at Wioming from the State of Connecticut, from the meeting of the Susquehanna Company. Ethan Allen is Expected Soon. Franklin assumes more authority and more positively Disposes the Laws of this State, with more Contempt than formerly. To be particular in Regard to this Bandity, time will not admit. From many Circumstances, I am now Convinced that the people will Declare a New State, or pretend the Laws and Regulations of the State of Connecticut. The old proverb is worthy of observing in this Case—nip the Bud when young. I fear it has been Neglected in this Case."

On July 15, 1786, Dr. Wm. Hooker Smith, one of the five "Directors" chosen by the people of Wyoming in November, 1785, to regulate the affairs of the settlement, set out from Wilkes-Barré for New Jersey, expecting to be gone about eight days. According to a statement in writing subsequently made by him, he had a talk with Col. John Franklin—one of his Co-Directors—on the morning of his departure, and was told by Franklin that he had prepared "a number of advertisements to call the people together some day on the last of the month." Dr. Smith further declared that as soon as he had left the Valley "Franklin altered the advertisements, calling on the people to meet on the 20th" of July; that the meeting was held on that day at the house of Abel Yarrington in Wilkes-Barré, but that, owing to the short notice given, only a few of the inhabitants attended. The Rev. James Finn (see [\*] note page 1505) presided as Moderator. The following account of the proceedings of this meeting was written at the time by a friend of Dr. Smith, and subsequently reached the Supreme Executive Council.†

"In the first place Franklin read the doings of the meeting lately held at Hartford by The Susquehanna Company, at which said Company voted that all that was settled on the West Branch under Pennsylvania should hold their lands, \* \* \* and said Company would support said settlers to hold said lands for the Connecticut claimants. Franklin and [Zerah] Beach then did solemnly declare that Congress had not settled anything in regard to the right of soil, as some had reported, but quite the reverse; for Connecticut was determined to have another trial for jurisdiction. \* \* \*

"Obadiah Gore had a number of votes done, ready for the people to vote to in said meeting, which were [to the effect] that the people had good right to their lands, and that the Connecticut (*sic*) Purchase was good and authentic. Franklin said \* \* \* that the agents that should be chosen at said meeting should have their instructions not to take up with anything short of the whole Purchase. This was voted in the meeting by about twenty or thirty [persons], and they mostly half-share men, and perhaps but few of them who had ever taken the oath of fidelity [to Pennsylvania]. Gore, Franklin and Beach told the meeting that in case they gave up their Indian Deed they would all be turned off [the land] immediately.

"John Jenkins then swore, in the most sacred manner, that in case that the people should constitute or appoint any other agent but those that should be chosen by that meeting that day,

\*See, "Pennsylvania Archives", First Series, XI : 26.

†See, "Pennsylvania Archives", First Series, XI : 47.



he would send them to the *Eternal Shades of Darkness*; and that he knew he could raise a party to assist him at any time he wanted; and that he would destroy both man, woman and children of all such persons—he would not spare the life of one, either small or great, and would take their effects to himself!

"The Agents chosen at said meeting to represent this settlement at the August Session [of the Pennsylvania Assembly] were John Franklin and John Jenkins; and Giles Slocum was chosen a 'Director?'"

At Wilkes-Barré, on the day following the above-described meeting, Col. Zebulon Butler and Col. John Franklin, members of The Susquehanna Company's Committee for ordering and directing the laying out of towns, "accepted and approved" a township called "Ulster", which had been located and surveyed a short time previously by Obadiah Gore, agent for the following-named proprietors: Capt. Simon Spalding, William Buck, Maj. William Judd, Timothy Hosmer, Obadiah Gore, Elijah Buck, Thomas Baldwin, Henry Baldwin, Joseph Kinney, Joseph Kinney, Jr., Joseph Spalding, John Spalding, Reuben Fuller, Widow Hannah Gore, Samuel Gore, Abraham Brokaw, Avery Gore, Joseph Eaton, Joshua Dunlap, Lockwood Smith, Aholiab Buck's heirs, John Shephard, Stephen Shephard, Col. Nathan Denison, Joshua Jewel's heirs, Hugh Forseman, Isaac Baldwin, Chester Bingham, Adviel Simons, Zerah Beach, Lebbens Hammond, Benjamin Bailey, Lawrence and Sarah Myers, Nehemiah Defries, Abner Kelley and Benjamin Clark.

The bounds of this new township, as set forth in the "return" of Obadiah Gore, were as follows:\* "Beginning at a point on the west side of the river, opposite to the head of an island, about three-fourths of a mile below the mouth of the Tioga River; thence west, two miles; thence south, five miles; thence east, five miles—crossing the Susquehanna to a bound; thence north, five miles, to a bound; thence west, three miles to the first-mentioned bound." This newest township adjoined, on the south, the township of Athens, which had been "granted and confirmed" in May, 1786. There had been an earlier township of Ulster, located on the eastern side of the Susquehanna, as shown on the map facing page 468, Vol. I. This earlier township had undoubtedly been located and granted in the year 1775, but, on account of the war, and the dispersal of the settlers along the Susquehanna above Wyoming Valley, had not been surveyed or allotted. The *new* Ulster was intended, therefore, to take the place of *old* Ulster.

At his home near Northumberland, on July 21, 1786, Judge William Montgomery forwarded to President Benjamin Franklin, at Philadelphia, the letter of Col. John Franklin (printed on page 1515) accompanying it with a letter reading in part as follows:†

"I lately received a letter from Wioming, signed 'John Franklin', which I beg leave to inclose for the perusal of the Council; and also an inclosed bit of a newspaper printed (I suppose) in Connecticut—the contents of both of which I think a little extraordinary.

"In order to inform your Excellency & Council of the occasion of this letter, I beg leave to trouble you with a very short sketch of a letter I had written to a certain [Lawrence] Myers living at that place. The letter was entirely of a public nature, and was sent there to inform them of what I had been informed by Gen. John Bull had been lately done in Congress respecting the Susquehanna claimants—suspecting that art is often used to keep the true state of things from the common people. I also, therein (agreeable to the request of the Honorable Council, in the letter I had the Honor to receive in answer to the dispatches sent by General Bull), expressed the assurances of Council that the virtuous and peaceable should have protection; and I earnestly pressed them not to follow the wild schemes of Men not satisfied or easy under the established forms of Government.

"I hinted how much better it was to enjoy the benefits of our Constitution and Laws than to subject themselves to all the distress which must follow a contention with us and a Rebel-

\*See the original records of The Susquehanna Company, Book "I", page 25.

†See "Pennsylvania Archives", First Series, XI : 35. |

lion against Government; and—what probably irritated Franklin most—I gave it clearly as my opinion that, when distress arose, those men—now the most active and uneasy—would leave them to shift for themselves. There is much of my letter either wilfully misunderstood or greatly misrepresented.

"I have had nothing further from that Quarter lately other than the inclosed. This John Franklin is the Colonel of their Militia, and a principal Man among them. I make no doubt but that his letter is fully expressive of the intentions of a great number at Wioming; and for my part I confess I should be glad to see that part of the country erected into a County, so that, if they have the least desire of becoming orderly citizens of this State, they might have an opportunity so to do—although I very much doubt whether they would accept the favor."

At Wilkes-Barre, on August 10, 1786, Dr. William Hooker Smith wrote to Vice President Charles Biddle at Philadelphia, in part as follows:\*

"We hear that Captain Schott is this day set out for Philadelphia, we expect in order to ask for Protection for Col. John Franklin and Maj. John Jenkins to attend the Assembly as Agents. We are at this time in Great Confusion. The conduct of Captain Schott is amazing to us. He appears of late to be on the side of Allen, Franklin, Jenkins and associates. He has inlisted himself in proprietors' rights pretty largely, and is paddling about with Franklin and Jenkins in the land jobbing way under the Susquehanna proprietors. [Dr. Smith next referred to the town meeting of the inhabitants held on July 20, and Franklin's procedure in connection with the same—and then continued as follows:]

"I am credibly informed that there was not more than 25 which voted [at the meeting of July 20], and most of them stragglers. Jenkins gave out such threatening words that no man present dared to oppose. Jenkins declared that if any man in the settlement did oppose the doings of that meeting he would destroy him. John Jenkins swore in the most solemn manner that in case the people should constitute or appoint any other agent than what should be chosen by that meeting that day, he would send them to the Eternal Shades of Darkness, and that he knew he could raise a party to assist him, and that he would destroy both men, women and children, &c. They chose at that meeting Franklin and Jenkins for Agents. They have the sword in their hands. Franklin is a Colonel and Jenkins Major; the settlers cannot make any Defence—they have been deprived of their arms; the half-share men are well armed—thirty of them can destroy the whole settlement.

"*The former part of this letter I wrote at Wioming.* I am on the track of Captain Schott, & this day (August 11) am at Hellers', at Wind Gap. When I began this letter I expected to have sent it by a young man of my neighborhood. If these men [Franklin and Jenkins] should get protection from Council it will dishearten the settlers. They are not chosen by the settlers, and if they come under your Protection it will be their design to affront you & bring on a rupture. The Susquehanna Company have voted to give the West Branch people their lands. By this they expect 1,000 men from there to assist them. One Hugh Forseman†, who lives now at the Delaware (*sic*), has been of late at Wioming. He has formerly been a Justice at Wyoming under Connecticut. He saith that whenever Franklin calls he can have from that neighborhood 500 or 600 men. Franklin and his associates brag that they can have from the West Branch 1,000; from the Delaware, 500; from Varmount, 1000. Such Reports intimidate the people. Notwithstanding these [things] there is yet virtue in most of the settlers.

"I have copied Hamilton's letters and spread them in the settlement, which is not only economising, but stimulates. When I left, the People were all in a Tumult. I have drawn up a petition to offer to the Assembly, which was signing briskly when I left. *The settlers in general fix on me as their Agent.* I expect to receive from them in a few days the Petition and a Power of Agency, and Instructions to the Assembly. Franklin has had of late a request for powder. We had three cannon at Wioming, which are either secreted or sent to Tioga. The principal agents against Government are John Franklin, John Jenkins, James Finn and Christopher Hurlbut. They have voted against taking the laws; they have persuaded the people against the Government.

"You will observe the inclosed letters. I fear my family will be destroyed—I *dare not go to Wioming at present.* [The testimony of] people can be had a-plenty against the above persons. If they could be brought to justice, or removed, the people would soon be quiet.

"If your Honors should want any Intelligence from me before I come to the Assembly, I may be found either at Heller's at Wind Gap or at Colonel Stroud's. If the Wioming Disturbance should come to an open rupture—if troops should be sent to enforce the laws—Doctor Smith begs that the friends to Government may not suffer with the disobedient. I should wish to go with them [the troops], or at least be permitted to give in a list of Names of such as are friends, & beg for Protection. As to my own part, I am Devoted, & at your Honors' service. I wish for Regularity, order, & an Introduction of the Laws."

It seems that Franklin, Jenkins and their associates had ascertained about August 10th that it was Dr. Smith who had intercepted and sent to the Pennsylvania authorities the inflammatory letters of Dr. Joseph Hamilton to Colonel Franklin. Dr. Smith, being informed of this fact, stood not upon the order of his going, but went posthaste out over the Sullivan Road to Heller's, at the

\*See "Pennsylvania Archives", First Series, XI : 45.

†See note, page 1114, Vol. II.

Wind Gap. He took with him a hastily written note from his friends and neighbors Abraham Westbrook and Samuel Hover, addressed to Vice President Charles Biddle, and reading in part as follows:\*

"This comes by Dr. Smith, who is obliged to fly. Franklin & his party have knowledge of his [Smith] informing Government of Hamilton's letters. Franklin & Jenkins have given out most shocking threatenings. As to the meeting which Franklin warned of late, and the proceedings, and as to every particular transacted here, we refer you to the Doctor. We feel ourselves sensibly bound by our oath of fidelity to the State, and in conscience as honest men, to declare against the proceedings of Franklin & Jenkins; and as we expect soon to come to an open Rupture, the Doctor has drawn up a Petition which is now signing, & the letters from Hamilton are public. We are determined to act on the honest side. If the opposite party should prove too hard for us, we hope we shall receive assistance from Government."

This letter, together with his own letter—begun at Wyoming and finished at Hellers'—and the account of the meeting at Wilkes-Barré on July 20th, Dr. Smith forwarded from Hellers', to Judge Montgomery, at Northumberland, by whom they were duly transmitted to the Supreme Executive Council.

As noted, Capt. John Paul Schott set out from Wilkes-Barré for Philadelphia on August 10, 1786, bearing a letter to President Benjamin Franklin from Col. John Franklin and Maj. John Jenkins—the "two Johns"—relative to their election as agents for the settlers at Wyoming, and as to their being furnished with a passport as suggested by President Franklin in his communication of June 11, 1786. The writers expressed their thanks for the attention of the President and the Council to the case of the Wyoming settlers, and declared their appreciation, especially, of that paragraph in the President's letter of June 11th "that so fully expresseth the wishes of the whole Council, and His Excellency in particular, to be instrumental by just and reasonable measures in promoting their happiness." The letter† prayed for the protection of the Supreme Executive Council to the persons of Franklin and Jenkins "while coming to and remaining in Philadelphia, in waiting upon the Legislature as agents for the settlers at Wyoming", and concluded with the following paragraph:

"Our most sincere and best wishes attend your Excellency and the honourable Council in all your important concerns. May you have wisdom from on high, to direct you in Council, that you may be used as happy instruments, under the Great Jehovah, in consulting such measures and carrying them into execution, as will reflect immortal honour on your memories, and terminate in the advancement of the Messiah's kingdom, and consequently in the weal and prosperity of this State, that your names may be sacred in the annals of history, that generations yet unborn—when they shall rise on the stage of action—may call you blessed!"

This letter was duly received by President Franklin and transmitted to the Supreme Executive Council, whereupon, on August 21, 1786, the Council ordered: "That a passport under the seal of the State be made out for the said John Franklin and John Jenkins, or others, as agents as aforesaid, granting to them the desired protection, as far as the authority of the Executive will extend; but that they be apprized that this will not reach beyond prosecution of a criminal nature."

With this passport Captain Schott returned to Wilkes-Barré, where he arrived about August 25th. Meanwhile a meeting of the Wyoming settlers had been held at Wilkes-Barré on Saturday, August 19th. So far as the present writer can ascertain, the only account of this meeting is preserved in the journal of Col. Timothy Pickering (who was in Wilkes-Barré at the time), and is as follows, (under the date of August 20, 1786):‡

"At this meeting were present such settlers as chose to attend from Tioga downwards; yet I have since learned that the whole number present amounted to but sixty. I found that

\*See "Pennsylvania Archives", First Series, XI : 47.

†See "Pennsylvania Colonial Records", XV : 67, and "Pickering Papers", LVII : 30.

‡See Upham's "Life of Timothy Pickering", II : 258.

Colonel [Zebulon] Butler had prudently resolved to accept no office whatever among these people, except that of Moderator of their meetings, when they should choose him. He was Moderator of the meeting yesterday. Their principal business was to consider and determine for what extent of country they should make their claim to the Assembly of Pennsylvania. They concluded to ask for the whole *Indian Purchase*, beginning ten miles east of the north-east branch of the Susquehanna, as it runs, and extending westward two degrees of longitude. Its breadth north and south I did not ascertain; but suppose it corresponds with the breadth of the State of Connecticut. \* \* \* Messrs. Franklin and Jenkins are chosen agents to present their claim, or petition, to the Assembly; and a messenger is gone to the President and Council to ask a passport for them.

"It would seem that they make this large claim, not with a confidence of its being acceded to, but from an expectation of obtaining *more* than if they asked but *little*. Such of the *old settlers* as I have conversed with would be satisfied if quieted in their possessions prior to the decision of the Continental Court at Trenton. These possessions mean the lots of 150 to 300 acres, on which they had seated themselves and made some improvements before that day. These settlers, and the heirs of such of them as have died, are supposed to amount to about 250 families. The *new-comers* may amount to as many more; and these, having obtained grants of *half-shares* (whence they are called *half-share men*) from The Susquehanna Company, on condition of their residing in the settlement and defending the land, contend warmly for the whole Indian purchase. Some of the old settlers also *being partners in the Company*, still persist in this extensive claim."

The foregoing mention of the name of Timothy Pickering records the first appearance upon the Wyoming stage, of a new actor—one who, during the ensuing three or four years, filled many parts in the drama enacted here, and was a useful and dominant member of the community.

According to Upham—in his "Life of Timothy Pickering", II: 248—Colonel Pickering, who was living in Philadelphia in 1786, came to the conclusion early in that year "to remove, with his family, to some new settlement, on the frontiers, or to open one himself in the remoter wilderness. With this in view he had purchased several large tracts of unoccupied lands in the extreme western counties of Virginia and beyond, in the territory then belonging to that State, but constituting now the State of Kentucky, and on the borders of the Ohio. \* \* \*

"He had also, in company with others,\* bought a large tract of land in Pennsylvania, which had, on many accounts, greater attractions as a future permanent home than more distant localities. But his Pennsylvania purchase was in immediate contact with the Wyoming lands, and, in fact, to some extent, overlay them. \* \* \* Before absolutely and finally committing himself to the Wyoming enterprise, he thought it proper to visit the country. \* \* \* Two gentlemen accompanied Colonel Pickering at the start. Others overtook them on the way." Colonel Pickering kept a diary of their journey,—“a curious



STEWART PEARCE

Author of "Annals of Luzerne County," frequently quoted by way of reference in this History.

\*According to a document on file in the Land Office, Department of Internal Affairs, at Harrisburg, Pennsylvania, it is shown that, as "the Land Office of Pennsylvania" was "to be opened on May 1, 1785, for the sale of the lands within the State lately purchased from the Indians"; and as "Timothy Pickering, Samuel Hodgdon, Tench Coxe, Duncan Ingham, Jr., all of Philadelphia, Andrew Craigie, of the City of New York, and Miers Fisher", were "desirous to form a company for the purchase of a considerable quantity of said lands for their joint account," they entered into a written agreement, bearing date April 6, 1785, to purchase 63,000 acres of said lands.

and most valuable document"—which he entitled "A Journal of a Tour into the Woods of Pennsylvania, about the Great Bend, August and September, 1786."

The Pickering party set out from Philadelphia in the morning of Friday, August 4th, and traveling—on horseback, necessarily—by way of Pottsgrove and Reading, reached Sunbury on the 8th. Under the date of August 12th, at the home of Philip Francis,\* "about a mile below the mouth of Muncy Creek, and three miles below Mr. [Samuel] Wallis's,"† Colonel Pickering wrote to his wife in part, as follows:

"We expected ere this to have been farther advanced on our journey, but Mr. Wallis is to go with us to complete the surveys of the land we are to visit, and he cannot get ready till next Monday, the 14th; and it will probably take us a week to collect necessaries for the surveyor, chain carriers, &c., and to travel to Tioga [Point], so that my return may be ten days or a fortnight later than I wished or expected when I left home. As Mr. Wallis was not ready we spent two nights and one day at General Potter's,‡ where we were kindly entertained. Last night and the preceding one we lodged at Mr. Francis', and shall stay here until we proceed on our journey. Mr. Francis is uncle to Thomas Francis who is with us. His lady is a lively, agreeable woman, and well calculated for a remote residence in the country. They have the best log-house we have seen, though not yet finished. They have two children, a son, and a daughter—the eldest about five years old."

On August 15th, Colonel Pickering and his companions were joined at Philip Francis' by Richard James and Charles Willing of Philadelphia, so that the party comprised those gentlemen, Colonel Pickering, A. Horton and Thomas Frances (who had started from Philadelphia with the Colonel), Samuel Wallis the surveyor, several chain-carriers and other hired men. The company set out from Francis' in the afternoon of the 15th and rode down to Northumberland. The next day, after providing themselves with certain necessary articles, they proceeded up along the west bank of the North Branch of the Susquehanna, and arrived at Wilkes-Barré in the evening of Friday, August 18th.

In his "Journal" Colonel Pickering describes, with considerable detail, not only the experiences of himself and companions on their tour, but the physical character of the country through which they travelled, and the civic and social affairs of the people. He states that at Sunbury there were about 100 houses—one house being large, and well built of stone: all the rest, with two or three exceptions, being of logs. There was a wide range in the character of the log houses which they met with in their journey. "Some were large, commodious, neat, tight, comfortable in all seasons, and in all respects desirable." The better sort were "hewed and neatly put together with double dovetails at the corners; the joints between the logs being filled with small stones, and pointed with lime and mortar." Below this style of houses there was every grade, down to what were mere huts or hovels.

Throughout Wyoming Valley the vestiges of the ruin with which it had been so often visited were everywhere seen. The log-hovels in which many of the inhabitants dwelt were wretched beyond description. In a great part of them there is [was] no chimney; but a hole is [was] left in the roof, through which the smoke escapes." Concerning Wilkes-Barré, Colonel Pickering wrote as follows:

"We crossed the latter plains [the Shawnee, or Plymouth, Flats] and came to Wyoming, on the eastern side of the river. Wyoming town is now called Wilkesbarre, and the phrase

\*See page 489, Vol. I, for a sketch of the Francis Family. †For a sketch of his life see page 653, Vol. II.

‡Gen. JAMES POTTER was born in 1729. He was a Captain in the French and Indian War; in May, 1775, he was commissioned a Colonel in the Pennsylvania militia; he was a delegate to the Pennsylvania Constitutional Convention in 1776; was appointed and commissioned April 5, 1777, one of the five Brigadier Generals, then designated by the State Legislature for the Pennsylvania militia. He was Vice President of the State, in 1781, and in May, 1782, was promoted Major General of the Pennsylvania militia. He was at the battles of Trenton, Princeton (where he was wounded), Brandywine and Germantown. July 7, 1784, he was elected a member of the Pennsylvania Council of Censors, to succeed Col. Samuel Hunter who had died in the previous April. General Potter was a large landholder in Penn's Valley, but his residence was in White Deer Township, in what was then Northumberland, but is now Union County. He died in November, 1789. Potter County, Pennsylvania, erected March 6, 1804, was named in his honor.

*Wyoming people* comprehends all the settlers from Nescopeck Creek to Tioga [Point]; for through that whole extent of country (being upwards of 110 miles), on both sides of the river, they have taken possession. Wilkesbarre was a pitch-pine plain, though pretty fertile, but by no means comparable with the flats before described. Its surface is considerably higher than that of the flats, and, being of a drier, firmer soil, is a more suitable flat for a town. Much of it, however, was overflowed in the *great fresh* of the Spring of 1784.

"The town was originally divided into town-lots, meadow-lots and back-lots. The first containing three acres, the second thirty-five, and the last 250 acres. Then each settler drew for his lot in each division. By this manner of dividing the lands great inconvenience arises to the farmer. His dwelling-house is on the pitch-pine plain; his meadow a mile or more from it, on one side, and his back-lot perhaps still farther removed, on the other side of his dwelling."

Under the date of Sunday, August 20, 1786, Colonel Pickering made the following entry in his journal:

"Col. Zebulon Butler and Colonel [John] Franklin spent the evening with us very sociably. Mr. Franklin appears to be the leader of the warm supporters of the claim of The Susquehanna Company against Pennsylvania. Nothing was said on that subject. In the morning, having called to see Colonel Butler, he invited me to take breakfast; during which time I made some inquiries relative to the dispute, and the proceedings of the meeting of the settlers the day before [Saturday, August 19]."

The Pickering party left Wilkes-Barré in the morning of Monday, August 21st, and traveled northward over the trail, or path, running along the eastern shore of the Susquehanna. They hired, at Wilkes-Barré, some canoes, in which they carried their supplies of provisions and other articles; but on Monday, August 28th, they left the river and set out for the woods, surveying as they went. "They traversed the whole north-eastern corner of Pennsylvania, crossing mountains, struggling through thick-set forests and bushes, fording streams, remaining under their tents when it rained, and carrying their lines of survey over rocks, gullies and swamps. After roaming in this way through the wilderness, they came out at Hellers' Tavern\*, about two miles south of the Wind Gap, and reached Philadelphia [via Bethlehem] on Wednesday night, September 20." There we will leave them, while we return to Wilkes-Barré.

The "two Johns", fortified with the passport which had been brought to them by Captain Schott, set forth from Wilkes-Barré for Philadelphia about September 1, 1786. At the latter place, under the date of Monday, September 4th, they addressed to President Benjamin Franklin the following communication:†

"Sir:—We have the honour to inform your Excellency and the Hon'ble Council that your letter of the 21st of August last, under the hand of your Excellency and Seal of the State—granting Protection to the agents for the settlers of Wyoming—we received. Pursuant thereto, we arrived at this City last evening for the purpose of Representing the said settlers in Council and Assembly, according to our appointment and agency.

"We shall feel ourselves happy to have a hearing in answer to any Crimes alledged against the people we have the honour to Represent, & to lay such matters before the Hon'ble Council or Assembly as shall be agreeable to the Instructions Given us, by our Constituents, and productive of the general good of the whole; at such times as an opportunity shall offer, consistent with Decency, rule and good order.

"We are, may it please your Excellency,

"Your most obdt. & hble. Servants,

[Signed]

"JOHN FRANKLIN,  
"JOHN JENKINS."

This letter was transmitted by President Franklin to the Supreme Executive Council, and at its meeting in the State House held on September 6th (Vice President Charles Biddle† presiding), the letter having been read, September 7th was named as the day for receiving and hearing the agents. Vice President Biddle (in his "Autobiography", page 207) gives an account of the appearance of the "two Johns" before the Council. After referring to the various disturbances at Wyoming, Mr. Biddle states:

"About this time John Franklin, who was considered the principal leader in all these disturbances, wrote to Council that, if he could appear before the Board in safety, he would come

\*See note, page 1166, Vol. II.

†See "Pennsylvania Archives", XI : 52

down and state the injustice that was done to the Connecticut settlers by the Commissioners and others sent amongst them. Council was surprised at receiving this letter; however, it was immediately agreed that he should have a pass to come down and be heard. One was accordingly sent him, and in a few days he came to town. He took up his lodgings opposite the State House, and sent word he was in town, and wished to know when he should wait upon Council. He was immediately informed the Board were ready to hear him.

"He soon appeared. He was a very stout man, then in the prime of life, being about forty-five years of age,\* and had the look of a soldier. He was accompanied by John Jenkins, another leading man among the Connecticut settlers. He [Franklin] said he had come down to *answer* any charges that could be made against the Connecticut settlers, and expected he could convince the Board they had been treated with injustice and cruelty. As Dr. Franklin was not present I told him he had requested a pass to come and inform the Board of their reasons for being dissatisfied with the treatment they had received from the Pennsylvanians; that we would now hear him, and, if they had any real complaints, endeavor to redress them. He said he expected first to hear the complaints against them; however, he was ready to state theirs.

"He took up the business from the Decree of Trenton, and gave a particular account of every material transaction that happened in the settlement from that time. He said Col. [James] Moore and his troops had behaved exceedingly ill to the Connecticut claimants, but General [John] Armstrong had behaved much worse; that, finding he could do nothing with the militia he had with him, he offered the settlers that if they would deliver up their arms they should all be suffered to return to their homes, and not be molested in any way whatever; and should have a fair and candid hearing, and if they had any real cause of complaint, they should be redressed; that being extremely anxious to return home, and live quiet and peaceable with their families, they agreed, and did surrender their arms. Immediately after they had delivered up their arms they were ordered into an old barn, where there was no floor, and, although the ground was covered with mud and filth, they were obliged to lie down in it, and the sentinels had orders to fire on any one that attempted to raise his head. Some of those confined in this manner were old men, one of them upwards of seventy years of age. A number of them were afterwards marched to Easton gaol.

"He related many other circumstances of ill treatment they had received. Council informed him they would take the matter into consideration, and desired him and Jenkins to retire. Franklin, finding little encouragement, soon left the City. General [John] Armstrong, as Secretary, was present during the time Franklin was speaking. It was with some difficulty I could prevent him from interrupting Franklin. He told me afterwards there was some truth in what Franklin had said, but he had mentioned several things that were false."

The hearing of the "two Johns" was not completed until September 8th, on which day the Council received "a petition from a number of persons styling themselves late settlers at Wyoming *under legal title from Pennsylvania*, but now expelled from their possessions by persons claiming under Connecticut." The same day the Council transmitted this petition to the General Assembly, together with the information that "the agents of the claimants under Connecticut" were then in the city and wished "to be heard by the Legislature."

The Assembly, in pursuance of its vote of adjournment, had reconvened in Philadelphia on Tuesday, August 22, 1786, and four days later it received from President Franklin and the Supreme Executive Council a message, accompanied by the following-described papers "relating to the Wyoming business."

"(1) A letter from William Montgomery, Esq., dated May 17, setting forth that Ethan Allen was come with a number of others into that neighborhood and drawn the people generally from their allegiance to this State, and were caballing to erect a new State in that territory. This letter also contains a letter from William Shaw, confirming and corresponding with his (Montgomery's) which has in it an intercepted letter from Joseph Hamilton, dated the City of Hudson, March 24, 1786, to John Franklin, wherein Hamilton advises Franklin to pursue every method to preserve the independence of that country; that he has the countenance of numbers at that place, will be well supported, and he doubts not of success.

"(2) Another from Mr. Montgomery dated Northumberland, May 20, importing that the party headed by Allen, Franklin and Strong gain converts every day; that their pretensions are almost unlimited; that there may perhaps be some good citizens still at Wyoming who should be immediately supported, and perhaps things might then take a favorable turn.

"(3) Another from the Sheriff of Northumberland County stating that he was ill-treated at Wyoming when serving legal processes; that the people, he verily believes, would have killed him had he not promised to desist and leave the place; that it is impossible to execute the laws of this State in those parts without an armed force to support the officers."

"(4) Another from John Franklin to William Montgomery, dated Wyoming, June 26, representing that Mr. Montgomery swerved from the line of his duty in reflecting upon and advising him (Franklin); that he had a contemptible opinion of Montgomery and several others of his party; that the protection from Pennsylvania which His Excellency the President and the Council, by letter, assure him of, gives the greatest satisfaction, for they desire no other [thing] than to

\*He was, in fact, just thirty-seven years of age. See page 1227, Vol. II.

live as good citizens and enjoy the benefits of the Constitution of Pennsylvania; but they will not be driven off the lands their hands have cultivated, and their blood enriched, for the advantage of any hellish land-monopolizers!

"(5) Another from the same to the President of the State, desiring to be permitted to send agents to negotiate with Council; also, the votes of the Wyoming settlers appointing such agents."

On August 28th it was voted by the Assembly "that the papers respecting Wyoming—enclosed in the message from Council—be referred to Messrs. Clymer, Gray, Evans, and others, to report thereon." The message and other documents transmitted to the Assembly by the Council on September 8th, as previously noted, were received on the same day by the Assembly, "and on motion, and by special order, the same were read a second time; whereupon it was ordered that the further consideration thereof be postponed." On September 11th the Assembly received "a letter from the agents of the settlement at Wyoming, enclosing a petition of John Franklin and John Jenkins in behalf of those settlers." On September 12th there was read in the Assembly "a petition from 130 inhabitants of Northumberland County, praying that *the County should not be divided.*"

On September 14, 1786, the petition of Messrs. Franklin and Jenkins, which had been received and read in the Assembly on September 11th, was read a second time; whereupon Representative John Smilie moved to commit it. Representative Robert Morris objected to this, stating that he thought the petition was of such a nature—not from the words, but the substance of it—that "it would lessen the dignity of the House to take that order on it." He stated that he "would do anything to prevent bloodshed, and would recommend every degree of forbearance, but would wish to proceed on with the business as it was begun." Mr. Smilie thought he had been misunderstood. He only meant to commit this petition, he stated, "to see if any new light could be thrown on the business."

Representative Thomas Fitzsimons\* said a few words in opposition to the motion; as also did Representative George Clymer, who, in remarking that petitions were entitled to respect, said that although this was one "the House could hear consistent with their own honor", there were two claims in the petition which they could not hearken to, viz.: "one, to give up the property of our constituents, and the other, to suffer the laws of Connecticut to regulate a part of Pennsylvania." Upon the whole, he declared, he was "decided against the Committee." Representative George Logan (a friend, or Quaker, of Philadelphia County) expressed an ardent desire "that this business might be entered on coolly and deliberately; that every possible means should be pursued to prevent the State being precipitated into a war, which, if they were, might not terminate to their advantage, for these people would be desperate—as fighting for their all—and an overmatch for any military we could employ, who would necessarily *be uninterested.*" He declared that the petitioners should have his "concurrence to be heard, and a committee appointed to investigate the matter; and that these people ought to have an impartial hearing."

Following Representative Logan, Representative Morris declared that he did "not wonder that the Member who spoke last should be so opposed to a war;

\*THOMAS FITZSIMONS was an Irish Catholic, who was born in 1741, either in Ireland or Philadelphia. In early manhood he became a merchant in Philadelphia. Later he was married to a daughter of Robert Meade (great grandfather of Gen. George Gordon Meade, the distinguished soldier of the American Civil War), and soon thereafter he and his brother-in-law, George Meade, formed a partnership for carrying on business as merchants and ship owners. After the passage of the Stamp Act Fitzsimons warmly espoused the cause of the colonists. During the Revolutionary War he commanded a company of volunteers. In 1777, he was appointed a member of the Pennsylvania Navy Board. In 1780 his firm—George Meade & Co.—subscribed £5,000 toward supplying the Continental Army with necessary equipment. He was a Delegate in the Continental Congress in 1782 and '83, and November 13, 1783, was elected a member of the State Council of Censors. In 1787 he was a Delegate in the Federal Constitutional Convention, and from 1789 till 1795, was a Representative in Congress. He was a Trustee of the University of Pennsylvania, founder and director of the Bank of North America, President of the Philadelphia Chamber of Commerce and of the Insurance Company of North America. He died at Philadelphia, in August, 1811.



his education had taught him to look upon it with horror and detestation." However good and humane these principles were, said Mr. Morris, he knew they did not generally pervade the world, and he trusted that, if Pennsylvania was to engage in a necessary and just war, there would be sufficient funds and spirit exerted in the State to bring it to an honorable and equitable termination. However, he hoped that exertion of this nature would not be necessary. He had no objection to hearing the claims of these persons, but would have the hearing conducted properly. They should ask for it, and it would be improper to commit the petitions. He concluded by saying that if any new lights could be "thrown upon this business, let us have them, in God's name!"

Representative William Findley, of Westmoreland County (who, with John Smilie, had represented that County in the Pennsylvania Council of Censors in 1783 and '84), was of the opinion it would not lower the dignity of the House to hear them, but thought it right that they should be heard; that their prayers would surely not be granted without it, was well founded. Mr. Smilie, speaking a second time\*, said it was necessary, and very necessary, too, that the petition should be committed, inasmuch as "those gentlemen [Franklin and Jenkins] should be called upon to produce their instructions and documents, to prove that they were the persons they pretended to be, and whether really appointed by the people for this purpose."

Representative Robert Lollar, of Montgomery County, coincided with Mr. Smilie; and Representatives Fitzsimons, Morris and Clymer arose one after another and acknowledged that what Mr. Smilie had urged was conclusive, and perhaps the only reason that could have convinced them of the propriety of appointing a committee. Whereupon it was "*Resolved*, That this petition, together with the several others relative to the disturbances at Wyoming, be referred to Messrs. Thomas Fitzsimons, George Clymer, Isaac Gray (of Philadelphia County) Samuel Evans (of Chester County), Robert Whitehill, William Findley and John Smilie; and that the said Committee be authorized to call before them the said Agents, and make report to the House." The Committee, through Mr. Fitzsimons made its report to the House on September 22nd.

The next day—Saturday, September 23, 1786—Representative Robert Morris called up the "Bill for erecting the Wyoming District into a separate County." He thought if that Bill were passed it would tend in a great measure to quiet the disturbances in that neighborhood; that some gentlemen of veracity who had just returned from that country had informed him, and would inform every gentleman who applied to them, that the people in that district would be gratified by being so set off; and that they were *not so turbulent and restive* as had been represented. "The Bill was then read, and considered by paragraphs; and on the question, 'Shall the same be engrossed?' the yeas and nays were called and were: Yeas, 44; Nays, 14. So it was determined in the affirmative." Upon the following Monday (September 25, 1786), the Bill, having been duly engrossed, was formally signed by the Hon. Thomas Mifflin, Speaker of the Assembly, and thereupon became a law of the Commonwealth

\*The Hon. Charles Biddle, in his "Autobiography" previously mentioned, states (page 208), relative to the above mentioned debate: "Smilie, speaking in the House of Representatives of his [Gen. John Armstrong, Jr.'s] expedition into Wyoming, compared him to Verres. The next morning, when I went to the State House, I found Armstrong walking before the door of the room in which the Representatives sat. Inquiring what he was doing there, he told me he was waiting to see Smilie. I persuaded him away, and afterwards had the affair made up. He by no means deserved a comparison with Verres."

†Pickering, Willing, and others.

About this time a printed address\*, relating to Wyoming affairs, and very incendiary in its character, was disseminated pretty generally throughout the Wyoming region, and in the locality of Sunbury. Copies had previously been placed in the hands of various members of the Pennsylvania Assembly. The document was worded as follows:

"AN ADDRESS"

"From the inhabitants of Wyoming, and Others, contiguously situated on the Waters of the River Susquehanna; to the PEOPLE at large of the Commonwealth of Pennsylvania.

"*Gentlemen, Friends and Neighbours:* Providence having drawn the limits of our habitation contiguous to you, in consequence whereof—during the late glorious Revolution—we became your barrier on the north, and were thereby exposed to the relentless fury, savage barbarity and devastation of the common enemy. In these scenes of horror and complicated woe, we were your frontier. Our blood answered for yours! Our hazard and unparalleled distress purchased your safety! We stood between you and the tomahawk and scalping-knife, and diverted the inhuman strokes from you. But, alas! what returns have we had from your Government?

"The widows and orphans of those who fell in the common cause of America, particularly in your defence, have been plundered, despoiled of their goods, and driven from their habitations and legal possessions, with other inhabitants in general, and the whole treated nearly as inhumanely as by the common enemy; and many of our inhabitants have been killed, by the hostile attempts of Government to dispossess us of our lands and labours without the formality of a trial by law.

"Notwithstanding the great evils we have suffered from your Government, yet, in conformity to the Congressional decision of the jurisdiction of this territory (at Trenton), we make the following proposition of amity, and submission to your jurisdiction and laws—to prevent, if possible, any further effusion of blood, and to terminate all disputes—to wit: Provided the Legislature of the State of Pennsylvania will, in the most explicit and unequivocal manner, ratify, confirm and secure to us the right of soil of the lands in the disputed territory, which we have purchased of the aboriginal proprietors and of the State of Connecticut (part of which we have improved, and are in possession of), that on this condition we, the said inhabitants, will submit to the jurisdiction and laws of the State of Pennsylvania.

"Should this condition—which is the bone of contention—be complied with on the part of the Government, we indulge a hope and strong expectation that harmony, justice and peace will succeed the evils and hostilities which have heretofore taken place; for we greatly esteem your just and equal Constitution, and revere the worthy censors and guardians of it, and have, with humble petitions, repeatedly implored your legislatures to confirm and quiet us in our possessions and right of soil—but all to no purpose!

"*Gentlemen*, your Government hitherto have been extremely earnest to cram their laws down our throats, and do not fail to hold up to our view the sanctity thereof. 'The Law', they say, 'is holy, just and good; but the said inhabitants, *alias* Yankees, are carnal, riotous, rebellious, and sold under sin, and their lands and labours must pay for it!' In fine, the inhabitants of Wyoming and its vicinity are so sinful and rebellious that you, gentlemen of the militia of Pennsylvania, must leave your farms and occupations, wives and children, and, at the hazard of your lives, kill and destroy those ugly Yankees who guarded your frontier in the late war, and who, if you do not extirpate them, will guard you in a subsequent one.

"But why are your Government so zealous to raise troops† and money for the avowed purpose of waging war with the inoffensive yeomanry of Wyoming? The cause (not reason) is not at all abstruse. The lands on the waters of the Susquehanna and the adjacent country—particularly the fertile fields of Wyoming—are too good to be possessed and enjoyed by rioters and disturbers of the peace 'who have not the fear of law before their eyes.' These lands would better grace the 'Pennsylvania Farmer' and his junto of counsellors and sage judges, attorneys and dependents who adore the law and 'make it honourable, and roll it as a sweet morsel under their tongues', thereby to cheat us out of our lands.

[Then follows a history of The Susquehanna Company's title to the Wyoming lands, and an account of the settlement of the lands.]

"Certainly, Gentlemen, when you have duly considered our address, you will adjudge that we have been unconstitutionally and illegally dealt with by the Government, and that the right of soil is rightfully ours; and if so, your land-jobbers will be confounded and will curse their stars since it amounts to a moral certainty that you, Gentlemen of the Militia, will not come forth in arms against us, in order to assist overbearing men to destroy us, merely for their own emolument'

\* \* \*

"That the people of the State at large have a right to judge, and even interpose, in this interesting dispute, will further appear when, by a Government swayed by interested and overbearing men, they are ordered to march under arms to the hostile ground of Wyoming, and, at the hazard of their lives, fight against us for no other cause (not reason) but that we will not tamely surrender our farms, orchards, tenements, labours and right of soil to a junto of land-thieves. This is a matter which very nearly concerns the people of the State at large, as they, by order of Government, must encounter us in the field, in which few, if any, of the land-jobbers of

\*It was in the shape of a broadside, 18x24 inches in size, and had been printed by Ashbel Stoddard at Hudson, New York. The only copy of this document which the present writer has been able to find is preserved among the "Pickering Papers"—LVII: 29.

†Reference is here made to the resolution which was introduced in the Pennsylvania Assembly in March, 1786, authorizing the raising of volunteers for the suppression of the disturbances at Wyoming. See page 1494.

any considerable importance will act a part. Their weapons are intrigue and legal deception. Such pious legalists had rather stand aloof in the day of battle, *with law-books in their hands*, and look on and see you, Gentlemen of the Commonalty, and those rebellious Yankees, smoke it out at the muzzle of the firelock; and, provided the event of war proves favourable to their claim, to take possession of the lands and labours which they have coveted. \* \* \*

"Gentlemen, the original design and ultimate end of law is to secure the lives, liberty and property of the subjects. But when Government and Law are degenerated in the administration, and subverted to answer the overbearing, unjust and monopolizing purposes of cruel men, or to dispossess and ruin a large settlement of industrious yeomanry—the supporters of the world of mankind—then, in such cases, the oppressed have a just and natural right to make a bold and manly resistance, agreeably to the greatest of all laws, to wit: that of self-preservation.

"Nor is it, in the nature of things, possible that the human species should be under any obligation of allegiance to a Government that does not and will not protect them in their property. In all such instances as these the subjects are thrown into a condition commonly called a state of nature, and, from the sanctions of the eternal law of self-preservation, have a right to defend their persons and property against all manner of usurpation.

"This has been the condition of this settlement ever since the jurisdictional decision at Trenton, which will cancel our allegiance to the Government until they alter their measures and confirm to us our right of soil and administer law to us on the principles of the Constitution.

\* \* \*

[Signed]

"ETHAN ALLEN,  
"JOHN FRANKLIN,  
"JOHN JENKINS."

"Wyoming, September 12, 1786.

So far as is now known General Allen was not in Wyoming at this time. It is doubtful if he ever visited the Valley more than once—in the Spring of 1786, as hereinbefore related.

Immediately after the passage of the Act erecting Pennsylvania's seventeenth County, Vice President Biddle directed Samuel Dale, Esq., "to proceed as soon as possible to Wyoming and there distribute as many of the laws that are [were] passed erecting the 'Northern part of the County of Northumberland into a separate County' " as he should think necessary. He was also instructed to "take every opportunity of acquainting the people with the favorable disposition of Government to them; that, if they behave peaceable, they will not only be treated with Justice, but Generosity, by the State."

The "two Johns" left Philadelphia for Wyoming on September 23, 1786, arriving at Wilkes-Barré on the following Tuesday (September 26th). Upon the arrival here, some days later, of Samuel Dale, bearing official printed copies of the new Act of Assembly, Colonel Franklin issued to the inhabitants of Wyoming a "Notice", reading as follows:\*

"*Whereas*, by a law of this State, enacted the twenty-third Day of September, one thousand seven hundred and Eighty-six, A new County is erected from the Nescopeck Creek on the south, to the north Line of the State, extending East to the Lehigh, and West to the ridge of land dividing the waters of the East Branch from the waters of the West Branch of the Susquehanna river, by the name of the COUNTY OF LUZERNE.

"That the inhabitants thereof, have Right to enjoy all and Singular Jurisdictions, powers, Rights, Liberties and privileges that the Inhabitants of other Counties of the State, do may or ought to enjoy.

"*And whereas*, the second Tuesday of October instant [October 10, 1786] is the Day appointed by Law for holding the annual election in the several Counties in the State, that the new and Extraordinary Circumstances of this Settlement render it highly expedient that a meeting be held to adopt measures in Conformity of the above recited Law. These are therefore to notify the settlers and freeholders of the said County of Luzerne, that they meet at the house of Abel Pierce, Esq., in Kingston, on Saturday the 7th instant, at one o'clock, P. M. 1st. To hear the report of the Agents returned from Philadelphia. 2d. To adopt Measures (so far as may be consistent with the Constitution and Law) for holding an Election at the time appointed by Law. And 3dly. To transact any other Business proper and necessary to be Done at said meeting.

"Dated at Wilkes-Burg in the County of Luzerne, October the 2d, 1786.

[Signed]

"JOHN FRANKLIN."

On the same day Colonel Franklin wrote to Dr. Joseph Hamilton at Hudson, New York, transmitting the letter, and various accompanying documents relating to Wyoming affairs, by the hands of——Gilbert. Colonel Franklin's

\*See "Pennsylvania Archives", Old Series, XI : 66.

letter\*, with certain eliminations, and improved in spelling and punctuation, reads as follows:

\* \* \* "I expect you have heard of myself and Major Jenkins being appointed Agents to represent this settlement in Council and Assembly. We accordingly attended. We arrived at Philadelphia September 3; were called before Council the 7th. The Hon. Charles Biddle presided, as the President was not able to attend. We were heard by Council, who gave the greatest attention and treated us with the greatest respect. We were heard without hindrance, restraint or molestation. I had the pleasure of stating our whole suffering to Council, from the Decree of Trenton to the present time. I left no stone unturned. The discourse continued about one hour and a-half. Colonel Armstrong and Esquire Boyd were present, and they heard a complete history of their conduct while at Wyoming. I did not forget the proceedings of Assembly and Council towards us.

"We were requested to attend a second time, which was done. Our instructions were requested, which we gave to Council to peruse. A number of questions were asked—particularly respecting the Sheriff [of Northumberland County] being opposed the last time he was at Wyoming. Council finally recommended us to lay our matters before the Assembly.

"His Excellency, B. Franklin, sent a request to us informing us that he had a desire to have us call on him. We accordingly waited on him, gave him a full account of our grievances—nearly the same that we had laid before the Council; also gave him our instructions. His Excellency expressed a great pleasure in having the opportunity of hearing us. He informed us that he had heard something of the disturbances, but was never so fully acquainted before.

"We presented a petition to the House of Assembly September 11. I shall refer you to the petition and proceedings thereon. However, we were not heard by the Committee of Assembly so fully as we were by Council. Messrs. Fitzsimons and Clymer appeared as though they would wish to take advantage, and were very inquisitive. Messrs. Findley and Smilie were not present but a little part of the time—said but a few words to us, &c. \* \* \* \* You will observe by the report of the Committee that nothing is done to confirm our title.

"We continued three weeks at Philadelphia, and returned here last Tuesday [September 26]. The report of the Committee was not adopted when we left them. However, we found it to be the unanimous opinion of the House, and thought it best not to wait any longer. The Assembly have completed the new County according to the Bill, except the line from Nescopeck running north-west instead of west. \* \* \* \* We have a right to hold an election the second Tuesday of this month [October 10, 1786] to elect a Representative and other officers of Government, but the time is so short we shall be obliged to omit it. \* \* \*

"It may not be amiss to inform you that there were sundry petitions from our enemies against a division of the County, but to no purpose. Sundry papers were sent to Council that were laid before the Assembly, viz.: A letter from William Montgomery, Esq., dated May 17, setting forth that Ethan Allen had come to Wyoming with a number of others, and they were caballing to erect a new State. This was confirmed by a letter from Esquire Shaw, who also sent a copy of an intercepted letter (as he called it) from [you] Joseph Hamilton to [me] John Franklin, dated March 24, advising for Independence. Also, my letter to Colonel Montgomery of the 26th of June last—and sundry others. We may thank Dr. [Wm. Hooker] Smith for your letter of the 24th of March. He received it in my absence, and took great pains to send it to Esquire Shaw, that Council might receive it. He also wrote a letter to Council informing against the people; setting forth that he was obliged to fly because he would not join for Independence. (God damn the liars!) However, I asked Council respecting the complaints against us. They informed us that the complaints were not worthy of notice. We heard near the same from the Assembly." \* \* \*

\*See "Pennsylvania Archives," Old Series, XI : 67.





## CHAPTER XXIX.

LEGISLATIVE FOUNDATION UPON WHICH THE COUNTY OF LUZERNE WAS  
ERECTED—ANNE CAESAR, CHEVALIER DE LA LUZERNE—BAPTISM OF  
THE COUNTY BY THE GREAT "PUMPKIN FLOOD"—COL. TIMOTHY  
PICKERING ARRIVES, AS PEACE COMMISSIONER—HIS MANY  
OFFICES—THE SUSQUEHANNA COMPANY'S LAST PRO-  
JECT—JOHN FRANKLIN AND HIS "IRRECONCIL-  
ABLES" FOMENT DISCORD—PREPARATIONS  
FOR THE FIRST ELECTION UNDER  
PENNSYLVANIA.

Let palsied be my strong right hand,  
Its cunning never more return,  
Whate'er my lot, in any land,  
Should I forget thee, loved LUZERNE."  
—George Wallace, 1912.

"In the stormy east-wind straining,  
The pale yellow woods were waning,  
The broad stream in his banks complaining,  
Heavily the low sky raining."  
—A. Tennyson, in *The "Lady of Shalott."*

"The heavens are black with cloud,  
The river is white with hail,  
And ever more fierce and loud  
Blows the October gale."



The preamble and enacting clause, and some of the principal sections, of the Act of the Pennsylvania Assembly of September 25, 1786, whereby the County of Luzerne was erected, read as follows:\*

"Whereas, many of the inhabitants of the northern part of the County of Northumberland have, by their petition to the General Assembly of this State, represented the inconveniences which they are subject to by the large extent of the said County of Northumberland, and the

\*See Smith's "Pennsylvania Laws," II: 386.

great distance at which the said petitioners dwell from the county-town—where the courts of justice and the public offices of the same County are held and kept—For remedy whereof,

*"Be it enacted,* and it is hereby enacted, by the Representatives of the Freemen of the Commonwealth of Pennsylvania, in General Assembly met, and by the authority of the same: That all and singular the lands lying within that part of the County of Northumberland which lies within the bounds and limits hereinafter described, shall be erected into a separate County. That is to say, beginning at the mouth of Nescopeck Creek, and running along the south bank thereof, eastward, to the head of said creek; from thence a due east course to the head branch of the Lehigh Creek; then along the east bank of said Lehigh Creek to the head thereof; from thence a due course to the northern boundary of the State; thence westward along the said boundary till it crosses the East Branch of the Susquehanna; and then along the said northern boundary fifteen miles west of the said river Susquehanna; thence by a straight line to the head of Towanda Creek; thence, along the ridge which divides the waters of the East Branch of the Susquehanna from those of the West Branch, to a point due west from the mouth of Nescopeck Creek; thence east to the place of beginning—which shall from henceforth be known and called by the name of LUZERNE\* COUNTY.

*"Section IV—* \* \* \* That Courts of Common Pleas and General Quarter Sessions of the Peace, to be holden in and for the said County of Luzerne, shall be opened and held on the Tuesday succeeding the Tuesday on which the Court of Northumberland is held, in each and every term hereafter; and that the Court of Quarter Sessions shall sit three days at each sessions, and

\*ANNE CAESAR DE LA LUZERNE (more generally known as Le Chevalier de la Luzerne, in whose honor Pennsylvania's seventeenth County was named, was born in Paris July 15, 1741, the third son of Caesar Antoine de la Luzerne, Count of Benzeville. He was, on his mother's side, a nephew of Malesherbes, a member of the French Académie Louis XVI; and who because of his loyalty to and chivalrous defense of this monarch, was guillotined at Paris in April, 1794.

The Chevalier Luzerne was educated at the Military School of Light Cavalry, and after his graduation served as an aid on the staff of his relative, the Duke de Broglie, in the Seven Years' War. In 1762, at the age of twenty-one years, he became a Major General of Cavalry in the French army. Later he became a Colonel of the Grenadiers of France, and a Knight (Chevalier) of the Order of St. John of Jerusalem. In 1776, he was sent by Louis XVI as Envoy Extraordinary to the Court of Maximilian Joseph, Elector of Bavaria. He remained at Munich two years, performing with remarkable success the responsible duties of his office.

In March, 1778, the King appointed Sieur Conrad Alexander Gérard (who for some time then had been Secretary of the Council of State) Minister Plenipotentiary to the United States, but about a year later he expressed a desire to be relieved of his office and permitted to return to France. Therefore, on May 31, 1779, the King appointed as his successor the Chevalier de la Luzerne. Accompanied by his Secretary (M. Marbois) and John Adams, afterwards President of the United States, Luzerne set sail from France in a 32-gun frigate on June 17, 1779, and arrived at Boston early in the following August. On his way thence to Philadelphia, the seat of Government, he visited General Washington at West Point.

On November 17, 1779, Luzerne was formally received by the Congress. "According to order," he was conducted into the Hall of Congress by Messrs. Matthews and Morris, the two Representatives appointed for that purpose, and, "being seated in his chair, the Secretary of the Embassy delivered to the President of the Congress (Samuel Huntington) a sealed letter" from King Louis, dated at Versailles May 31, 1779, addressed to "Our dear great friends and allies, the President and Members of the General Congress of the United States of America." The letter, of course, was in French. Translated, it read in part as follows:

"The bad state of health of Monsieur Gérard, our Minister Plenipotentiary to you, having laid him under the necessity of applying for a recall, we have made choice of the Chevalier de la Luzerne, a Colonel in our service, to supply his place. We have no doubt that he will be agreeable to you, and that you will repose entire confidence in him. We pray you to give full credit to all he shall say to you on our behalf, especially when he shall assure you of the sincerity of our wishes for your prosperity, as well as the constancy of our affection and our friendship for the United States in general and for each of them in particular."

The Minister then arose and addressed the Congress at some length in French, following which the Secretary of the Congress read a translation of the speech, which had been prepared beforehand. One of its paragraphs was worded as follows: "I consider as the happiest circumstance of my life a mission, in the course of which I am certain of fulfilling my duty when I labor for your prosperity; and I felicitate myself upon being sent to a Nation whose interests are so intimately blended with our own, that I can be useful neither to France nor the American Republic without rendering myself agreeable both to the one and the other." (See Whartton's "Diplomatic Correspondence of the American Revolution," III: 408, 409.)

"From this time to the end of the war," says Sparks in his "Diplomatic History of the American Revolution," "he applied himself sedulously to the duties of his station, and by the suavity of his manners, as well as by the uniform discretion of his official conduct, he won the esteem and confidence of the American people. His efforts were all directed to the support of the alliance, on the principles of equity, and the broad basis of reciprocal interests established in the treaties." During his stay in this country Luzerne lived at Laurel Hill, near the present Laurel Hill



ANNE CAESAR, CHEVALIER DE LA LUZERNE.  
(Reproduced from an old engraving in the collections of The Wyoming Historical and Geological Society.)

Cemetery, Philadelphia. The property which he occupied had been owned by Samuel Shoemaker, a former Mayor of Philadelphia, who, remaining loyal to King George, suffered the loss of his property by confiscation. Laurel Hill was purchased by James Parr, who leased it to Luzerne for five years.

Morristown, New Jersey, was occupied by Washington as his headquarters in the Spring of 1780, and he was visited there by Luzerne. Dr. James Thacher, of Massachusetts, a Surgeon in the American army, gives in his "Military Journal", published in 1824 the following account of the Chevalier's visit:

"April 19, 1780.—Morristown, New Jersey. The Chevalier de la Luzerne, Minister of France, with another French gentleman and an arrival at being George, from Philadelphia in company with General Washington, Major Trescott was ordered out with 200 men to meet and escort them to headquarters, where two battalions were paraded to receive them with the usual military honors. Several of our general officers rode about five miles to meet the gentlemen, and their arrival was announced by the discharge of thirteen cannon. The foreign gentlemen and their suites having left their carriages, were mounted on elegant horses, which, with General Washington, and the general officers of our army, with their aids, formed a most splendid cavalcade, which attracted the attention of a vast course of spectators.

"April 24, 1780.—Four battalions were presented for review by the French Minister, attended by General Washington. Thirteen cannon, as usual, announced their arrival on the field. A large stage was erected in the field, which was crowded by officers, ladies and gentlemen of distinction from the country—among whom, was Governor Livingston of New Jersey. \* \* \* The Minister of France was highly gratified, and expressed to General Washington his admiration at the precision of their [the battalions] movements. In the evening, General Washington and the French Minister attended a ball, provided by our principal officers—there being a large attendance of distinguished ladies and gentlemen. Fireworks were also exhibited by the officers of the artillery. On the 25th the whole army was paraded under arms to afford M. de la Luzerne another opportunity of reviewing the troops; after which he was escorted part of the way to Philadelphia."

The following interesting, but little-known, item of Philadelphia history, written by Charles Thomson, Secretary of the Congress in 1782, and earlier years (see page 354, Vol. I), may be appropriately introduced here:

"This day [May 13, 1782] having been assigned for giving the Minister of France a public audience, in order that he might deliver to the United States, in Congress assembled, a letter which he had received from His Most Christian Majesty [King Louis XVI] announcing the birth of a Dauphin, the Minister came in his own coach to the State House, being escorted by the City Troop of Light Horse. At the State House he was received with military honors, and being met at the foot of the steps by two Members, deputed for the purpose, was by them introduced to his seat.

"The House was arranged in the following order: The President in a chair on a platform, raised two steps from the floor, with a large table before him. The Members of Congress in chairs on the floor, to his right and left, with small tables before them. \* \* \* Next to the Members of Congress on the left of the Chair stood the principal [officials] of the three executive departments, namely, the Superintendent of Finance, the Secretary of War and the Secretary of Foreign Affairs. The President and the Supreme Executive Council of the State of Pennsylvania stood within the bar, on the right as they entered, and facing the President. The Secretary of the United States, in Congress assembled, stood on the right of the President, the first step of the platform. At his right, on the floor, stood the interpreter. The rest of the audience stood without the bar. The doors were opened; sentries were placed at the inner door, and none except the Members were admitted without tickets, which were signed by the Secretary of Congress. \* \* \* The whole number prepared was 200.

"The Minister was conducted into Congress Hall by the two Members who had received him at the foot of the steps of the outer door. As he entered within the bar the President and House arose, the President being covered. The Minister, as he advanced to his chair, bowed to the President, who took off his hat and returned the bow. The Minister was uncovered. The Minister then bowed to the Members on each side of the Chair, who were standing uncovered, but did not return the bow. The Minister then sat down and put on his hat. \* \* \* The President and the Members and the Minister all took their seats at the same time. After a pause of about a minute the Minister arose, and, taking off his hat, addressed the United States in Congress assembled in a short speech delivered in French.

"The House sat still while he delivered his speech, the President only being covered. Having finished his speech he sat down, and the Secretary of the Embassy, coming forward, delivered the letter from His Most Christian Majesty to the Secretary of Congress, who advanced to the end of the platform, and, having received it, caused the interpreter to advance, gave it to him open, and he read in the original to the audience. The Secretary then read a translation of it, and returned the letter to the President. Whereupon the Members and the Minister arose (the President being covered, but the Members and Minister uncovered), and the President, on behalf of the United States addressed the Ministers in a short speech. After this they all sat down, and after a short pause the Minister arose, whereupon the President and Members arose. The Minister then bowed to the President and the Members, and withdrew—the Members who had introduced him reconducting him to the foot of the steps at the outer door."

The Royal infant in whose honor this ceremonious program was carried out, would have been known as Louis XVII had he lived long enough. Dying in 1789, however, he was succeeded as Dauphin by his younger brother, who, as Louis XVII, died a prisoner, in the Temple at Paris in June, 1795.

At Philadelphia, in the evening of July 15, 1782, a splendid entertainment was given by Luzerne to celebrate the birth of the Dauphin of France. Dr. Benjamin Rush wrote, at the time, an elaborate account of the function, which is printed in full in the *Pennsylvania Magazine*, XXI: 257, 261. The following paragraphs have been extracted from the account.

"Great preparations were made. Hundreds crowded daily to see a large frame building which he [Luzerne] had erected for a dancing-room on one side of his house. This building, which was sixty feet in front and forty feet in depth, was supported by large painted pillars, and was open all round. \* \* \* Besides these preparations, we are told that the Minister had borrowed thirty cooks from the French army. \* \* \* 1,100 tickets were distributed, most of these two or three weeks before the entertainment. \* \* \* For ten days before the entertainment nothing else was talked of in our city. The shops were crowded with customers. Hair-dressers were retained, and tailors, milliners and mantua-makers were to be seen, covered with sweat and out of breath, in every street. \* \* \*

"At half an hour after seven o'clock in the afternoon was the time fixed for the meeting of the Company. The approach of the hour was proclaimed by the rattling of all the carriages in the city. The doors and windows of the houses of the street which leads to the Minister's were lined with people, and near the Minister's house there was a collection of all the curious and idle men, women and children of the city who were not invited to the entertainment, amounting probably to 10,000 people. \* \* \* It was impossible to partake of the joy of the evening without being struck with the occasion of it. It was to celebrate the birth of a Dauphin of France. How great the revolution in the mind of an American, to rejoice in the birth of an heir to the crown of France—a country against which he had imbibed prejudices as ancient as the wars between France and England! How strange for a Protestant to rejoice in the birth of a prince whose religion he has been taught to consider as unfriendly to humanity! And above all, how new the phenomenon for republicans and freemen to rejoice in the birth of a prince who must one day be the support of monarchy! \* \* \*

"Here were to be seen heroes and patriots in close conversation with each other. Washington and Dickinson held several dialogues together. Here were to be seen men conversing with each other who appeared in all the different stages of the American war. Dickinson and Morris frequently reclined together against the same pillar. Here were to be seen statesmen and warriors from the opposite ends of the Continent, talking of the history of the war in their respective States. Rutledge and Walton, from the South, here conversed with Lincoln and Duane, from the East and the North. Here and there, too, appeared a solitary character, walking among the artificial bowers in the garden. The celebrated author of 'Common Sense', [Thomas Paine] retired frequently from the company to enjoy the repast of his own original ideas.

"Here were to be seen men who had opposed each other in the councils and parties of their country, forgetting all former resentments, and exchanging civilities with each other. Even Thomas Mifflin and Joseph Weed accosted each other with all the kindness of ancient friends. Here were to be seen men of various countries and languages such as Americans and Frenchmen, Englishmen and Scotchmen, Germans and Irishmen, conversing with each other like children of one father. And lastly, here were to be seen the extremes of the civilized and of the savage life—an

no longer, and shall be held at the house of Zebulon Butler, in the town of Wilkesburg\*, in the said County of Luzerne, until a Court House shall be built—as hereafter directed—in the said County; which said Courts shall then be holden and kept at the said Court House, on the days and times before mentioned.

[Section V of the Act respected the election of Justices of the Peace in certain districts. Section VIII related to the first general election to be held in the new County, and provided that "on the second Tuesday of October then next", there should be chosen at Wilkes-Barré "one Representative to serve in the Assembly, one Councillor, two fit persons for Sheriff, two fit persons for Coroner, and three Commissioners."]

Indian chief in his savage habits, and the Count Rochambeau in his expensive and splendid uniform, talking with each other as if they had been the subjects of the same Government, Generals in the same army, and the partakers of the same blessings of civilized life. \* \* \*

"On one side of the room were provided two private apartments, where a number of servants attended to help the company to all kinds of cool and agreeable drinks, with sweet cake, fruits and the like. Between these apartments and under the orchestra, there was a private room where several ladies, whose dress would not permit them to join the assembly, were indulged with a sight of the company through a gauze curtain. This little attention to the curiosity of these ladies marks, in the strongest manner, the Minister's desire to please everybody. \* \* \* At twelve o'clock the company was called to supper. It was laid behind the dancing-room, under three large marquees, so connected together as to make one large canopy. Under this canopy were placed seven tables, each of which was large enough to accommodate fifty people. The ladies, who composed near one-half of the whole assembly, took their seats first, with a small number of gentlemen to assist in helping them.

"The supper was a cold collation, simple, frugal and elegant, and handsomely set off with a dessert consisting of cakes and all the fruits of the season. The Chevalier de la Luzerne now appeared, with all the splendor of the Minister and all the politeness of a gentleman. He walked along the tables, and addressed himself in particular to every lady. A decent and respectful silence pervaded the whole company. Intemperance did not show its head, levity composed its countenance, and even humor itself forgot for a few minutes its usual haunt; and the simple jest, no less than the loud laugh, was unheard at any of the tables. So great and universal was the decorum, and so totally suspended was every kind of convivial noise, that several gentlemen remarked that 'the company looked and behaved more as if they were *worshipping* than *eating*.' In a word, good breeding was acknowledged by universal consent to be mistress of the evening, and the conduct of her votaries at supper formed the conclusion of her triumphs. At two o'clock in the morning the company broke up, and we returned home." \* \* \*

In 1781, Luzerne received from Harvard College the honorary degree of LL.D., and in 1782 the same degree was conferred upon him by Dartmouth College. In May or June, 1783, the Pennsylvania Branch of the Society of the Cincinnati elected Luzerne a member thereof. According to the late Sidney Hayden, in an address delivered at Wilkes-Barré in June, 1896, Luzerne was a Free Mason, "and his name has honorable mention as such in the archives of the Grand Lodge of Pennsylvania."

Having satisfactorily discharged the important duties of his mission to this country, Luzerne, early in 1784, in response to his own request, was recalled to France, by the King. On June 19, 1784, the Supreme Executive Council of Pennsylvania addressed to the retiring Minister the following communication. (See "Pennsylvania Archives", Old Series, X : 282.)

"The Executive Council of Pennsylvania cannot witness your preparations to embark for your Native Country without expressing the pain we feel at the prospect of your departure, & the high Sense we entertain of the Zeal and Ability with which you have promoted the Union of France with the United States during your residence among us.

"We beg leave to assure you at the same time that the return of peace, and our General intercourse with the powers of Europe, have not in the least lessened our Sense of our many obligations to the illustrious Monarch of France, nor our gratitude for the benefits we derived from the bravery and treasure of the French nation.

"We are happy in this opportunity of acknowledging that your conduct towards the Supreme Executive power of the State has been uniformly marked with all that decency and respect which characterise the Gentlemen of the nation to which you belong.

"Accept of our best wishes for your Safe and Speedy Voyage; may you long possess the favour of your Sovereign and the esteem of your Country Men, and enjoy in every stage of life the pleasures which arise from faithful contributions to the interests of humanity."

To this communication Luzerne replied the same day, as follows: "I have passed many years in this city with too much satisfaction not to feel the most sensible regret on leaving it. The interests of the two nations are so firmly united that I could, without ceasing to be a Frenchman, consider myself a citizen of the United States. Separated from my nearest connections for more than five years, and in times of public calamity and danger, I have found in this city everything which could make amends for the want of those enjoyments of which I was necessarily deprived. I beg you will allow me, on taking leave of you, to assure you that I shall preserve all my life the remembrance of the friendship which you, as well as all the citizens of Philadelphia, have constantly shown me. I sincerely solicit the continuance of it, and beg you will be persuaded that the sentiments which attach me to this country will end only with my life." (See "Colonial Records of Pennsylvania", XIV : 147.)

Prior to the departure of Luzerne from Philadelphia in July, 1784, John Nixon, John Maxwell Nesbitt, John Ross, Clement Biddle, Isaac Hazlehurst, and others, representing the merchants of Philadelphia, formally expressed their regret at his leaving the city which had been honored by his residence for some years. In the signed letter which they presented to the Minister was the following paragraph: "The part which you have taken for the protection of our commerce in time of war; your wisdom in negotiation, and your affability and attention in conciliating the affections of the people of this country, and cultivating a friendly intercourse between the two nations, have attached to you the respectful esteem of the citizens of Philadelphia."

Luzerne departed for France in July, 1784, and when, a little more than two years later, his name was given to Pennsylvania's newest County, the fact was communicated to the French Government by M. Otto, the Chargé d' Affaires of that Government at New York, in a despatch worded as follows (translated): "The Assembly of Pennsylvania, Monsiegnor, wishing to hand down to posterity a testimonial of its gratitude for the services which M. le Chevalier de la Luzerne rendered to the Union, has just given his name to a new County."

Later, a copy of the Act erecting Luzerne County having been sent to the Chevalier by the Speaker of the General Assembly of Pennsylvania, the former addressed to the latter, the following letter, which was read in the Assembly March 10, 1788:

"Sir:—I have received the Act of Assembly of Pennsylvania and the letter you have honored me with, from which I learn that that State has condescended to give my name to one of its newly-erected Counties. It is impossible for me to explain the grateful sense I have of this distinguished favor. Having the advantage of a long residence in Pennsylvania, I have been witness to all the acts of Patriotism and Valor performed in that State, which contributed so much to American Independence. I have had the further advantage of a personal knowledge of the different members of your Government, and the opportunity of judging with what wisdom, prudence and firmness they have succeeded in establishing one of the best Governments in the world. Lastly, Sir, my long residence, my inclination, and the honor just conferred on me, are ties which bind me inviolably to the State of Pennsylvania.

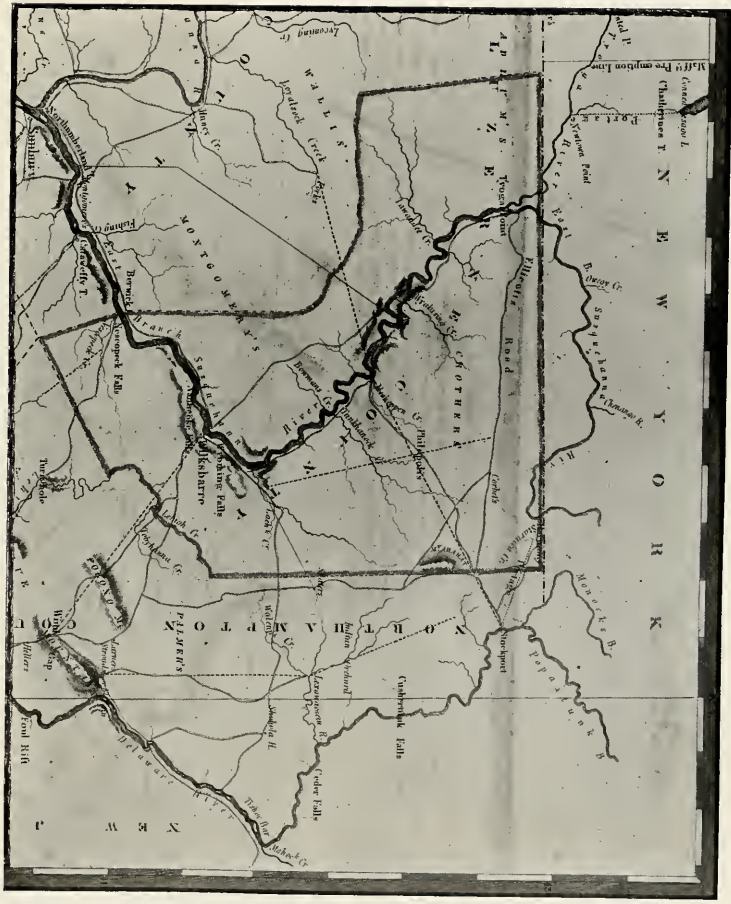
"Be pleased, Sir, to assure the illustrious body you preside over of my veneration and respect, and permit me to renew the assurance of the attachment with which I have the honor to be, Sir, your most humble and obedient Servant."

About the time this letter was received at Philadelphia, Luzerne was appointed by King Louis Ambassador to the Court of St. James. Proceeding to London, he continued to reside there in the performance of his duties until his death, which occurred September 14, 1791, in the fifty-first year of his age.

For further interesting matter relative to the Chevalier de la Luzerne, see "Proceedings and Collections of the Wyoming Historical and Geological Society", VI : 67.

\*The framers of the Act of September 25, 1786, believed the actual name of Wilkes-Barré to be *Wilkesburg*—as fully explained in the last paragraph on page 517, Vol. I.





A MAP OF LUZERNE COUNTY PUBLISHED IN 1791



"Section IX—And be it further enacted by the authority aforesaid: That Zebulon Butler, Nathaniel Landon\*, Jonah Rogers†, John Phillips‡ and Simon Spalding§ are hereby appointed Trustees for the said County of Luzerne; and they, or any three of them, shall take assurances of and for a piece of land, situated in some convenient place in or near Wilkesburg within the said County of Luzerne, for the seat of a Court House and of a County Gaol, or prison, for the said County, in the name of the Commonwealth, in trust and for the use and benefit of the said County of Luzerne; and thereupon to erect a Court House and prison sufficient to accommodate the public service of the said County.

[Section X of the Act related to the matter of raising money to pay for the erection of the public buildings.]

"Section XI—\* \* \* That the Justices of the Supreme Court of this State shall have like powers, jurisdictions and authorities within the said County of Luzerne as by law they are vested with and entitled to in the other Counties of this State; and they are hereby authorized and empowered, from time to time, to deliver the gaol of the said County of capital and other offenders, in like manner as they are authorized to do in other Counties of this State."

On December 27, 1786, the General Assembly enacted, relative to the western boundary line of Luzerne County: "The line from the mouth of Nescopeck Creek shall be run north-west until it intersects the line which divides the waters of the East Branch of the Susquehanna River from those of the West Branch." By an Act passed September 29, 1787, the Assembly declared that this boundary-line should run north, one degree west, until it intersected the line dividing the waters of the East Branch from those of the West Branch. At the time this last-mentioned enactment was made it was declared in the Assembly that "it would be more agreeable if the line was run north, five degrees

\*NATHANIEL LANDON is said to have been born at Southold, on Long Island, New York, September 2, 1732. He settled in Wyoming Valley under the auspices of The Susquehanna Company, sometime in 1772 or '73, and in March, 1774, was elected one of the Selectmen of the newly-erected town of Westmoreland. In the following December, he was elected a member of the Westmoreland School Committee. In May, 1775, he was appointed by the General Assembly of Connecticut, a Surveyor of Lands in and for Litchfield County—to which County Westmoreland is attached. Upon the organization of the 24th, or Westmoreland, Regiment of Connecticut Militia, in October, 1775 (see page 856, Vol. II), Nathaniel Landon was appointed and duly commissioned Captain of the Second, or King-ston, Company of the Regiment. He was at that time a resident of Kingston Township.

In October, 1777, Captain Landon was succeeded in the captaincy of the Second Company by Detrick Hewitt (see page 957, Vol. II), but at the time of the battle of July 3, 1778, the former was undoubtedly still a resident of Kingston and an enrolled member of the 24th Regiment, and presumably took part either in the battle, or the defense of one of the forts, on July 3rd. As shown by the muster-roll on page 1096, Vol. II, he was at Wilkes-Barré, in October, 1778, serving in the detachment of troops commanded by Col. Zebulon Butler.

In 1793 and '95 Captain Landon was residing in Kingston Township, and was largely engaged in land-surveying. In the Kingston tax-list for 1796, the names of Nathaniel, David, James and Samuel Landon appear. As stated on page 893, Vol. II, Captain Landon was married (2d) sometime subsequently to 1780 to Mrs. Sarah Durkee, widow of Capt. Robert Durkee of Wyoming.

†This was Jonah Rogers, Sr., mentioned on page 1153, Vol. II.

‡From a small pamphlet entitled "A Brief Sketch of the Ancestry and Life of Stephen Miller," compiled and published in 1901 by Mrs. M. M. B. Stone of Wilkes-Barré, we learn that JOHN PHILLIPS was born in Vermont January 4, 1732, the son of Francis Phillips, of Welsh descent. The latter became a settler in Wyoming Valley, under the auspices of The Susquehanna Company, in 1772 (see pages 733 and 752, Vol. II), but it is doubtful if he brought his family with him at that time. His name appears in the tax-lists of Pittston District, Westmoreland, for the years 1777 and '78; but neither his name nor that of John appears in the tax-lists of 1780 and '81. Neither name appears in the "Bill of Losses" prepared at Wilkes-Barré in October, 1781, in pursuance of a resolution passed by the General Assembly of Connecticut. It is probable that during the years 1779-'81 the Philippses were back at their old home in Vermont.

The names of Francis and John appear in the list of Wyoming petitioners to the New York Legislature in February, 1783 and in the list of settlers present in Wyoming in April, 1783, the name of John Phillips appears.

According to Mrs. Stone\* John Phillips enlisted as a soldier in the Revolutionary War, January 10, 1776, at Pownal, Vermont, and was in service a short time in 1776, 1777, 1778 and 1779. He owned considerable land in the townships of Pittston and Exeter, Wyoming Valley—the tract in Pittston being called "Phillips Villa", and the tract in Exeter "Johnsylvania." About 1812, he settled in Abington, Luzerne (now Lackawanna) County, where he spent the remainder of his life. He was for many years a Deacon in the Baptist Church, and September 1, 1791, was commissioned a Justice of the Peace in and for Luzerne County.

John Phillips was married three times—first, January 20, 1771, to Mary Chamberlain (probably of Vermont), who died at Wilkes-Barré November 9, 1815, aged 70 years, 3 months and 2 days; second, November 17, 1816, to Mrs. Lydia Harding of Deer Park, New York (born, 1770; died, 1840); third, October 27, 1842, by the Rev. John Miller of Abington, to Mrs. Bathsheba Green of Newton, Pennsylvania. "Deacon" Phillips was then in the ninety-first year of his life, and his bride was sixty-seven years of age. Charles Miner, writing about this marriage in May, 1843 said: "We have the pleasure to say that John Phillips, Esq., was married last Winter, and is still a highly respectable, hale old gentleman."

"Deacon" Phillips died at Abington September 4, 1846, aged ninety-four years and eight months. His remains lie in Hickory Grove Cemetery, Abington.

By his first marriage "Deacon" Phillips had the following-named children: (i) *Martha*, born October 21, 1771; married to John Tripp, December 16, 1789. (ii) *Susannah*, born August 7, 1773; married September 7, 1788, to Samuel Miller, originally of Dutchess County, New York, then of Pittston, Pennsylvania, and later of Hughestown, Pennsylvania, where he died. Samuel and Susannah (Phillips) Miller were the parents of seven sons and six daughters. (iii) *Sarah*, born July 29, 1775; married February 7, 1794, to Isaac Wilson. (iv) *Mary*, born May 4, 1778; married to Ebenezer D., 1783; married February 5, 1807, to Hannah Mott.

The third child of Samuel and Susannah (Phillips) Miller (referred to above) was Stephen Miller, born February 9, 1793; married March 3, 1811, to Mary Goodrich; he died April 24, 1862, and she died April 2, 1869. They were the parents of ten children. The sixth child of Samuel and Susannah (Phillips) Miller was Rufus Miller, born at Pittston, Pennsylvania, August 20, 1802; married (2d) to Cynthia Howard, born May 26, 1806, at Columbus, Chenango County, New York. Their eldest child was Garrick Mallory Miller (born March 17, 1827; died at Wilkes-Barré, February 7, 1895), who was for a number of years Receiver of Taxes in and for the city of Wilkes-Barré.

\*See page 980, Vol. II.

west;" and two months later Timothy Pickering, writing to the Speaker of the Assembly, said:

"I would here beg leave to mention the alteration lately made in the lower line of the County of Luzerne. In the first law it was declared that it should run west from the mouth of Nescopeck Creek. In the supplement to that law it was declared that it should run north-westwardly from the mouth of Nescopeck; and in the law passed on the 29th day of September last this word north-westwardly was interpreted to mean N. 1° W. I am well informed that this last line will never strike the ridge dividing the waters of the East and West Branches of the Susquehanna. I am also informed that it will cut off one-half, and perhaps the whole, of the townships of Huntington\*, which is one of the seventeen townships, \* \* \* and in which there are sundry Connecticut settlers, who occupied and improved their lots long before the Trenton Decree." \* \* \*

As thus erected, the County of Luzerne comprehended the territory now contained in Luzerne, Lackawanna, Bradford, Susquehanna and Wyoming Counties and small sections of the Counties of Carbon and Lycoming. In other words, the new County embraced within its bounds 3,783 square miles, or 2,421,120 square acres, of territory; its area being three-fourths as large as that of Connecticut, greater than the combined areas of the States of Delaware and Rhode Island, and nearly equivalent to one-twelfth of the present area of Pennsylvania. Its greatest breadth was seventy-five miles, while the distance from the mouth of Nescopeck Creek to the New York State line was sixty-four miles in a bee-line, or 123 miles by way of the winding Susquehanna. From Wilkes-Barré to the State line, by way of the river, was ninety-six miles.

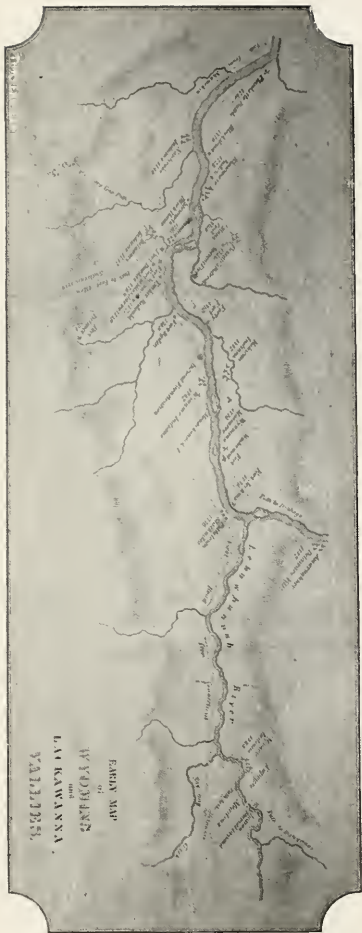
The map facing this page is a photo-reproduction of a portion of a map of Pennsylvania published by Reading Howell, in 1791. At that time neither complete nor careful surveys of all the territory in the north-eastern part of the State had been made, and in consequence some of the boundary-lines of Luzerne County—particularly the extreme southerly and south-westerly lines—are not correctly indicated on this map. According to an address delivered by the Hon. William Merrifield of Scranton, upon the occasion of the dedication of the new County Court House at Wilkes-Barre in 1858, the population of Luzerne County, at its birth, was "sparse, with here and there a few settlements dotted along the winding Susquehanna and its tributaries. Her immense territory was mostly a vast wilderness, inhabited only by the catamount, the howling wolf and the fleeting deer." The number of inhabitants within the bounds of the new County was about 2,700. (According to the first United States census, taken in 1790, the population of the County then numbered 4,904.)

As related, the Wyoming settlers were notified to assemble at the house of Abel Peirce, in Kingston Township, on Saturday, October 7, 1786, to adopt measures for holding on October 10th the election directed to be held by the Act of Assembly erecting Luzerne County. On October 5th, however, an untoward and disastrous occurrence took place, which not only completely prevented the proposed gathering, but the election itself. A terse, but luminous account of what happened is contained in a letter written by Colonel Franklin at Wilkes-Barré, November 7, 1786, to his friend Dr. Joseph Hamilton, as follows:†

"I expect you have heard of the late Deluge. The rain on the 5th Oct'r, which fell in about 24 hours, Raised the River about 6 feet, and in the narrow 10 feet—Deeper than ever known. The small streams became mighty Rivers; the Mills are mostly swept off, and one-half of all kinds of food for man and Beast is forever lost—even the Roots in the Earth, such as Potatoes.

\*In 1775, The Susquehanna Company laid out in their Purchase a township five miles square, which they called Huntington. Through it coursed what was known as the East Branch of Fishing Creek, but which later came to be called, locally, Huntington Creek. In the year 1790, by decree of the Luzerne County Court, Luzerne County was divided into eleven townships, and the territory of Huntington was comprehended in the township of Salem—Huntington, as a township, being wiped off the map. Three years later, however, nearly upon the site of the old, a new Huntington Township was erected, which comprehended not only the territory of old Huntington, but considerable more territory in addition. It included what is now Fairmount Township, as well as the present Huntington Township, and a part of the present Union Township.

†See "Pennsylvania Archives," Old Series, XI : 85.



PARKY MAP  
 1870  
 LLANOWEN  
 1870



toes, turnips, Parsnips, &c., are mostly Rotten in the Earth. The greatest part of the Rain fell in the afternoon and evening of the fifth. The Susq<sup>h</sup> River, that was fordable at 4 of the Clock after noon, was over the face of the Earth from Mountain to Mountain at 6 o'clock the morning of the 6th. \* \* \* In the smallest Runs of Water you may see Stones from three Pounds to three Tuns Weight Drove to a great Distance and hove up in heaps. A stone judged to weigh two tons Lies mounted on two stumps near Toby's Creek, that was drove from a considerable distance. A number of Cattle were drowned; our fences are all gone; one man was Drowned attempting to save some effects."

Miner, referring to this flood, says ("History of Wyoming," page 399):

"In October [1786] the waters of the Susquehanna rose to a height never known except at the ice flood two years previously. Wilkesbarre was partially inundated, and many were preparing canoes to take off the inhabitants to the hills. This was termed the '*Pumpkin Fresh*', from the immense number [of pumpkins] that floated down the stream to the astonishment of the people below. Great and irreparable losses were sustained in hay, grain and cattle, occasioning much suffering during the ensuing Winter. Several houses and barns were swept away, and one or two lives were lost.

Not only in Wyoming Valley, but in the upper Susquehanna valley, the farmers had gathered their hay, and much of it was in stacks; the corn was in shocks; the cattle were feeding in the meadows—and the flood swept all before it! The fruit of the Summer's toil—the hope of the Winter's sustenance—was borne off in triumph by the turbulent waters.

In March, 1865, a contributor to *The Harrisburg Union*, writing about Susquehanna River floods, had the following to say about the "Pumpkin Flood."

"The bottom-lands on the head-waters of the river—especially of the North Branch, and in New York State—had been planted principally with pumpkins. These came down the river in enormous quantities. Esquire Montgomery, who was a clerk in the Recorder's office [at Harrisburg] as early as 1790, said, in the hearing of the writer, that 'for two whole days the river [evidently at or near Harrisburg] looked as if a person could walk over it on pumpkins.' Small houses, hay stacks, grain-stacks, with chickens, &c., on them, came down in great numbers."

It is an interesting fact, worth noting just at this point, that, within ten or twelve days after the subsidence of the "Pumpkin Flood", business affairs were being transacted at Wilkes-Barré as though nothing particularly unusual had just happened. From book I, page 1, of the "Susquehanna Company's Records," we learn that on October 18, 1786, "Solomon Avery of the town of Wilkes-Barré conveyed to Thomas Neill of the same place a certain lot ("No. 2") on the (Front Street in the town-plot of Wilkes-Barré, lying between Colonel Butler's lot and Mr. Sill's lot, and which was formerly the property of Christopher Avery, Esq., deceased." The deed of conveyance was witnessed by Abel and Rebecca Yarrington, and was acknowledged before "John Franklin, Director, at Wilkesbarre, Wyoming, October 19, 1786." The same date Thomas Neill sold and conveyed to Jacob Fridley, for £62, 10 sh., the above-described lot, "containing about three and one-half acres of ground; and likewise one house-frame now on said lot, 2,600 bricks, 2,000 feet of boards, 2,000 pine shingles three feet long—all to be delivered on said lott."

As soon as possible after the "Pumpkin Flood" the inhabitants of Wyoming were "legally warned" to assemble in town-meeting at Kingston on Monday, November 6, 1786. A considerable number of the Connecticut settlers attended at the time and place fixed, and Col. Zebulon Butler was chosen Moderator, or Chairman, of the meeting, and his son, Lord Butler, was chosen to serve as Clerk. The "two Johns" made a full report of their pilgrimage to Philadelphia in September, and of the action which had been taken by the Pennsylvania Assembly; whereupon, after some discussion, the following preamble and resolution were adopted:\*

"This Meeting, taking into consideration the said Recited Law, and the Singular and Extraordinary Circumstances of the inhabitants of the County of Luzerne, (that there is neither

\*See "Pennsylvania Archives," Old Series, XI : 83.

Courts, Justices, Sheriff, Coroner, Constable or any Civil officer whatsoever within the limits of the County) and regretting the Deficiency in s'd Recited Law—came to the following resolution:

"Resolved, Unanimously, That it is the opinion of this Meeting that the law of this State Erecting the Northern parts of the county of Northumberland into a New County, makes no Provision whereby the Inhabitants thereof may or can enjoy the Rights, Liberties and Priviledges that Citizens of the State are entitled to; that they are not authorized or Impowered to hold any Election, or to Elect any officer of Government, or Civil Officer whatsoever, for the following Reasons: That the law for Erecting the County has not come to hand, except a bill published for Consideration and said to be Enacted into a Law; that the time for holding the annual Election in Oc't last was expired so soon after the law was Enacted that an Election Could not have been held agreeable to the Constitution, after the Return of the Agents from Assembly: That there is no Person or Persons, whatsoever, Authorised or qualified to call the Freemen, or Freeholders for the Purpose of holding an Election, to hold an election, or to Elect any Civil officer or officers of Government whatsoever; that there is no Person authorised to qualify Judges and Inspectors of Elections, or to make Return; that an Election held where a legal Warning is not or cannot be given, and where no Person is Authorised or qualified, as aforesaid, either as Justices, Sheriff, Constable or Judges and Inspectors of Election, to warn or hold such Election, or to make Return, is in Violation of the Constitution and Laws of this State."

The meeting adopted, also, the following preamble and resolution:\*

"Whereas, The Susquehanna Company at their meeting held at Hartford May 17, 1786†, appointed a Committee consisting of four persons [Col. John Franklin, Gen. Ethan Allen, Maj. John Jenkins and Col. Zebulon Butler], with full power and authority to enquire into the claims of all persons settled at Wyoming, and such as shall make out their claims in pursuance of the votes of The Susquehanna Company, and to quiet them in such lands as they shall judge them justly entitled to, agreeable to the votes of said Company.

"And Whereas, one of said Committee [Gen. Ethan Allen] has been absent since his appointment, and is still from this place, and a second [Col. Zebulon Butler], for certain reasons, declines acting in that capacity, there is not a quorum to proceed on that business agreeable to said vote. That it is apparently necessary and expedient that there be a full committee for that purpose aforesaid. That, as the business of such committee is a matter that more particularly and immediately concerns the settlers, an appointment by this meeting cannot be esteemed illegal, or as doing any injustice to the Susquehanna Company.

"Therefore, Be it Resolved, That Capt. John Paul Schott, Mr. Christopher Hurlbut and Col. Nathan Denison be, and they are hereby, appointed a committee with full power and authority to act in conjunction with those [Colonel Franklin and Major Jenkins] already appointed by the Company, and agreeable to the afore-recited vote. And that the Clerk of this meeting transmit a copy of this Resolve to the Clerk of the Committee [Colonel Franklin], to be by him transmitted to the Clerk of the Company, to be laid before the Company at their next meeting, for their confirmation."

At Wilkes-Barré, on the day following the aforementioned meeting, Colonel Franklin wrote to Dr. Joseph Hamilton, at Hudson, New York, in part as follows:‡

"A Meeting of the Inhabitants was held yesterday to hear the report of the Agents from Philadelphia, and for other purposes, as there had been no meeting before, since our return. I send enclosed a Resolve Respecting the Law for Erecting a New County. We have passed a Resolve appointing a Committee to Act in Conjunction with Major Jenkins and myself to Enquire into the Claims of the Settlers as we had not a quorum of those appointed by the Company. It is a matter that Concerns the Settlers more immediately. We have also Past a Resolve Prohibiting the Exportation of grain from this settlement. I have not time to copy them, but will send them the first opportunity.

"That old Traitor [Dr. William Hooker] Smith made his appearance at the meeting. I have not seen him these 4 months before. He urged a Petition to the Assembly of Pennsylvania, and would give up our Connecticut title, throw ourselves on the Mercy of Pennsylvania, and pray for our improvements. However, he had no influence on any of the Meeting. A Number urged a Petition for five miles each side of the River, but nothing done on that head. We expect another meeting next Tuesday; I am not sure whether the Inhabitants will Petition or not. I don't know why we need Petition, unless we withdraw our last, as nothing is Determined on that; but should we Petition it will be for a Certain Territory, 5 miles Each side of the River. It is most likely I shall Draught the Petition (if any is sent). You may depend that the foundation shall be laid in such way as it will do no injury to the Company. I am sure the State Cannot, nor will not, grant us one foot."

Very shortly after their appointment on November 6th the "Committee of Claims"—as they seem to have been styled—got busy, and we learn from the "Susquehanna Company's Records", I:31, that on November 22, 1786, "the Committee appointed for the purpose [duly set forth], being met at Wilkesbarre—present: John Franklin, John Jenkins, John P. Schott and Christopher Hurlbut

\*See "Susquehanna Company's Records," I : 30.

†See page 1507.

‡See "Pennsylvania Archives," Old Series, XI : 85.



—they proceeded to enquire into the claims of Capt. Benjamin Jenkins, Capt. Caleb Bates, Gideon Osterhout, Zebulon Cady, Isaac Tripp's heirs, Zebulon Marcy and others, claiming to be proprietors in the town of Putnam.\* \* \* The Committee, after examining the several claimants, titles, etc.," unanimously came to the opinion that the persons whose names they attached to their report were the proprietors of Putnam.

At Wilkes-Barré, on November 24, 1786, the "Committee of Claims" granted to certain proprietors of the Susquehanna Company the "town of Johnson on the Tioga River", which had been duly "surveyed and accepted." On the same day—the towns of "Hamilton", "Goresburgh" and "Bentonsburgh" were granted by the Committee to certain proprietors.

At Wilkes-Barré, under the date of November 25, 1786, Colonel Franklin wrote to Dr. Joseph Hamilton, forwarding the letter to him by the hands of Dr. Caleb Benton, who had then been spending some time in Wyoming. The letter read in part, as follows:†

\* \* \* "We have not heard from Philadelphia. Since their [the Pennsylvania Assembly's] last sitting we have sent nothing to them. \* \* \* As I informed you before, we appointed a committee to enquire into the claims of the settlers—that is, to act in conjunction with Major Jenkins and myself. We have, last Wednesday, determined a dispute between claimers to the town of Putnam, on the Tankhannack [Creek]. I believe we gave satisfaction to almost every one. We found land enough in the town for every one that could prove himself a proprietor.

"I have spent part of two days with Dr. [Caleb] Benton and the gentlemen with him; have made out grants for four towns and also six 'pitches' to the Doctor and five to Captain Bortle; also sold a whole share to Mr. Loop‡—who is to send some money by you to me at the Susquehanna [Company's] meeting. I have gave Mr. Loop a right in a town at Standing Stone. Dr. Benton was deficient in not having his certificates—he could not tell who the proprietors were. The grants are made on condition of producing certificates, &c. In every grant it is necessary to have a complete list of the proprietors, a certificate under the hand of the Clerk, or one of the Committee, that such are proprietors and their taxes are paid. This is sufficient, but it is best that every certificate be endorsed with the entry on the back. The Doctor can inform you.

"I have made enquiry respecting Capt. [Solomon] Strong and the Hogeboom settlers. Esquire Gore informs me that the only settlers they have are one Newell and his son, that live in the town, but are soon to remove to Choconut.§ One Ackley lives on Wysox Creek, but says he is not a settler for them. There is one Vaughn in Kingston holds himself a settler for Strong. Jonathan Davis, living at Lackawanna, has talked of being a settler, but is uncertain. The fact is this, the Hogebooms have not a settler, and it can hardly be said that Strong has any. The town of Wysox will be taken up soon by other proprietors. We have a meeting this day, respecting adopting a mode for the recovery of debts."

At Wilkes-Barré, on November 25, 1786, Joseph Sprague|| wrote a letter to "the Honorebel Exitive Consill of the Comon Walth of Pensalvenia at Phila-

\*See page 1497.

† "See Pennsylvania Archives", Old Series, XI : 94.

‡Capt. Peter Loop, Jr., of Columbia County, New York.

§See page 421, Vol. I, and page 889, Vol. II.

||JOSEPH SPRAGUE was born about 1730, probably in New York. He came to Wyoming Valley from Poughkeepsie, New York, in August or September, 1771, and on September 30th was voted a "settling right in one of ye five towns." In the following December, he was voted a settling right in the township of Lackawanna, and on January 21, 1772, he was voted a settling right in Wilkes-Barré, under certain conditions. (See pages 713, 717, 720 and 721, Vol. II.) When, in April or May, 1772, a distribution or allotment of the lands in Wilkes-Barré was made to the proprietors of the township, Dr. Sprague drew Lot No. 46, 1st Division (on Jacob's Plains), Lot No. 45, 2d Division (the town-plot), Lot No. 30, 3d Division (back lots), and Lot No. 31, 4th Division (5-acre lots). (See page 728, Vol. II.)

About 1773 or '74, Dr. Sprague disposed of Lot No. 45 in the town-plot—evidently to the town of Wilkes-Barré—and it was made the public graveyard. A portion of this lot is now occupied by the City Hall of Wilkes-Barré. In March, 1774, Dr. Sprague was living on Lot No. 30, 3d Division. He was still there in October, 1776, when, for £110, 10s., he sold to Darius Spofford "the whole of said lot" on which he dwelt—"to extend from the Centre Street [now Maio Street] eastward". This lot lay at the corner of the present Ash and South Main Streets. March 9, 1774, Dr. Sprague deeded to Dr. Samuel Cook of Poughkeepsie, New York, for £52, 8s., Lot No. 46, 1st Division—thirty-five acres, on Jacob's Plains. This lot lay along the river, and was about where Port Bowkley now is. This sale, however, must have fallen through, for on July 28, 1774, Dr. Sprague conveyed the same lot to Dr. William Hooker Smith, for £100.

In all the Wyoming records in which the name of Joseph Sprague appears he is given the title of "Doctor". He was undoubtedly a stone-mason by trade—see hereinafter, particularly in letters written by Timothy Pickering—and, on the side, and in a primitive way, practised the healing art, as opportunity offered. Of him, Hollister, in his "History of Lackawanna Valley", says: "Of the yet uninhabited forest, called in the ancient records 'ye Town of Lackawanna', Dr. Sprague was one of the original proprietors. \* \* \* For a period of thirteen years [1772 to 1785], with the exception of the Summer of 1778, Dr. Sprague lived near the Lackawanna, between Spring Brook and Pittstown, in happy seclusion, practising medicine when opportunity offered, and in fishing, hunting and farming." It is doubtful if he lived in the locality named by Dr. Hollister prior to 1776, for he was living in Wilkes-Barré in the year 1772-'76—as shown hereinbefore—and in 1777 and '78 his name appears in the tax-lists of Pittstown Township.

Dr. Sprague was twice married. By his first wife he had two sons, at least—Joseph and Eleazer. The latter fell at the battle of Wyoming, and the former died—presumably in Wyoming Valley—in the Autumn of 1814, when

dalphia." The letter is printed in full on pages 93 and 94 of Vol. XI of "Pennsylvania Archives." As it contains references to matters of interest occurring here at the time it was written we will introduce the greater part of it at this point, but with the *atrocious spelling* of the document—which marks it as a unique specimen of eighteenth century orthography—as well as the punctuation, changed for the better.

"The present circumstances of this place stops the mouth of every one that is a friend to [the] Government. No one dares to say one word in behalf of Government, or much more to inform Government, as he would immediately fall a sacrifice to laws and arbitrary power. For this reason there is many good citizens in this place that dare not appear in the behalf of Government, but are obliged to be silent and mute. The natural obligation that every good citizen is under, by his oath of allegiance to this Commonwealth, must, or ought to, oblige him to inform Government of all and every apparent danger.

"The true state of affairs here at Wyoming is, in fact, a total rejection of Government; and they are at this time forming and modeling a new form of government among themselves, and do act, in every respect, independent of this or any other State. They have formed courts for the administration of civil cases and the determining of disputes in all land cases, (with) confiscation of lands and tenements to their own use. Last Monday a fort-night ago [November 6] the inhabitants were called together, and at that meeting, as a body, voted and engaged to throw off all allegiance to this State, and to make a form of government for themselves. This meeting has been held three times since, by agreement.

"There is a considerable number of our inhabitants that have not associated with them at this meeting, but they dare not oppose them, and, I believe dare not inform Government. They are very busy in dividing [up] the country to their new levy, or half-share men—as they call them—who are to hold arms three years against Pennsylvania; for which reason they become entitled to part of the country.

"Gentlemen, I have put my life in my hands, and venture the consequence that I am exposed to, by informing Government. If Government will enquire of those persons that are unprejudiced, it will be informed of the truth of what I have wrote." \* \* \*

Dr. Sprague, the writer of the foregoing letter, had settled in Wyoming at an early day as a proprietor in the Susquehanna Purchase, but at the period

Jeremiah Blanchard was appointed administrator of his estate. Dr. Sprague was married (2d) in 1769 to Mrs. Ennice (*Chapman*) Poyner. The latter was born at Colchester, Connecticut, in 1732, and about 1749 was married at Sharon, New York, to———Poyner, a French Huguenot, who had served as a Commissary in the French and English War. He died of small pox at Albany, being survived by his wife and two or three children. According to Miner ("History of Wyoming", Appendix, page 47) "the united [Sprague and Poyner] families removed to Wyoming in 1770". It was not until 1771 that they arrived here—as we have previously stated.

In the collections of the Historical Society of Pennsylvania is an original document relating to Dr. Sprague, of which the following is, in part, a copy. "Be it remembered that on the 29th day of October, 1788, Joseph Sprague of the County of Luzerne, *Mason*, is convicted before me, one of the Justices of the Peace, &c., of swearing seven *Profane Oaths*, by the name of God, and I do adjudge him to forfeit for the same and for each oath the sum of five shillings. \* \* \* To the Gaol-keeper of the County of Luzerne: You are hereby required to take the body of Joseph Sprague and keep him in close custody [for] the time appointed by an Act of this State, intitled An Act to Prevent Vice, Immorality, &c., dated in 1786; unless he said Sprague shall pay the several sums, with the costs—to wit: five shillings for each oath. \* \* \* [Signed] "WM. HOOKER SMITH, [L. S.]

About the time Dr. Sprague was convicted of profane swearing, as stated above, his wife brought against him an action for divorce, charging him with barbarous and cruel treatment, adultery, &c. The original "libel" in the case is now in the collections of The Wyoming Historical and Geological Society, is entitled "Ennice Sprague of Wilkesbarre vs. Joseph Sprague of said Wilkesbarre, Practitioner of Physics," and is addressed to "The Honorable Thomas McKean, Doctor of Laws, Chief Justice of the Supreme Court of the Commonwealth of Pennsylvania, and his Associate Justices of the same Court."

Dr. Sprague died in 1799, or early in 1800 (Miner says, in Virginia), and in August, 1800, Joseph Sprague, Jr. of Wilkes-Barré, was appointed administrator of his estate. Mrs. Ennice Sprague died in Wilkes-Barré, April 12, 1814, aged eighty-two years. Of her Dr. Hollister wrote: "She was a worthy old lady, prompt, cheerful and successful, and at this time (1785) the sole accoucheur in all the wide domain now embraced by Luzerne, Lackawanna and Wyoming Counties. Although of great age, her obstetrical practice as late as 1810 surpassed that of any physician in this portion of Pennsylvania. For attending a confinement case—no matter how distant the journey, how long or fatiguing the detention—this steady and faithful woman invariably charged one dollar for services rendered, although a larger fee was never refused if any one was able or rash enough to offer it."

The following—bearing upon Mrs. Sprague's work as a midwife—is a verbatim copy of an original certificate respecting a militia fine, now preserved in the collections of The Wyoming Historical and Geological Society. "This May Certify that Mis Sprague has maid It appear to my Satisfaction that Thomas Wella Is Not Eighteen years of age and is Cleard of the Last General muster. Attest by

"Wilkesbury July 22nd. 1789.

"To Daniel Dwyer, Collector.

[Signed] "Wm. Ross, Capt."

Concerning Mrs. Sprague, the late Wesley Johnson of Wilkes-Barré, wrote in 1889 as follows (see Johnson's "Historical Record", III: 165): "Mrs. Ennice Sprague was, in all probability, the first woman to practice medicine in these parts. I do not myself remember her, but often, when I was a small boy, heard the old people speak of 'Granny Sprague' as a successful practitioner of midwifery, and of the healing art among children. Mrs. Dr. Sprague's residence and office, which I well remember, was a one-story log house on the [south-west] corner of Maia and Union Streets. \* \* \* Mrs. Sprague was the mother of 'Aunt' Young, who lived in a small, one-story frame house, still standing on Canal Street a short distance below Union Street.

"Aunt' Young, above referred to, was Mrs. Phoebe (*Poyner*) Young, a daughter of Mrs. Sprague by her first marriage. Miner has considerable to say about her in the Appendix to his History; and in the *Daily Record of the Times* (Wilkes-Barré) of February 27, 1874, there is an article concerning her and her children, written by the late James A. Gordon. Mrs. Young died in Wilkes-Barré, July 21, 1839, aged eighty-nine years. At the time the following was printed in a local paper concerning her. "She was the oldest resident of this borough, having resided here previous to, and at the period of, the Massacre, and was one of the few who escaped through the wilderness to the settlements on the Delaware. She retained her intelligence—which was at all times remarkable—until a very short period before her death. She enjoyed universally the respect of the community."

now under consideration he (just as Dr. Wm. Hooker Smith and many others) was inimical to the "two Johns" and their partizans, or adherents, and the policies they were advocating. In other words, the so-called Connecticut settlers—the Yankees—were divided against themselves.

The activities with respect to Wyoming affairs, on the part of Dr. Joseph Hamilton and Capt. Solomon Strong—both of whom were understood by the Pennsylvania authorities at Philadelphia to be citizens of New York State—were very disquieting to the Philadelphians and caused President Benjamin Franklin to write to Gov. George Clinton of New York on the subject. At the City of New York, under the date of December 13, 1786 Governor Clinton replied to President Franklin's communication in part as follows:\*

"Your Excellency's letter of the 27th November was delivered to me by the bearer of it yesterday evening. The person [Dr. Hamilton] mentioned in it, as charged with having committed a Felony in your State, was apprehended and Committed to the Gaol of this City, where he remained confined until the rising of our Court of Oyer and Terminer last Saturday night, when he was discharged by Proclamation, no Bill having been exhibited or charge presented against him. I fear, therefore, that it will not be in my power to comply with your Request, as it is probable the offender may have e'er this left the State.

"I take this opportunity to apologize for not having, before this, acknowledged the Receipt of your Excellency's letter of the 1st of June last; I was in the country when it was left at my house, & before I returned I was informed that Ethan Allen had left the Susquehanna without being able to effect the object for which he went thither, and had passed through this State into Connecticut. Solomon Strong, the other person mentioned in your Excellency's letter, came from Connecticut before the Revolution & resided a short time at Claverack in this State, but, having been charged with counterfeiting Dollars, fled from justice to Wyoming in your State, where I understand he has since stately resided. These matters I mentioned to Colonel Bayard, one of your Delegates [in Congress], which he promised to communicate to your Excellency.

"I have only to add that, should the above persons or any others, be guilty of treasonable practices, or other offence against the peace of your Commonwealth, I shall most cheerfully contribute everything in my power to defeat their purposes and bring them to justice; being disposed to cultivate the most perfect good understanding between your State and that in which I have the Honor to reside."

At Wilkes-Barré, on December 18, 1786, Dr. Wm. Hooker Smith, Samuel Hover and Abraham Westbrook, who were then living on Jacob's Plains, in the township of Wilkes-Barré, wrote to Vice-President Biddle of the Supreme Executive Council as follows:†

"We, the undersigners, distressed inhabitants of Wioming, hope that, by our former conduct, we have shewed to Government our loyalty and attachment. We fear that there is a number of men in this settlement who design opposition to Government. If this should be the case, and matters should come to an open rupture, we beg that your Honor will be an advocate for us to Government, that we may not suffer with the Disobedient & Rebellious.

"You may rely on our attachment, and no one thing will make us more happy than to imbrace your Laws & Glorious Constitution—which we will do whenever they shall be offered to us. We look on ourselves as bound by every sacred tye to Government, & will not recede from what we have [professed], and still Profess, attachment to Government."

Let us now turn our attention toward Connecticut, where, according to Miner ("History of Wyoming", page 400), "the last grand movement of The Susquehanna Company—having in view the establishment of an independent Government and State, in defiance of Pennsylvania, her power and her laws—was now in bold and energetic progress."

A meeting of the proprietors of The Susquehanna Company, "duly warned," was held at the State House, in Hartford, on Tuesday, December 26, 1786. Col. Gad Stanley presided, as Moderator, and Joel Barlow‡ acted as Clerk. Drs. Joseph Hamilton and Caleb Benton of New York were among those present. Col. John Franklin, Zerah Beach, Benjamin Harvey, and prob-

\*See "Pennsylvania Archives", Old Series, XI : 96.

†See "Pennsylvania Archives", Old Series, XI : 102.

‡JOEL BARLOW was born at Redding, Fairfield County, Connecticut, March 24, 1754—the same year in which The Susquehanna Company purchased the Wyoming lands from the Six Nation Indians. He was graduated at Yale College with the degree of A. B. in 1778—being the poet of his class. Among his classmates were a number who afterwards were distinguished in public life—among them being Noah Webster, the lexicographer; Oliver Wolcott, Jr.,

ably other members of the Company resident in Wyoming had set out for Hartford a day or two before Christmas, in order to attend the meeting, but they were delayed by stormy weather and did not reach their destination until after the final adjournment of the meeting.

Several public papers and private letters relative to the situation of affairs at Wyoming were read, and then, on motion, a committee—with Maj. William Judd\* as chairman—was appointed to prepare a program of business for the next day, to which time the meeting then adjourned.

Assembling at the same place the next morning at ten o'clock, the above-mentioned committee made a lengthy report; whereupon, after considerable discussion, the meeting adopted the following preamble and resolutions:†

"Whereas, It is an object of great importance that the rights of the proprietors under the Susquehanna Purchase be ascertained, and the claims of the settlers be reduced to a certainty and their titles confirmed,

"Therefore, Resolved, That Maj. William Judd, Samuel Gray‡, Esq., Joel Barlow, Esq., Gen. Oliver Wolcott§, Oliver Wolcott, Jr., Esq., Alexander Wolcott, Jr., Esq., Col. Gad Stanley, Dr. Joseph Hamilton, Dr. Timothy Hosmer, Col. Zebulon Butler, Col. Nathan Denison, Obadiah Gore, Esq., Col. John Franklin, Zerah Beach, Esq., Capt. Simon Spalding, Maj. John Jenkins, Capt. John Paul Schott, Abel Peirce, Esq., Capt. John Bortle, Capt. Peter Loop, Jr., John Bay, Esq., and Col. Ebenezer Gray|| be, and they are hereby, authorized and appointed Commissioners, with full powers to ascertain, by reference to the records of the Clerk of The Susquehanna Company, and the records of the settlers at Wyoming, the names of the proprietors claiming under said Purchase.

"That as soon as may be they make out a fair and complete list of the names of all the proprietors, and annex thereto the proportions of land to which they are severally entitled; and that as soon as said list may be completed it shall be entered at large on the records of the said Company, and shall be considered as full and complete evidence of the title of said proprietors.

"That said Commissioners shall thereupon make a scrutiny of every person settled upon said lands; and such settlers as shall appear to have been proprietors, or heirs or assigns of proprietors, shall immediately procure their locations to be surveyed and ascertained; which, after being approved by said Commissioners, shall be recorded as parcel of their proprietary rights.

"That whenever it shall appear that any settler or proprietor has made a location by permission and under authority from any proprietor, or the Company, the quantity of land located shall be surveyed as aforesaid; and, if approved by said Commissioners, shall be recorded and considered as parcel of the right of said original proprietor—unless otherwise provided by the vote of this Company.

"That said Commissioners be, and they are hereby, directed to ascertain, locate and survey to each and every person who has (in consequence of any person, vote, or agreement of said Susquehanna Company) gone and settled on said lands, the amount of his grant; which, being recorded, shall vest a full and complete title thereto in favor of such person.

"That said Commissioners be also directed and empowered to locate and survey, in favor of such persons as they shall judge proper (who shall actually settle and occupy said lands, by themselves, their heirs or assigns), not exceeding 200 acres on the right of any proprietor—who

Secretary of the Treasury under Washington, and subsequently Governor of Connecticut; Uriah Tracy, a Senator of the United States; Stephen Jacob, Chief Justice, and Noah Smith, Associate Judge, of the Supreme Court of Vermont; Josiah Meigs, President of the University of Georgia. In 1781 Mr. Barlow received the degree of M. A. from his Alma Mater, and, in 1809 the degree of LL. D. was conferred on him by the University of Georgia.

During his college course he served for a time in the Connecticut militia, and took part in the battle at White Plains. After graduating he entered the ministry, and then served as a Chaplain in the Continental army until the close of the war; after which he settled at Hartford, Connecticut, and was admitted to the Bar in 1786. The next year he published "The Vision of Columbus," a poem of considerable length, which was dedicated to Louis XVI King of France, and was printed at Hartford. Some time later he went to Europe in the interests of the Scioto Land Company, and while there he became identified with the Girondists in France and contributed largely to the political literature of the day. In 1791, he went to London, where, with a number of American artists, poets and journalists, he helped to form the "Constitutional Society." Soon afterwards, he published, at London his "Advice to the Privileged Orders." This being proscribed by the Government, he took refuge in France, and in 1792 or '93, just previous to the Reign of Terror, became a candidate for Deputy to the National Convention, but was defeated for the office.

He was an intimate friend of Thomas Paine, and to his care the latter confided the MS. of his "Age of Reason" for publication. In 1793, while living at Chambersy, France, Barlow wrote "The Hasty Pudding," a poem in three cantos. It was not published, however, until 1796. The poem is in praise of corn-meal mush, or pudding, the author declaring: "He makes a good breakfast who mixes pudding with molasses." He next produced "The Columbaid" a poem of some length, and prepared the ground work for a history of the American Revolution. In 1795, he was appointed by President Washington United States Consul to Algiers, in which office he performed important services. In 1805, he returned to the United States, where, for the next few years, he devoted himself to literature. In 1811, he was appointed United States Minister to France, and in December, 1812, while on his way from Paris to Wilna, Poland, to meet Napoleon—the engaged in his Russian campaign—in order to sign with him a treaty already agreed upon, Barlow, overcome by cold and privation, was taken sick, and died at Yarmisia, Poland, on Christmas-eve.

In the "Library of American Literature", IV: 46, there is a fine portrait of Barlow, accompanied by extracts from some of his writings.

\*See page 824, Vol. II.

†See Miners "History of Wyoming", page 401, and "Pennsylvania Archives", Second Series, XVIII: 109.

‡See page 292, Vol. I.

§See pages 285 and 286, Vol. I.

||See page 292, Vol. I.

has either by himself, or by some person under him, settled and remained on said lands; which survey and location being recorded, shall vest a complete title in such settler, and shall be considered as parcel of such proprietor's right.

"That said Commissioners shall locate and survey all such grants as they may make in favour of any new settler on said lands in such towns as have been already granted—as far as vacant lands can be found for that purpose—or on such gores of land between said towns as remain ungranted. Provided that nothing herein shall be construed to affect the title of any actual settler in such town. Said Commissioners are to take especial care that the property of widows and orphans be in no instance infringed.

"That said Commissioners shall as soon as may be convene together and appoint some particular place for holding their Court; and they shall in no instance hold their Court in any other place than that first agreed upon—unless it shall not be convenient to meet at such place in which case it shall be in their power to adjourn to any other place. And they shall appoint some proper person for their Secretary, who shall keep fair and accurate records of all their proceedings and determinations.

"That said Commissioners be, and they are hereby, authorized to make locations and surveys, in favour of any settlers or proprietors, on any of the broken or mountainous lands lying within five miles of the river and not convenient to lay out townships five miles square, and annex the same to such townships as they judge proper; provided that such locations shall in no instance exceed 600 acres to the proprietor of a full right, or in proportion to the proprietor of a less quantity than a full right. \* \* \* And said Commissioners are hereby authorized to grant new townships, agreeable to the former votes of this Company; and the powers heretofore granted to any committee for that purpose are hereby declared to cease and determine.

"That said Commissioners are hereby authorized to inquire into the particular circumstances of any locations and settlements that have been made contrary to the former regulations of this Company, and confirm or disallow the same as they shall judge most conducive to the interests of this Company. And it is hereby ordered that no location, which may hereafter be made contrary to the regulations contained in *this Act*, shall in any instance be admitted or confirmed.

"That any three of the said Commissioners, together with their Secretary, shall be a quorum to transact any of the business aforesaid.

"That the expense of locating and surveying, and determining all matters aforesaid, shall be paid by the persons in whose favour such locations, &c., shall be made or done; but said Court of Commissioners shall in no instance exact or receive unreasonable or exorbitant fees.

"That any five of said Commissioners, with their Secretary, shall be a Court, with power to hear and finally determine all controversies between actual occupants respecting the title of lands, and to award equitable costs, in the usual forms of trials at law. This power to cease and determine whenever a form of internal government shall be established in that country.

"Resolved likewise, That the Commissioners aforesaid, or a majority of them, be, and they are hereby, fully authorized and empowered to do and transact any other matters and things which they may judge necessary for the security and protection of the settlers on said lands, and for the benefit of the Company of Proprietors—hereby ratifying and confirming whatever said Commissioners may do in the premises.

"That no new settler be entered by the Court of Commissioners in the town of Claverack until after the first day of May next. \* \* \*

"That each person that was considered by this Company as a sufferer, and was compensated therefor in a township at Muncy Creek—which is now possessed under Pennsylvania—be admitted by the Court of Commissioners to take an equal quantity of land in any township, to be laid out in lieu of said grant upon said Muncy Creek; provided he settle the same the next Summer or season."

Immediately after the adjournment of the Company, those members of the newly-created "Court of Commissioners" who were in Hartford, met and elected Col. John Franklin Secretary of the Commissioners.

Miner ("History of Wyoming," page 400), commenting on the aforementioned doings of The Susquehanna Company, says:

"Colonel Franklin, 'the hero of Wyoming', in the spirit of his oath on the bloody rifle\*, had aroused into action some of the boldest and most influential spirits in the land. In the proceedings which follow (fraught, as Pennsylvania might well regard them, with war and treason; and justified—as Franklin, and those gentlemen who connected themselves with his scheme, conscientiously believed—by the unendurable wrongs and oppressions inflicted with unsparing hand and remorseless rigor on the poor settlers at Wyoming) will be found names conspicuous in the annals of the Nation—official functionaries of the highest grade, and men of genius, whom literature as well as politics was proud to crown with the chaplet of enviable distinction.

"Joel Barlow, already known to fame, eminent for learning and distinguished by genius—which subsequently ensued his elevation to the honourable office of Minister Plenipotentiary to the Court of France—acted, it will be seen, as Secretary. The Wolcotts of Connecticut were themselves a host. No less than three of the names will be found on the list of the Grand Committee Commissioners of twenty-two. The name of Hosmer was also there. Oliver Wolcott, Jr., was afterwards Secretary of the Treasury, and subsequently Governor of Connecticut. Such

\*See page 1447.

men did not move without high purpose and elevated aim. A prize to gratify ambition could alone have secured the co-operation of gentlemen holding station, enjoying consequence, and with prospects so flattering in society as theirs."

As narrated in the preceding chapter, Col. Timothy Pickering returned to Philadelphia from his tour of north-eastern Pennsylvania on September 20, 1786. In a letter to his son Henry, written some years later, Colonel Pickering said:

"Having received some information of the mischievous dispute relative to the Wyoming lands, I embraced every opportunity, while passing among the settlers [in August and September, 1786], to learn their feelings and ascertain the footing on which their peaceable submission to Pennsylvania might be effected.

"On my return home to Philadelphia Mr. [James] Wilson\*, then a distinguished lawyer at the Philadelphia Bar, and afterwards a Judge of the Supreme Court of the United States, called to see me, and he diligently inquired concerning the temper and desires of the Connecticut settlers. I informed him that they were entirely satisfied with the Constitution of Pennsylvania, and were ready to submit to its government, *provided they could be quieted in the possession* of their farms. They had settled them, they said, in the fullest confidence that they were covered by the Charter of Connecticut; they had made very valuable improvements, built houses and barns, and raised good stocks of cattle and abundance of the necessaries of life—when the whole were laid waste and destroyed by the common enemy in 1778. And, more than all these things, a great number of their brethren had perished in battle. That from these calamities they had not recovered—they were poor, and incapable of removing and seeking new settlements.

"The next news I heard on this subject was from my friend Dr. [Benjamin] Rush. He told me that the General Assembly, then sitting in Philadelphia, had just passed a law erecting the Wyoming settlement, and a large extent of country above and below it, into a new County, by the name of Luzerne; that the usual county offices would be created, all of which would be conferred on me if I would accept them. That, being a New England man, the Connecticut settlers would place a confidence in my information and advice, which they would be inclined to withhold from a Pennsylvanian; and thus I might be the happy instrument of putting an end to an inveterate and disastrous controversy.

"Mr. Wilson also encouraged and advised me to take the step proposed by Dr. Rush; and, after taking time for consideration, I informed Mr. Wilson that I would engage in this business, *provided I might assure the Connecticut settlers that the Legislature would quiet them in their possessions*. I particularly asked his opinion as a lawyer, as I also did that of Miers Fisher, a distinguished lawyer of the Society of Quakers, whether an Act of the Legislature would be competent for that purpose, against the claims of Pennsylvanians to the same lands under titles derived from the Proprietaries. \* \* \* Both gentlemen answered in the affirmative." \* \* \*

At Philadelphia, on September 25, 1786—the same day on which the Act erecting Luzerne County was engrossed and signed—Colonel Pickering sent to the Supreme Executive Council the following communication:†

"The subscriber begs leave to present himself as a candidate for the office of Prothonotary for the County of Luzerne: I have been informed that the Bill for erecting Wyoming district into a separate County is passed into a law, and that the civil officers for the County are now to be appointed.

"The office of Prothonotary has been proposed to my consideration on these grounds: That the forming the district into a separate County was intended as a conciliatory measure. That with the same view, it must be the desire of Government to appoint such persons to the civil offices in the County as may be most likely to allay the jealousies subsisting among the New England settlers, and at the same time possess the confidence of the rest of the State. That, I being a native of New England (though not of Connecticut), the settlers will be gratified by my appointment. And that, for several years, having been conversant in and an inhabitant of Pennsylvania, I am here sufficiently known; and the gentlemen who have proposed the office to me have been pleased to say that I should doubtless enjoy the confidence of the State. If these opinions are well founded, there will be no impropriety in my requesting of your Excellency and the Honorable the Council to be appointed Prothonotary for the County of Luzerne—which office will be gratefully accepted and, I trust, duly executed."

The next day Colonel Pickering formally applied to the Council for appointment to the other County offices which, by law, were required to be filled by that body. One Bryan, of Philadelphia, was also an applicant for these offices, but on October 9th the Council appointed, and October 12th commissioned, Colonel Pickering to the following offices, in and for Luzerne County: Prothonotary, Clerk of the Court of General Quarter Sessions of the Peace and Jail Delivery, Clerk of the Orphan's Court, and a Justice of the Court of Common Pleas. On October 27th Colonel Pickering and John Riley, of Philadelphia respectively petitioned the Pennsylvania Assembly for appointment to the

\*See [§] note page 1297. †See the "Pickering Papers", V. : 391.

offices of "Register for the Probate of Wills and granting Letters of Administration, and Recorder of Deeds, in and for the County of Luzerne." On November 7th "the House proceeded to the election, when, the ballots being taken, it appeared that Timothy Pickering was duly elected" Register and Recorder. On December 18, 1786, Colonel Pickering "attended in Council, and took the necessary oaths of qualification" with respect to his various and several offices. He was, at this time, in the forty-second year of his life.

Shortly after receiving these appointments Colonel Pickering wrote to his nephew, the Rev. John Clarke, D. D. (a graduate of Harvard, pastor of the First Congregational Church in Boston, and the author of "Letters to a Student," and other works) in part as follows:

"You will wonder to see so many offices vested on one person, but it is here the practice, in new Counties, because, where there are few inhabitants, the fees are consequently few. \* \* \* My inducements to accept these offices are various. 1—My lands nearest to Philadelphia lie in the County of Luzerne, and I can promote the settlement of them while I hold these offices. 2—Sundry gentlemen of my acquaintance, who are large landholders in the same County, will commit the disposition of their lands to me on commission. 3—The offices are not at present lucrative, yet, as the County will populate rapidly, the gentlemen of the law assure me that, in a few years, they will become greatly so. 4—While the profits are small, the business will be small, and admit of my frequent absence to direct the settlement and improvement of my lands. 5—By the time that my sons come of age the business of the several offices will be so increased as to require a separation; when, if I should live, I can successively resign one and another into the hands of my sons! These, I hope, you will deem weighty reasons for my determination.

"There is another consideration, which your philanthropy will pronounce an important one. This new County is chiefly settled by New England people, and multitudes more are ready to emigrate from that country to this, provided the dispute with the Wyoming people [as to the title of their lands] were settled. As one probable means of settling the dispute, these appointments are conferred upon me. On one hand, I possess the confidence of Government; on the other, it is presumed I shall be acceptable to my countrymen. I have it much in my power to effect a reconciliation. This I shall attempt.

"Further, these people, during the late war, have been destitute of instruction, both civil and religious. I shall have it in inclination—as it will be not a little in my power—to introduce such means of education as will prevent their degenerating to a savage state, to which they have been verging!"

On December 27, 1786—the same day on which The Susquehanna Company at Hartford, Connecticut, passed the series of important resolutions hereinbefore recited at length—the Pennsylvania Assembly passed a Supplement to the Act of creating Luzerne County. This Supplemental Act provided that Col. Timothy Pickering, Col. Zebulon Butler and Col. John Franklin, acting as Commissioners should notify the electors of the new County that on February 1, 1787, an election would be held to choose a Councillor, a Member of Assembly, a Sheriff, a Coroner and three Commissioners. The Act also indicated how, or in what manner, Judges and Inspectors of the election were to be appointed; directed that an oath of allegiance was to be taken by the voters, and provided for the election of Justices of the Peace.

"The olive branch could hardly have been more conspicuously tendered than by naming John Franklin as one of the Commissioners, engaged as he had been for months previously in openly planning and waging hostilities against the State. Zebulon Butler was also wisely selected, as the most eminent and able man among the settlers, whose influence over them would be paramount, whether for conciliation or controversy, and whose sound and conservative judgment had kept him from taking part in the violent action of Franklin and The Susquehanna Company. The addition of Timothy Pickering was a remarkable one, and indicated in the clearest manner that the disposition of Pennsylvania was now fully awakened to bring the unhappy condition of Wyoming to a close honorable to both parties."\*

\*From an address, "Connecticut's East India Company", by Henry T. Blake of New Haven, Connecticut. Published in the "Reports and Papers" of the Fairfield County Historical Society for 1896-'97.

For the purpose of effectuating certain measures necessarily preliminary to the real business of organizing the new County, Colonel Pickering arranged to proceed to Wilkes-Barré. He kept a diary of his journey, which is now preserved among the "Pickering Papers" (LVII:39), and has never heretofore been published. It comprises ninety manuscript pages, containing much interesting matter relative to Wyoming and some of its people of that period, and we shall quote from it at some length.

"*Wednesday, January 3, 1787.*—At twelve o'clock set out from Philadelphia with S. Wheeler, and went that night to his house, twenty miles. *January 5.*—Having reached Bethlehem, proceeded to Heller's tavern, near the Wind Gap. Here I found M[atthias] Hollenback [of Wilkes-Barre]. Left Heller's and proceeded sixteen miles to Larner's [or Learn's] on the way to Wyoming. Proceeded twelve miles to Tobyhanna Creek. (At this time the creek was about three rods wide; the water half way up the horses sides; the bottom muddy; the banks steep.) Just on the other side lives one Luce. He here supplies travelers with *rum and victuals*, but has neither grain nor hay. From Tobyhanna we went forward to Kelly's (formerly Bullock's tavern) seventeen or eighteen miles, and seven from Wyoming. I staid all night. Hollenback and [Christian G.] Oehmig went on to Wyoming.

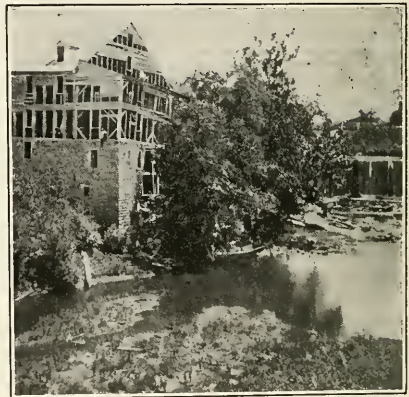
"About seven miles from Tobyhanna we crossed the Lehi, where it is about four rods wide, and nearly as deep (with a rocky bottom) as Tobyhanna. Bear Creek is about two rods wide, and has a very rocky bottom; is rapid, and now about three feet deep. From Bear Creek to Kelly's is about two miles, so the whole distance from Larner's to Wyoming [Wilkes-Barré] is about thirty-six miles; to which add sixteen miles (Heller's to Larner's) and sixty-eight (Philadelphia to Heller's), and you have 120 miles for the whole distance [Philadelphia to Wilkes-Barré.] \* \* \*

"Left Kelly's before sunrise, and came to Wyoming [Wilkes-Barré] to breakfast. Three miles from Kelly's I crossed Laurel Run, in one hour's riding. The road along the Run is excessively rocky, and for several rods the Run has got into the road and gullied it three or four feet deep. In one mile more I reached the top of the [Wilkes-Barré] mountain by a very easy ascent. Here\* I had a view of the Susquehanna and the flats on each side. Wyoming seemed just at hand, yet was three miles distant. It cost me half an hour to descend the mountain—part of the way pretty steep. The rest of the ground to Wyoming consists of several ranges of very moderate, swelling hills, with low grounds—fit for meadows—between them. Through one of the low parts (which is called a swamp) runs a small creek†, which, running about a mile below the town of Wilkesborough, turns and runs up near to the lower end of ye town luts, where it empties into the Susquehanna. The mountain is exceedingly barren, bearing only bushes and a few oaks and pines of small growth.

"*At Wyoming* [Wilkes-Barré] *January 8.*—In conversing with John Hollenback‡ on the articles of rum and whiskey, he informed me that he was in the practice of distilling whiskey when grain was plenty; that he used to sell one gallon of whiskey for two bushels of rye, which two bushels would make at least four gallons; and his wood cost him nothing but the cutting and hauling—for everybody cuts wood where he pleases on the uninclosed grounds (and none are inclosed but the flats). Rye whiskey, he says, is preferred, because more fiery than whiskey made of wheat, which is soft and mild—the rye produces rather the most liquor.

"*WHISKEY.*—To one and a-half bushels of chopped, or coarse-ground, rye, add eight quarts of malt made of rye, for a mash. Add so much water as will fill a hogshead. To the whole add so much good yeast as the heat or coldness of the weather requires to produce a proper fermentation. The mash having been duly fermented, is put into the copper and distilled.

"*January 8—evening.*—Colonel Butler and Captain [John Paul] Schott called to see me on the subject of the proposed elections. I had given Colonel Butler a copy of the law, and the printed notifications, in the forenoon. He thought it prudent to advise the *Committee*§ of the matter before the



OLD HOLLENBACK MILL

On Mill Creek, within the present limits of Wilkes-Barré.

\*From a point at or near Prospect Rock

†This was the brook which is described on page 59, Vol. 1.

‡At whose house, on South Main Street below Northampton, Colonel Pickering lodged.

§The committee of "Directors" mentioned on page 1490.



notifications should be issued; and was to consult Captain Schott, who is one of the Committee. Captain Schott now confirmed the necessity of this measure. He said the Committee were appointed to watch over the settlements, to prevent any measures being taken which might be injurious to their rights; that the people had suffered so much, and had so often been annoyed with proposals which in the end they had found deceitful, they had become extremely jealous, and would therefore, hardly enter into any measures not previously approved by their Committee. At the same time he added that he did 'not doubt the people would readily come into the election'—or words to that effect—by which I understood him to mean that they would elect a Representative, Councillor, &c.

"As Mr. [John] Franklin, one of the Committee, was absent in Connecticut, and probably might not return in time to sign the notifications with Colonel Butler and me, I closed with the proposal of Colonel Butler and Captain Schott, and furnished them with copies of the Act [of December 27, 1786] and notifications, which they undertake to send to Mr. [John] Jenkins at Lackawanna and Mr. [Christopher] Hurlbut at Nanticoke (the only two others of the Committee now in the settlement), requesting them to meet us at Wyoming to-morrow evening to converse on the matter of the elections.

"In the forenoon, on my presenting the Act to Colonel Butler, he hesitated about joining in the conducting of the elections, because he had uniformly declined all offices, and had determined not to accept of any. But I reminded him of his having acted as Moderator at the meetings of the inhabitants, and that the business committed to him, Franklin and me, by the Act, was of a nature exactly similar to that of a Moderator, and therefore I hoped he would consent to act. He admitted the likeness of the two cases.

"*Tuesday, January 9.*—In the afternoon Dr. [William Hooker] Smith and Captain Hover, from Jacob's Plains, called on me, to converse on the subject of the elections, and to get copies of the Act to show their neighbors. \* \* \* *Thursday, January 11.*—This morning I dispatched James Whitney with copies of the Act, and notifications signed by Colonel Butler and me (Franklin not being in the County), to deliver and post up through the whole settlement, from Lackawanna to Tioga, on both sides of the river. In the afternoon Maj. [John] Jenkins from Exeter, old Mr. Thomas Bennett from Abraham's Plains, Major McCormick from Kingston, Capt. John Swift from Shawnee, and divers others, came to my lodgings to speak and hear in relation to the proposed elections."

Among the "Pickering Papers" (LVII: 86) is preserved one of the original notifications issued as above described. It is a printed handbill, about 8x10 inches in size, and bears the imprint of "Thomas Bradford, Philadelphia." The date at the end of the notice, and the names of Colonels Pickering and Butler, are written in ink. The following is a verbatim copy of the same:

"NOTIFICATION."

"*Whereas*, by an Act of the General Assembly of the Commonwealth of Pennsylvania, passed on the 25th day of September last, the northern Part of the County of Northumberland was erected into a separate County, by the name of *Luzerne*; and a Representative, Councillor, and other officers were to have been chosen on the Day of the General Election in October last; but the Electors were prevented from assembling by an extraordinary Flood, and no Elections were made.

"*And Whereas*, the General Assembly, by a supplement to the Act, passed on the 27th Day of December last, have thought fit to allow further Time for making the said Elections, and have accordingly appointed the same to be held on the 1st Day of February next.

"Now, in pursuance of the Powers vested in us by the said supplementary Act,

"NOTICE IS HEREBY GIVEN,

"*To the Electors of the said County of Luzerne,*

"*To assemble on the said 1st Day of February, next, at the House of Zebulon Butler in Wilkesborough, in the same County, then and there to elect one Representative to serve in the General Assembly, one Councillor, two fit persons for Sheriffs, two fit persons for Coroners, and three Commissioners; and also three Inspectors of the said Elections.*

"Given under our hands, at Wilkesborough aforesaid, the 10th Day of January, 1787.

[Signed].

"TIMOTHY PICKERING.

"ZERULON BUTLER."

During the days of January 11th, 12th and 13th Colonel Pickering spent considerable time in visiting various prominent inhabitants of Wyoming Valley and explaining to them the nature of the laws governing elections in Pennsylvania; and then:

"*Saturday, January 13—in the evening.*—Colonel Butler and Captain Schott came to see me. In speaking of the election they gave their opinion that if [John] Franklin returned, and with any extraordinary encouragement from The Susquehanna Company, he would make every effort to prevent an election—even to bringing men in arms; but that if open force were not used, the election would take place. They said that Ethan Allen was one of the Committee of The Susquehanna Company, and that he would doubtless be with Franklin at the meeting at Hartford, and probably come with him to Wyoming, together with one [Zerah] Beach, another of that Committee.

I had before supposed that Allen would be at Hartford, and that it was likely he would be here at the election, though I did not know he was a member of the Committee.

"*Sunday, January 14.*—There lives at Wilkesborough an old gentleman named [Jacob] Johnson, who was formerly a minister to the people here, who, at this place, had erected a church, which was burnt by [John] Butler and his Indians in 1778. Mr. Johnson still preaches to the people in private houses here, and in all the neighboring settlements on both sides of the river. This day he preaches at Shawnee. He is said to be very constant in performing divine service on Sundays, but receives nothing for it from the people except now and then a trifling present of a few bushels of grain. *Neither are there any school-houses;* though here and there the people have employed a temporary school-master.

"*Monday, January 15.*—Crossed the river to Kingston with Colonel Butler and Captain Schott, and went to Mr. Lawrence Myers.' He, with his brother and another young man (all from Maryland), keep a small store of goods, wet and dry. L. Myers was formerly a Lieutenant in Schott's company, and Deputy Sheriff to Colonel Antes, Sheriff of Northumberland. He is now a candidate for the office of Sheriff in Luzerne County. *Tuesday, January 16.*—With Colonel Butler and Captain Schott went to old Thomas Bennett's\*, on Abrahams' Plains. \* \* \* I have seen more industry at Mr. Bennett's than at all other places in the County. The old man was near his house, with another hand, breaking flax, and when we entered the house we found his wife and two daughters spinning. The room, too, was hung round with clothing, chiefly of their own spinning, and hanks of linen yarn, like in the Low Dutch houses in Jersey. The old man put on a brown linen coat, waist-coat and breeches, of their own fabric—save the weaving, which is well executed in the settlement. His wife said that since their sheep had been destroyed, they were obliged to content themselves with linen garments; and the old man said that use rendered him comfortable in them. They dined us well and hospitably—at three o'clock P. M.

"Returning to Wilkesborough by way of Myers' we stopped a few minutes, finding Mr. [John] Jenkins there. Lord Butler (the Colonel's son) was with us. He is a candidate for the Sheriff's office, and got engaged with Jenkins. \* \* \* The Colonel [Butler] now informs me that though Jenkins has all along declared his determination not to join in the election, yet that he heard him speaking with another man about proper characters for officers, for the purpose of fixing the tickets. He says, also, that, entering into conversation with Jenkins, and repeating some of the reasons why an election should be held, he discovered less opposition than formerly—particularly, when he mentioned my opinion that all persons holding Connecticut titles for their lands were to be deemed freeholders in voting for Justices of the Peace, it seemed to give great satisfaction. Jenkins said he would come to see me at Wilkesborough the latter end of this week. This looks well, and I begin to think that Jenkins is convinced it will be best to hold the elections, on the principles I have advanced; but, as he has warmly and firmly opposed, decency requires that he let himself down gently and by degrees, and after repeated conversations with me and others (who are in favor of the measure)—on which he may at length acknowledge that there is reason for changing his opinion and conduct.

"I suppose he [Jenkins] had some conversation this afternoon at Wilkesborough with William Slocum, another warm opposer, who spent an hour with me on Monday evening, alone; and who at first said, whatever others might be willing to do he should hold fast his *general claim* to the Susquehanna lands, as well as his particular possession. Nevertheless, before we parted he appeared to be satisfied with the expectation of the people holding their original farms, actually settled and improved before the Decree at Trenton; for I in plain terms told him that nothing more would be granted by the Assembly of Pennsylvania; but that I had no doubt so much would be yielded, and on easy terms of payment, if any payment should be demanded. Just as he was going, I drank to him; and when he received the bowl he prefaced his drinking with—'Here's wishing that you and other good men may bring about an amicable settlement!'

"*Wednesday, January 17.*—Went this day to Nanticoke and Newport. At Nanticoke [that is, Hanover Township] we—Colonel Butler, Captain Schott and I—called on Mr. [Christopher] Hurlbut, the committee-man. At Newport, about nine miles from Wilkesborough, we stopped at Mr. Alden's, a son of Major [Prince] Alden. Here we found a Mrs. [Agnes (Dixon)] Jameson†, an elderly woman of agreeable manners and a good understanding. She was clad, as it might be expected an industrious, prudent woman would be; and I find her family has uniformly exhibited examples of industry. She was courteous, and pressed us to call and take a bed at her house. She remarked that I might be tired of staying so much at Wilkesborough, and urged me to spend a day at her house. I told her that perhaps by this time twelve months I might bring my wife to see her, and that I should take pleasure in doing it. Just at this time she understood I was a New England-man. This gave her much pleasure, and she said she thought well of the State that had commissioned a Yankee on this business. She is a native of Ireland, and came, when a child, with her parents to Boston, and resided some little time at Londonderry [New Hampshire], whence they removed to Connecticut, where she had spent the greater part of her life.

"Major [Prince] Alden‡ had notice from his son that we were at his house, so the old man and his wife came thither. He bid me welcome. Pretty soon he began to speak on the subject of the election. He expressed some doubts and made some objections; but these were grounded on mistakes, and so were easily removed. He prefaced his objections with saying that he wished not to be over-jealous and suspicious, for that jealousy and suspicion were the inseparable companions of little minds. We dined at his son's, and the time being too short to go far into the subject of the election and its consequences, the old gentlemen said he would come up to see me at Wilkes-

\*See [†] note page 1240.

†See fourth paragraph from bottom, page 1288. She was the great-great-grandmother of the present writer.

‡See page 500, Vol. I.

borough. 'I am pleased', said he, 'to find it easy to converse with you. I did not know but they had sent a man whom we could not speak to.' \* \* \*

"*Thursday, January 18.*—Went with John Hollenback across the river to see Captain [John] Swift\* at Shawanee. Swift gave us a narrative of some parts of the contest between the Yankees and Pennamites since the Decree of Trenton. He particularly mentioned the conduct of Armstrong and Boyd. Before their arrival [at Wyoming] the Yankees had agreed to lay down their arms at the instance of some Pennsylvania agents; and accordingly grounded them by John Hollenbacks'. This was on condition that the troops in the fort also surrendered *their* arms to these agents; but the latter refused. So the agents advised the people to resume their arms and go to their homes, and to defend themselves if molested by the troops. They retired accordingly.† After this Armstrong and Boyd arrived with the militia. The former, particularly, desired the people to testify their submission to Government by surrendering their arms. The people said that they had once done it, to the other agents and commissioners. Armstrong said that he wished to be able to give personal evidence of their submission—he and Boyd at the same time declaring, upon their honour, that no advantage should be taken of their delivering up their arms.

"The people were jealous of a deception. However, at length, Squires Mead and Martin pledging their honour also that no advantage should be taken, the people reluctantly laid down their arms, to the number of sixty or seventy rifles and muskets. As soon as their arms were grounded, and they, by order, had marched from them, a platoon of the militia took possession of them and immediately began to dispute about the disposition of them. These arms were thus given up to *private plunder!* Previous to the surrender the militia had been formed into a sort of square, and now the Yankees were inclosed, and marched as prisoners, with a platoon in front and rear, and two ranks marching by files on each flank. It was not enough to trapan them by this dishonorable artifice. To add *insult to treachery*, Armstrong ordered the drums and fifes to strike up '*Yankee Doodle!*'

"As soon as they arrived at the fort, near thirty of them were immediately confined as prisoners—being pinioned and their hands, besides, tied behind them; and in this condition they were ordered to lie down in the barn where they were lodged, and the sentries had orders to kill instantly any man who should attempt to get up.

"At one period of the conflict, after the people had been driven from the settlement, four persons only for some time kept the adjacent woods and harrassed the Pennamites. These were Captain Swift, Captain Satterlee, Phineas Stevens and Waterman Baldwin. At this time Charles Stewart‡ came into Wyoming, and finding what daring attempts were made by these four men, and fearing probably that the people might return and collect to them, sent Captain Sims to them with an offer of 100 half-joes if they would leave the country. One, or more, was for receiving the money, and then still keeping their ground—in order to retaliate by this deception, in part, for the treachery which had been practised by Armstrong; but Swift would not consent to do it. He rejected the proposal—despising the very idea of such deceit. They kept their ground accordingly, and the people soon collected to them in numbers. Soon afterwards the violent and extravagant conduct of the Pennamites engaged the notice of the Government.

"In the evening [of January 18] we returned to Wilkesborough. Mathias Hollenback had been to Kingston at a meeting of the people there. About fifty had assembled. Mr. [John] Jenkins was present, and warmly opposed the election; urging his former reasons, and again absurdly declaring that the law for erecting the County of Luzerne was unconstitutional. I learn from all quarters that Jenkins is a wilful, obstinate man.

"*Friday, January 19.*—Went this day with Colonel Butler and Mr. [Benjamin] Bailey to dine with Dr. [Wm. Hooker] Smith at Jacob's Plains. We agreed to go to Lackawanna on Monday, to meet the inhabitants there by noon; and Dr. Smith undertook to give them notice, that they might assemble. The Doctor said that Mr. [James] Finn, the Baptist minister who lives there, had also expressed a desire to converse with me. Wrote to Captain Swift that, if I were informed when the people should meet at Shawanee, I would attend them—if there were no objection to it.

"*Saturday, January 20.*—Dined to-day with Captain Schott. \* \* \* *Sunday, January 21.*—No preaching at Wilkesborough. *Monday, January 22.*—Went to Lackawanoek (Pittston) to meet the people there. It was a snowy day, and there were only about twenty-five persons present at the meeting. Mr. Finn was not present. After the Act relative to the election had been read, I desired the company to make any objection which occurred to them. 1st:—Some mentioned their fear of being obliged to pay back taxes ever since the Decree of Trenton. I answered: This probably is a groundless fear. When their distresses and inability to pay even *present taxes* should be properly represented to the Assembly, by their own Representative, there was little doubt of their being exempted from all back taxes. But with respect to *future taxes*: Although their present unhappy condition might justly entitle them to an exemption for a year to come—and the Assembly might feel disposed to grant it—yet (as that would give umbrage for discontent among all the people on the other frontiers of the State) they would probably be called on for taxes; but then these would be proportioned to their ability.

"As they had neither houses nor barns of any value, and but very small stocks of cattle, their taxes must necessarily be extremely small. And even these would perhaps be more than counter-balanced by the grants of the Assembly for opening roads and for other public purposes.

"Second Objection:—There are named in the Act Zebulon Butler and John Franklin. Colonel Butler is well known to have held a commission in the Continental army. Why is he (and we, through him) treated with so little respect that his title is not given to him as well as

\*See [\*] note page 1406.

†See pages 1412—1416.

‡See page 459, Vol. I, and subsequent pages.

to Colonel Pickering? Answered by Colonel Butler:—The Assembly of Pennsylvania did not practice giving titles unless to their own officers. That Colonel Pickering had just been commissioned by the Government, and therefore it was proper to give him his title.

“Third Objection:—Pennsylvania has used us ill, and deceived us. We are afraid they mean to deceive us again. Fourth Objection:—If we receive the laws, writs of ejectment will immediately be brought, and the people turned out of their possessions. One of the people present asked me if I should come here to live. I answered, Yes, of necessity, if the laws are introduced. ‘If that were known’, said he, ‘it would give the people more confidence in what you say, for some are jealous that you are sent here to draw them into a snare.’

“I then added that I should not only live here, but I should want some land on which to raise provisions for the support of my family, because it would be a good while before my offices would yield anything of consequence; and therefore I would now purchase enough for a farm, if I could get it at the rate for which it was selling under the Connecticut title—and *I would purchase nothing but a Connecticut title*, for I had such confidence in the good disposition of Government to do what was equitable to this settlement that I was willing to take my chance with the people of obtaining a confirmation of that title on reasonable terms. The same person then replied: ‘This being known, it would give great satisfaction to the people; for, if you should deceive them, it would then be in their power to take revenge on you.’ Another person then remarked: ‘But how easy it will be for the Pennamites to reimburse Colonel Pickering for any monies he shall now pay for Connecticut titles; and he may purchase for the purpose of drawing us into his measures, and yet run no hazard at all.’

“I then declared that I would pledge my honour and my life that, while the people of the settlement held only under the Connecticut title, *I would hold by the same, and by no other!* That I had a wife and five children, with whom I should move to Wilkesborough; which certainly I should never dare to do if I now meant to deceive them. That I must of necessity move hither, because the laws could not be carried into execution without the exercise of the offices which I held; and in order to exercise them I must be here. But, I added, that, though I was willing to take my chance with them, by purchasing Connecticut titles at the rates at which they were selling—*provided they proceeded in the election*—yet, if the people should refuse to hold the election, I would not then give six pence an acre for their best lands; for if, after the State had, *at their request, erected them into a County*, and given them an opportunity of electing their own officers (by which they would enjoy every right and privilege enjoyed by the other freemen of Pennsylvania), if, after all this, they should refuse to receive the laws, I had no reason to expect that the State would ever make another offer *in peace*. Arms would then compel a submission to the Government.

“Fifth Objection:—*Pennsylvania could not raise an army* to come against us. The people would not fight for the sake of the land-jobbers; and if 3,000 men were to come against us, we need not fear, for 100 boys raised in this settlement would stand against 1,000 of such troops as would come against us. Or, if they did break up the settlement, 100 boys whom he (the objector) could muster, would keep 3,000 men in perpetual alarm, &c. I answered, what is too obvious to relate, that Pennsylvania has as good riflemen and swordsmen in her five frontier Counties as any in this settlement, however valiant, &c.

“January 24.—Samuel Allen, of Kingston, comments on the Decree of Trenton. \* \* \* I had only heard before that the *Judges were bribed!* It was now said that Colonel Dyer—the most zealous agent on behalf of Connecticut, and one deeply interested in The Susquehanna Company—*was also bribed by Pennsylvania* to betray the cause of Connecticut and the Company!

“Thursday, January 25.—The inhabitants of Wilkesborough assembled. Upwards of fifty men were present, including a few from Kingston, &c. They were desired to ask any questions relative to the election, where any doubts remained in their minds as to the expediency of holding it. The grand point insisted on was the confirmation of the titles to their particular farms. If this were granted, they would be satisfied; and not one man appeared desirous of supporting The Susquehanna Company in their claims. The few who intimated that they had general interests in those claims, expressed a willingness to relinquish them if their particular farms could be confirmed to them; but they feared an adoption of the laws would strip them of their possessions. I asked if the inhabitants of this settlement were entitled to superior privileges above all the other citizens of Pennsylvania? Nobody answered.

“I observed that if titles to land were disputed elsewhere in Pennsylvania the parties resorted to the laws and trials by juries for decisions, and that they had no other remedy. That the same laws were now tendered to them, and that by receiving them they would then enjoy equal rights and privileges with the first citizens of the State. Mr. Carey said they were not able to defend their rights in courts of law. They had been stripped of their movable property by Patterson and others, acting by authority from Pennsylvania, and now had not wherewith to fee lawyers and bear other charges and lawsuits. I then said that I had been reasoning on the ground of mere law, and showed that if they pleased they might now enjoy all the rights of the freemen of Pennsylvania; but that I wished to put them on a better footing, on account of their distresses occasioned by the general destruction of the settlement by the Indians, by Squire Patterson and his assistants, and by two sweeping floods. These losses and sufferings (particularly those occasioned by Patterson and others pretending to act under the authority of the State) had excited a general sympathy, and people now said they ought not to be driven from their actual possessions—such as they held and improved prior to the Decree of Trenton.

“That on this equitable ground there was a fair prospect of their succeeding to obtain the confirmation of their farms, and that this claim would be more effectually supported by their own Representatives in the Council and Assembly than in any other way whatever. That if

they refused to go into the election, and yet were to petition for their farms, it would be an insult to the Assembly. That this was probably the last *peaceable offer* the Assembly would make to them, and that, if they refused it, the next step would be to raise and send a body of troops to *compel* them to submit to the laws. That all who should resist the Government would be deemed rebels, and be punished as such. That they themselves acknowledged Pennsylvania had the right of jurisdiction. That jurisdiction was the right of making and executing laws, and that resistance in arms would of course be rebellion. Colonel Butler read Major [William] Judd's letter. Judd says that if they held the election they would be completely *saddled* with the laws of Pennsylvania. On this an old man (Mr. Hyde) wittily remarked that he was 'more afraid of the *halter* than of the *saddle!*' Much more was said, for the conversation lasted about two hours. The general disposition appeared in favor of the election."

The letter of Maj. William Judd, referred to, as above by Colonel Pickering was written at Farmington, Connecticut, January 11, 1787, was addressed to Col. Zebulon Butler at Wilkes-Barre, and was conveyed to him by the hands of Benjamin Harvey of Plymouth, who, some weeks previously had gone to Connecticut in company with Col. John Franklin. A copy of the letter is preserved among the "Pickering Papers" (LVII : 89), and reads, in part, as follows:

"I was disappointed when I found my letter directed to you, relative to the Susquehanna meeting, failed of being sent forward from Hudson, [New York]. At our last meeting at Hartford we have made many new regulations. I have not a copy, and must beg leave to refer you to Colonel Franklin, who will be at Wyoming soon, and hath the copies at large. \* \* \* One thing we are alarmed about here, and that is: It is said Colonel Pickering is coming among you to hold an election. Should that be the case, unless you contrive some way to avoid his request, you will be *completely saddled with the laws of Pennsylvania*, and your property all at hazard.

"There are so many inconsistencies in the two Acts of the Legislature, it appears to me you may easily play him off for the present. If you want assistance, we have a fair prospect of augmenting your force next Spring by at least 400 [men] that may be relied upon. The Susquehanna cause gains friends day by day, and your intolerable suffering hath made you many friends in the country; and public policy seems to be in your favor. *The Federal Government is upon its last legs*, and you may stand an equal chance with the rest of mankind if you are firm, steady and united! Preparation is [being] made to fill up all the granted towns [in the Susquehanna Purchase], and to settle men upon all the rights that are now destitute of settlers. \* \* \* *Be not desponding, but play the man as heretofore!* Providence helps them that help themselves!"

Turning again to Colonel Pickering's diary we have:

"*Thursday evening, January 25.*—Parson [Jacob] Johnson was at the meeting to-day. He told Colonel Butler that he could answer all my questions, &c. I proposed to the Colonel to go and see him this evening. We did so, and he immediately began on the subject. I found him possessed of all the prejudices of the warm abettors of The Susquehanna Company's claim, and in full belief of all the falsehoods and misrepresentations which have been industriously raised and propagated to support it, and of some absurdities peculiar to himself. \* \* \* He declared that the great men of Pennsylvania, and among them the great Mr. [James] Wilson, acknowledged that these lands belonged to the Connecticut people, by the laws of God and Nature, but that the laws of Pennsylvania would take them from them; and that laws contrary to the laws of God and Nature were not to be obeyed, &c. &c.

"I answered all these objections, but the old gentleman would believe no fact, however plain or probable, if it contradicted his former belief. He crowned all with this remarkable declaration: 'You are of one opinion and I am of another. I am *fixed*, and shall never change till the day that Christ comes to judgment!'

"*Friday, January 26.*—Went with Colonel Butler to attend a meeting of the people of Nanticoke. Full fifty were assembled. I met with more opposition than at any meeting elsewhere; but it arose chiefly from a few rather young men. Old Mr. [Prince] Alden also spoke, and he repeated the sentiment that 'Jealousy and Suspicion are the inseparable companions of little minds, and therefore to be guarded against.' Yet, in spite of plain facts and conclusive reasoning, he persisted in his jealousy and suspicion that, because Pennsylvania had injured and oppressed them in the case of Patterson, Armstrong and Boyd, therefore the State would persevere in their oppression, and that the law I brought to hold the election was only a snare to catch them, and he concluded with an expression in the spirit of Parson Johnson—that his opinion was *fixed*.

"Perhaps the most difficult characters to reason with are the young and the old. The former are too sanguine and rash—the latter think that 'years teach wisdom'; and, having long entertained their prejudices, it is next to impossible to eradicate them. Mr. [Benjamin] Harvey and—Northrup, both men in years, were also opposers. Harvey has lately returned from Hartford, where he saw some members of The Susquehanna Company and got his ears filled with fine stories—not only of the undoubted maintenance of their most extensive claims of land, but of *independence* itself. The whole Susquehanna Purchase, he said, was their honest due. Harvey brought to the settlement this report: 'That if there had been present at the meeting of The Susquehanna Company at Hartford in December, [1786], only *one person* from Wyoming, they would have made a *Declaration of Independence!*' One Center, also from Hartford, made the same report to Colonel Butler and others.

"I asked the company whether they were ripe for independence, and desired it. 'Yes!' answered three or four young men. No where else has this been *avowed*; and this [avowal] I

suppose to be the mere effect of rashness and ignorance, not of a preconcerted plan. I am fully satisfied that not one man in fifty entertains the idea [of independence]. Indeed, it appears that the design is rather intended to be kept concealed from the body of the people; although Dr. Hamilton's letter—clearly enough expressing it—had been made public by Dr. Smith. Yet Franklin pretended that it had no such meaning, and put such glosses upon it as blinded the people. But Major Judd's letter, brought by Harvey, confirms the point; and there is other corroborative evidence. On every occasion, therefore, I make known to the people the crafty, but wicked and ruinous, designs of their few leaders.

"After a long conversation, and answering a variety of questions, Harvey and others declared that, tho they had jealousies of the State, yet they believed that I had no intention to deceive them. Notwithstanding the opposition I met with at Nanticoke, yet it appeared to me that, on the close of the debate, many minds were soothed and satisfied, and that there will be a majority for the election. Mr. [Christopher] Hurlbut (the Committee-man), who lives there and is well acquainted with the people, confirms this opinion. He is a sensible, discreet man, and as fit as any man I have met with for a Justice of the Peace in his district.

"On our return Colonel Butler told me that Major [John] Jenkins had lodged at Nanticoke (at young Alden's) the night before, and had visited a number of houses. This accounts for the opposition. He had been down there to prepare them for the meeting. He is an obstinate man, with but little discernment, and only makes bold and ill-bred assertions without argument. Old Mr. Stanbury, speaking of Jenkins' father, said 'he had more sense than honesty'; but as to the son, I think he has as little of one as the other.

"Saturday, January 27.—Went with Butler and Schott to Forty Fort to attend a public meeting of the Kingston and Exeter people. It was a large meeting—probably sixty or more present; and though Jenkins gave sundry striking proofs of his ill-manners, ignorance, absurdity, folly and obstinacy, yet, upon the whole, it was a meeting (as Friends say), 'very solid and satisfactory, and many hearts were tendered' and satisfied, which before had been wavering or opposed to the election. All of them—even Jenkins—disavowed any intention of independence."

Some years later, Colonel Pickering, writing\* to his son Henry about his experiences at Wyoming in January and February, 1787, and particularly with respect to the meeting at Forty Fort on January 27th, said:

"I spent a month among them, and with great difficulty succeeded, on the ground of their being quieted in their possessions; assuring them that I had strong reasons to express the opinion that the Legislature would pass a law for that purpose. But, just as I was closing prosperously, as I thought, my month's labor, a pretty shrewd man, John Jenkins, a Major of their militia, the second leader in the country in the interest of The Susquehanna Company, rose and said that they had too often experienced the bad faith of Pennsylvania to place confidence in any new measure of its Legislature; and that if they should enact a quieting law, they would repeal it as soon as the Connecticut settlers submitted and were completely saddled with the laws of the State.† This was prophetic; but I then had no faith in the prophecy.

\*See Upham's "Life of Timothy Pickering", II : 263.

†The speech said to have been delivered by Major Jenkins upon the occasion mentioned by Colonel Pickering, is printed as an Appendix (III) to Governor Hoyt's "Brief of a Title in the Seventeen Townships in the County of Luzerne"—having been furnished to the author by the late Stephen Jenkins, Esq. The speech is also reprinted in "Pennsylvania Archives", Second Series, XVIII : 666. It is as follows:

"We will gladly accept of any proposition that will bring peace, quiet us in our possessions and protect us in our titles. This is all we ask now; it is all we have asked from the beginning. Suppose we accept of the terms proposed what guarantee have we that Pennsylvania will keep her plighted faith? She has forfeited her honor to us time and again. If we accept the provisions of the proposed law, with she finds we are tied hand and foot, she will repeal it and leave us again without remedy or hope, except in ourselves. We have repeatedly had assurance of the desire of Pennsylvania to have this controversy settled, but the measures proposed, and the men sent here to effect such settlement, have shown us that they will never be satisfied except with our expulsion from our lands, and out total ruin—which we will never agree nor submit to!

"Our fathers have been imprisoned, robbed and whipped by the Pennsylvanians; our public papers have been wickedly taken from us; they have plundered our settlements, burnt our towns, taken the lives of our friends and brethren; driven our old men, women and children into the wilderness at the point of the bayonet, with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the lead of a civilized State or nation. We have petitioned in the most humble terms for the redress of our grievances, and to be secured in our property, our lives and our possessions, and our petitions have been treated with insult and contempt, and been rejected. They still continue in their endless persecution with obstinate fury and uncontrollable oppression.

"And yet, in the face of all these facts, all this perfidy, all these crimes, we are again called upon by their perpetrators to give up our titles, and all claims and rights under them, and rely upon the clemency of Pennsylvania for any future titles or rights to our lands. God forbid that we should be foolish enough to do anything of this kind! The blood of the martyrs, who have fallen in defence of our rights, would cry to us from the ground should we permit their widows and orphan children to be driven from their homes and possessions out into the wide world to perish or become a public burden.

"What new plan do they propose to us now? Nothing but to quiet us in our possessions for a short period, until we give up our titles and they can devise and put into execution some new plan for our expulsion. We have too often experienced the bad faith of Pennsylvania, to place confidence in any new measure of her Legislature; and if they shall enact a quieting law, they will repeal it as soon as the Connecticut settlers submit and are completely saddled with the laws of the State. What security have we, if we comply with their proposals, and put ourselves in their power, that the State will not repeal the law and deal as treacherously with us as in the case of Armstrong?

"The only safe course for the settlers to pursue is to stand by their titles and their possessions until Pennsylvania shall find it to her interest to do them justice by acknowledging their rights and establishing them through proper legislation. Whenever she shall do this, there will be an end of the controversy. If it be the disposition of the General Assembly of Pennsylvania to do us justice, as stated by Colonel Pickering, she can do it in that way and thus end all further trouble and annoyance to either party. But the proposal is to bind us and leave Pennsylvania free; to have us surrender our titles and trust to Pennsylvania for another grant, as the gentleman says, a better title. This we will never submit to. We have fought too long, and shed too much of the blood of our best inhabitants, and sacrificed too much in defence of our titles and possessions, to tamely yield them up to the threats or entreaties of Pennsylvania, and we will never do it. All we ask is justice, and that is in her hands to grant at any moment. If she will not grant this, she must put up with the consequences."

"A new argument then occurred to me, and it was my last. I remarked that, whatever might have been the conduct of Pennsylvania in times past, I was perfectly satisfied that *now* she was amicably disposed and sincerely desirous of a fair accommodation; and that, if its Legislature should once pass a law to quiet them in their possessions, it would never be repealed. And to give them the strongest evidence in my power that my confidence was not misplaced, I observed that all the offices conferred upon me were of small value, because of the scanty population of the County; that I should need some other resource to maintain my family, such as the products of a farm; that I would, therefore, purchase of any of them, who had land to sell, what would be sufficient for a farm; that, in doing this, I would purchase the Connecticut title only, and thus place myself precisely on a footing with them; and that if, as I confidently expected, a quieting law passed, I should hold the land; if not, I should lose it. A number of persons present (and it was a *public meeting*) immediately declared they could ask no more. I then recommended to them to petition the Legislature—which was in session at Philadelphia—to enact a law to quiet them in their possessions. They requested me to write a petition for them. \* \* \*

Subsequently, writing about the two Yankee leaders in Wyoming—the "two Johns"—Colonel Pickering said: "The first, a man able, bold and energetic, was John Franklin, a native of Connecticut, and who, at this time [January, 1787], was in Connecticut consulting with The Susquehanna Company (or its active members) on the means of defeating the pacific measures of Pennsylvania here mentioned. Such are my impressions of the fact, from what I then heard; and the actual state of things, joined with the events of 1787 and 1788, warrants the conclusion. The father of this Major Jenkins [the "second leader"] had been a leading man, and one of the Judges of the County Court, when Connecticut exercised a jurisdiction over them. He had died before I ever saw that country."

Turning once more to Colonel Pickering's diary we find the following:

"*Sunday, January 28.*—No public worship at Wilkesborough. This morning Mr. Bailey informs me that 'Parson Johnson has changed his mind, and thinks it will be best to hold the election'!!! *Sunday evening.*—Stephen Jenkins is down from Exeter. He says he has been pressing his brother, Major Jenkins, to cease opposing the election. He has brought a note from him to Captain Schott, the substance of which is: That if the election of Justices of the Peace could be postponed till after the ensuing session of the Assembly, he would not oppose the holding of the election now for a Representative, &c. Captain Schott asked me what my determination was relative to the election of Justices. I answered that I could ease Major Jenkins' mind on that head, for I had concluded not to appoint the time of meeting [for the election of Justices] until after the other election was over; and then I meant to consult some of the principal gentlemen of each district as to the time, and places in the districts, most convenient to the freeholders for holding the elections. This, Captain Schott is to write to Major Jenkins. This conversion, or yielding, of Jenkins is a wonderful event; but I give him little credit for it. He sees the tide is turning—or, rather, has turned—and makes a virtue of necessity.

"*Monday, January 29.*—Met the people of Shawanee (Plymouth) this afternoon. It was in a snow-storm which, with the shortness of the notice, occasioned a thin meeting. About twenty persons were present. \* \* \* The meeting at Plymouth was not satisfactory; it bore some resemblance to that at Nanticoke. *Tuesday, January 30.*—Received from A. Westbrook a paper signed by him, Dr. Smith and others of Jacob's Plains, professing their attachment to the Government; also a note from the Doctor, Mr. Westbrook and Captain Hoover, offering, for themselves and the electors of Jacob's Plains [in the township of Wilkes-Barré], to be a guard to Colonel Butler and me at the election, if any violence should be attempted. I advised with Colonel Butler, and we concluded it best that no person should appear in arms."





CHAPTER XXX.

ORGANIZATION OF THE COUNTY OF LUZERNE—A LIST OF THE ELECTORS—METHODS AND EVENTS OF THE FIRST ELECTION—THE CONFIRMING LAW OF 1787—HOSTILITIES AGAIN AROUSED—DIFFERENCES BETWEEN THE SETTLERS LEAD TO A RIOT AT FORTY FORT—OLDER SETTLERS, TIRED OF CONTESTS, DECLARE FOR COMPROMISE—THE FIRST COURT OF COMMON PLEAS — COL. PICKERING'S MANY DUTIES—FOUR ATTORNEYS ADMITTED TO PRACTICE —THE FIRST FRUITS OF SELF GOVERNMENT

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"States are great engines moving slowly."

*Bacon*

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"Men are the sport of circumstances, when  
The circumstances seem the sport of men."

*Byron*

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"Time's glory is to calm contending kings,  
To unmask falsehood and bring truth to light,  
To stamp the seal of time in aged things  
To wake the morn and sentinel the night,  
To wrong the wronger till he render right,  
To ruinate proud buildings with thy hours  
And smear with dust, their glittering, golden towers."

*Rape of Lucrece*




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Thursday, February 1, 1787—the day upon which matters of great moment to the inhabitants of the new County of Luzerne were to be decided—was at last at hand.

In accordance with the requirements of an Act of the Pennsylvania Assembly, passed March 4, 1786, it was necessary that each freeman of the Commonwealth, in order to become a qualified elector, or voter, should take—if he had not already taken—an oath or affirmation of allegiance to the Commonwealth, according to a form duly prescribed. As noted on other pages hereinbefore, a



considerable number of the inhabitants of the Wyoming region had taken an oath of allegiance\* to the Pennsylvania Government, prior to the passage of the aforementioned Act, and in consequence, they were not affected by the Act. However, during the last few days of January, Colonels Pickering and Butler administered the required oath to sixteen freemen of Luzerne County, and issued the necessary certificates in attestation thereof; and on February 1st, they administered the oath and issued certificates to one hundred and thirty more freemen.

The following is a copy of the oath which was administered:†

"I do swear (or affirm) that I renounce and refuse all allegiance to George III, King of Great Britain, his heirs and successors; and that I will be faithful and bear true allegiance to the Commonwealth of Pennsylvania, as a free and independent State; and that I will not at any time, do or cause to be done, any matter or thing that will be prejudicial or injurious to the freedom and independence thereof.

*"And I do further swear (or affirm) that I never have, since the Declaration of the Independence of the United States of America, voluntarily joined, aided, assisted or abetted the King of Great Britain, his generals, fleets or armies, or their adherents (knowing them to be such) whilst employed against the United States or either of them."*

The following is a copy of an original certificate (now in existence) which was issued as aforementioned:

"I do certify that ELISHA BLACKMAN, husbandman, of the township of Wilkesborough, in the County of Luzerne, hath voluntarily taken and subscribed the Oath (or Affirmation) of Allegiance and Fidelity, as directed by an Act of the General Assembly of Pennsylvania, passed the 4th day of March, A. D. 1786. Witness my hand and seal the 1st day of February, A. D., 1787.

[Signed] "TIMOTHY PICKERING. [L. s.]"

Each oath, or affirmation, was supposed to be duly signed, or subscribed, by the one making it; but in a number of instances the names seem to have been written by either Colonel Pickering or Colonel Butler. The following list of the one hundred and forty-six freemen who took the oath of allegiance before Colonels Pickering and Butler, in the last days of January and on February 1, 1787, at Wilkes-Barré, has been made up by the present writer from original lists preserved among the "Pickering Papers" (LVII : 97-114). The spelling of the names, as shown therein, has not been changed.

Samuel Ayers,	Carpenter,	Plymouth,
Abram Addoms,	Husbandman,	Hanover,
Robert Alexander,	Weaver,	Kingston,
Nicholas Brink,	Husbandman,	3 miles below Shawnee,
Henry Buck,	Physician,	Wilkes-Barré,
Increase Billings,	Yeoman,	Pittston,
Benjamin Brink,	Hunter,	Wilkes-Barré,
James Brown,	Yeoman,	Pittston,
James Brown, Jr.,	Husbandman,	Pittston,
John Budd,	Yeoman,	Pittston,
Jeremiah Blanchard,	Yeoman,	Pittston,
Chester Bingham,	Husbandman,	Ulster,
Henry Birney,	Husbandman,	Kingston,
Eleazar Blackman,	Husbandman,	Wilkes-Barré,
Elisha Blackman, Jr.,	Husbandman,	Wilkes-Barré,
Elisha Blackman,	Husbandman,	Wilkes-Barré,
Stephen Burritt,	Husbandman,	Hanover,
Jeremiah Baker,	Cordwainer,	Plymouth,
Oliver Bennet,	Husbandman,	Hanover,
William Baker,	Husbandman,	Plymouth,
Isaac Bennet,	Husbandman,	Newport,
George Charles,	Husbandman,	Wapwallopen,
Elisha Cortwright,	Yeoman,	Wapwallopen,
Robert Cooley,	Husbandman,	Kingston,
Nehemiah Crofoot,	Husbandman,	Hanover,
George Croom,	Husbandman,	Wilkes-Barré,
Gilbert Carpenter,	Carpenter,	Kingston,
Gideon Church,	Husbandman,	Kingston,
Benjamin Carpenter,	Joiner,	Kingston,

\*See their letter on page 1539.

†See the "Pickering Papers," LVII : 97

Benjamin Carey,  
Benjamin Crawford,  
Elnathan Cory,  
Barnabas Cary,  
Thadey Coner,  
William Dorton,  
Jonathan Davis,  
Elisha Decker,  
Andrew Decker,  
Elias Decker,  
Martin Dudley,  
Henry Decker,  
John Davison,  
Thomas Drake,  
Samuel Daly,  
Adam Dilley,  
Joseph Dewey,  
David Dale,  
John Dickson,  
Moses Depui,  
John Durkee,  
Nicholas Depue,  
*Casper Elster*,  
Ebenezer Enos,  
James Esland,  
Joab Enos,  
Edward Edgerton,  
Ebenezer Ellis,  
Ebenezer Ellis, Sr.,  
Jonathan Frisbee,  
Thomas Gibson,  
Thomas Gardner,  
Ambrose Gaylord,  
Justus Gaylord, Jr.,  
Daniel Gridley,  
Stephen Gardner,  
John Hollenback,  
Daniel Holly,  
Mathias Hollenback,  
John Hagemen,  
Joseph Hageman,  
William Hyde,  
Isaiah Howell,  
Stephen Harding,  
Lebbens Hammond,  
Richard Hallsted,  
John Inman,  
Edward Inman,  
William Jackson,  
John Johnson,  
William Jacoays [Jakeways],  
Jehoiada Johnston,  
Stephen Jenkins,  
Thomas Joslin,  
Nathan Jones,  
John King,  
Josiah Kellogg,  
Joseph Kilborn,  
John Kennedy,  
Abraham Lain,  
Joseph Leonard,  
John Lutsee,  
James Lassley,  
Lawrence Myers,  
Henry McCormick,  
David McCormick,  
Ira Manvill,  
James Millage,  
Zebulon Marcy,  
Samuel Miller,  
Samuel Meddagh,  
John Montanye,  
Eleazar Miller,  
Caleb Newman,

Husbandman,  
Cooper,  
Cordwainer,  
Husbandman,  
Husbandman,  
Sailmaker,  
Yeoman,  
Husbandman,  
Husbandman,  
Husbandman,  
Husbandman,  
Shoemaker,  
Husbandman,  
Husbandman,  
Husbandman,  
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Husbandman,  
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Husbandman,  
Husbandman,  
Husbandman,  
Laborer,  
Husbandman,  
Husbandman,  
Husbandman,  
Husbandman,  
Yeoman,  
Blacksmith,  
Husbandman,  
Husbandman,  
Yeoman,  
Brewer,  
Gentleman,  
Shopkeeper,  
Husbandman,  
Husbandman,  
Joiner,  
Husbandman,  
Husbandman,  
Husbandman,  
Blacksmith,  
Husbandman,  
Cooper,  
Husbandman,  
Husbandman,  
Husbandman,  
Carpenter,

Husbandman,  
Husbandman,  
Carpenter,  
Tailor,  
Husbandman,  
Husbandman,  
Husbandman,  
Husbandman,  
Inn-holder,  
Husbandman,  
Husbandman,  
Saddler,  
Husbandman,  
Husbandman,  
Husbandman,  
Husbandman,  
Husbandman,  
Husbandman,  
Husbandman,  
Yeoman,

Wilkes-Barré,  
Kingston,  
Kingston,  
Pittston,  
Tioga,  
Wilkes-Barré,  
Pittston,  
Hanover,  
Hanover,  
Hanover,  
Wilkes-Barré,  
Kingston,  
Pittston,  
Kingston,  
Exeter,  
Wilkes-Barré,  
Wapwallopen,  
Exeter,  
Pittston,  
Kingston,  
Wilkes-Barré,  
Kingston,

Kingston,  
Plymouth,  
Kingston,  
Wilkes-Barré,  
Wilkes-Barré,  
Hanover,  
Hanover,  
Wilkes-Barré,  
Exeter,  
Kingston,  
Kingston,  
Wilkes-Barré,  
Pittston,  
Wilkes-Barré,  
Wilkes-Barré,  
Wilkes-Barré,  
Kingston,  
Exeter,  
Exeter,  
Pittston,  
Hanover,  
Hanover,  
Wilkes-Barré,  
Hanover,  
Exeter,  
Wilkes-Barré,  
Exeter,  
Exeter,  
Wilkes-Barré,  
Kingston,  
Plymouth,  
Wilkes-Barré,  
Wilkes-Barré,  
Hanover,  
Pittston,  
Wilkes-Barré,  
Hanover,  
Kingston,  
Kingston,  
Kingston,  
Kingston,  
Wilkes-Barré,  
Putnam,  
Wilkes-Barré,  
Pittston,  
Kingston,  
Wilkes-Barré,  
Tunkhannock

Jonathan Newman,	Blacksmith,	Pittston,
Nathan Northrup,	Carpenter,	Hanover,
Nehemiah Northrup,	Millwright,	Hanover,
Jacob Ossencup,	Husbandman,	Wilkes-Barré,
Gideon Osterhout,	Yeoman,	Tunkhannock
Elijah Oakley,	Husbandman,	Putnam,
<i>John Platner,</i>		
<i>Abraham Pyke,</i>		
Timothy Peirce,	Husbandman,	Pittston,
John Pottman,	Yeoman,	Wapwallopen,
Dennis Roberts,	Husbandman,	Wilkes-Barré,
Peter Roberts,	Husbandman,	Exeter,
Josiah Rogers,	Husbandman,	Plymouth,
John Staples,	Husbandman,	Wilkes-Barré,
<i>William Schaff,</i>		
John Squire,	Husbandman,	Exeter,
Simon Spalding,	Gentleman,	Sheshequin,
William Stark, Jr.,	Husbandman,	Pittston,
Jonathan Smith,	Cooper,	Wilkes-Barré,
William Smith,	Husbandman,	Wilkes-Barré,
Leonard Scott,	Husbandman,	Tunkhannock,
Daniel Sherrard,	Husbandman,	Wapwallopen,
Jedidiah Stephens, Jr.,	Husbandman,	Kingston,
Abraham Smith,	Husbandman,	Wilkes-Barré,
Walter Spencer,	Husbandman,	Hanover,
Daniel Sullivan,	Laborer,	Kingston,
Stephen Strickland,	Cordwainer,	Wilkes-Barré.
Rogers Searles,	Cordwainer,	Pittston,
Edward Spencer,	Husbandman,	Hanover,
Elijah Silsbee,	Husbandman,	Pittston,
William Simrell,	Husbandman,	Providence,
Jeremiah Shaw,	Husbandman,	Ulster,
Enos Tubbs,	Husbandman,	Tunkhannock
Lebbens Tubbs,	Husbandman,	Exeter,
Thomas Thorp,	Cordwainer,	Plymouth,
Gilbert Van Gorden,	Husbandman,	3 miles below Shawnee,
Joshua Van Fleet,	Husbandman,	Wilkes-Barré,
Abraham Van Tillbury,	Husbandman,	Plymouth,
Leonard Westbrook,	Husbandman,	Wilkes-Barré,
James Westbrook,	Husbandman,	Wilkes-Barré,
John Woolley,	Husbandman,	Kingston,
James Whitney,	Laborer,	Wilkes-Barré,
Abel Yarrington,	Ferryman,	Wilkes-Barré.

The four men whose names are printed in italics in the foregoing list were *British deserters* (as noted on the original lists), and they were not required to take that part of the oath of allegiance which is printed in italics.

It may be noted here that a very considerable number of the men whose names appear in this list had located in the Wyoming region in the years 1785 and '86; in other words, were new-comers.

As provided in the Act of Assembly, the election of February 1, 1787, took place at the house of Col. Zebulon Butler, at the south-east corner of the present River and Northampton Streets, Wilkes-Barré. Before the polls were opened, Colonels Pickering and Butler, as Commissioners, "chose and appointed" the following election officers, who were duly sworn to conduct the election according to law. *Judges:* Obadiah Gore, James Sutton and Christopher Hurlbut. *Inspectors:* Simon Spalding, John Swift and John Hurlbut. *Clerks:* Elisha Satterlee, Lord Butler and John Hyde. Two hundred and twenty-two electors from the various settlements—from Wapwallopen on the south, to Sheshequin on the north—attended and cast their votes. Relative to the election, Colonel Pickering wrote in his diary, under the date of February 1st, as follows:

"The election has gone on with great quiet and regularity. A private fray happened in the forenoon between two of Abraham Westbrook's sons and some others. It seems they had got in liquor, and as soon as Mr. Westbrook discovered them, he parted the disputants and sent his sons home, telling them that if they wanted to fight, they might 'do it to-morrow, but not on

the day of election.' There were also two men—Pennamites—up from Wapwallopen, whom some of the warm Yankees got scent of, and immediately sought for. They were found at John Hollenback's, and got a severe beating. It was said that these two men had been active under Patterson, in driving the Connecticut people out of the settlement. Their names were George Charles and John Pottman.

"They, with one [Elisha] Cortwright, had been with me in the morning and taken the oath of allegiance. Cortwright said he had heard threatenings had been given out—that if they attempted to vote, they would be ill-used—and asked my advice as to what they had best do. I did not hesitate to recommend to them to avoid the election, if they found such threats had been uttered; that if they were lovers of peace, they had better retire than hazard a disturbance of the election. Cortwright answered that he would rather retire than do that. In this sentiment, I thought both Charles and Pottman acquiesced. Cortwright accordingly went off, and escaped unhurt; but the others loitered, and were beaten. It was said that Cortwright had been remarkably cruel in his treatment of the settlers at the general driving [of the Connecticut settlers out of the Valley in 1784]. No other disturbance happened, except a private quarrel arising about the manner of paying for some liquor."

According to Colonel Pickering's diary, the polls were closed between nine and ten o'clock in the evening, and then, until half-past two o'clock the next morning, the Judges and Inspectors were engaged in examining and counting the ballots and tabulating the results of the election. They then "made a public declaration of the names of the persons elected—many electors being present, and waiting to know the issue." The following is a statement of the votes polled, and for whom:

*For Representative to the General Assembly:* Col. John Franklin received 145 votes; Obadiah Gore, 54; Col. Nathan Denison, 17; Col. Zebulon Butler, 3; Christopher Hurlbut, Capt. John Paul Schott and James Sutton, each 1; Total, 222. *For Councillor:* Col. Nathan Denison received 97 votes; Mathias Hollenback, 47; Capt. John Paul Schott, 47; Col. Zebulon Butler, 23; Maj. John Jenkins, 2; Obadiah Gore and Col. John Franklin, each 1; Total 218. *For Sheriff:* Lord Butler received 170 votes; Mason F. Alden, 138; Dr. Wm. Hooker Smith, 55; while twenty-six others received from one vote to thirteen votes each. *For Coroner:* Nathan Cary received 107 votes; John Dorrance, 96; Abel Yarrington, 63; Benjamin Bailey, 35; while eighteen others received from one vote to thirty-seven votes each. *For Commissioners:* Jonah Rogers received 105 votes; Christopher Hurlbut, 103; Nathan Kingsley, 100; Capt. Simon Spalding, 79; Abel Peirce, 64; while twenty-eight others received from one vote to twenty-six votes each.

From this it will be seen that the first elected officers of Luzerne County were: Col. John Franklin, Representative; Col. Nathan Denison, Councillor; Lord Butler and Mason F. Alden, Sheriffs\*; Nathan Cary and John Dorrance, Coroners\*; Jonah Rogers, Christopher Hurlbut and Nathan Kingsley, Commissioners.

Turning again to Colonel Pickering's diary we find the following:

"*Friday, February 2, 1787.*—The Judges of Election having returned to me the names of the persons elected, and delivered to me a box, sealed agreeably to law, and containing the votes, lists of electors and tally papers—there being no Justice of the Peace to receive the same—I consulted the Judges, Captain Spalding (an Inspector) and Colonel Butler on the time and places which would be most convenient for the meetings of the freeholders to elect Justices of the Peace. It is concluded, that this election be held on the same day—*viz.*, Thursday, April 19, 1787—in all the districts; the meeting for the First District to be held at Colonel Butler's house in *Wilkesbarre*; for the Second District, at Forty Fort, in Kingston; for the Third District, at Capt. [Simon] Spalding's, in Ulster (Sheshequin). The three Judges consent to preside at the elections, *viz.*: Christopher Hurlbut for the First District, James Sutton for the Second, and Obadiah Gore for the Third.

"*Sunday, February 4.*—No meeting [i.e., preaching, or religious services] at *Wilkesbarre*. I prepared the petition to the General Assembly. *Monday, February 5.*—Colonels Denison and Butler, Mr. Obadiah Gore and Captain Spalding considered, and approved of, the petition."

\*At this period the law of Pennsylvania, governing the election of persons to fill the offices of Sheriff and Coroner, provided that the electors should choose two persons for each office; whereupon the Supreme Executive Council would select one from each of the two men and issue a commission to him. In the present instance the Council appointed and commissioned Lord Butler, Sheriff and Nathan Cary, Coroner, on April 7, 1787. Butler took the oaths of allegiance and office, April 18, 1787, and Cary took the same on April 23rd, before Colonel Pickering.

The original petition prepared at this time by Colonel Pickering, in response to a request made by certain of the inhabitants of Wyoming, is now preserved (as "Document No. 221") among the collections of the American Philosophical Society, Philadelphia. The original draft of the petition will be found among the "Pickering Papers" (LVII : 127). The document is dated "Luzerne County, February 5, 1787," and reads, in part, as follows:

"The Address and Petition of the inhabitants of the County of Luzerne to the Honourable, the General Assembly of Representatives of the Freemen of Pennsylvania:—

"May it please the Assembly to accept our grateful acknowledgments for their attention to our requests in erecting this district into a separate County, and giving us an opportunity of choosing civil officers, and being represented in the Assembly and in the Supreme Executive Council. We are happy in the prospect, now opened, of our receiving and enjoying the blessings of regular and constitutional government. Nothing will then be wanting to remove every cause of jealousy and complaint but the *confirmation of our titles to our lands*.

"Those lands have been the source of such disorders, such losses and sufferings, that we have reason to deplore the fatal day when we and our fathers first set foot upon this hostile ground. But here we now are, an injured and distressed people—a people whose substance, often acquired, has often been destroyed. Even what our various enemies at any time left us, or allowed us respite to procure, has repeatedly been overwhelmed and ruined, or swept away, by destructive floods; so that we are now more wretched, and are enduring greater hardships, than at the first moment of our migration hither.

"Pardon us that we have glanced upon our sufferings. We would not wound the ear of humanity with a detail of miseries that are past; particularly we would not describe those which were, above all others, the most insupportable—those which were inflicted by men who appeared in the light of subjects of Pennsylvania, and consequently of fellow-citizens. But the justice of the State has held those transactions up to public censure, and with this reparation we are content. Those outrages we have not forgotten—we *cannot yet forget them*, for at this hour we are experiencing distresses which spring from that very source. But we will endeavor to *forgive* them. Some among ourselves have not been faultless, and it may be essential to the peace of the country that all past offenses be buried in oblivion. Some of us have large claims for injuries received, but we are willing to sacrifice them on the altar of Peace.

"We wish not to open afresh those wounds which now are healing, and therefore express our hope that, if consistent with wisdom, the Assembly pass an Act of Oblivion and Indemnity as well for private trespasses as public wrongs. It is our earnest desire to ground our petition on the basis of reason and equity; but our all is at stake, for, separate from our lands, we have no property worth naming. Under the operation of such an interest—an interest dear to us as our lives—perhaps we may ask more than reason and equity can grant. We wish not to offend, and if any part of our request should appear amiss, we pray for the indulgent consideration of the Honourable Assembly, that such impropriety may not prejudice those equitable rights to which we shall be thought entitled.

"In the event of things, our lands have cost us dear, indeed. Their price has been paid—too dearly paid—in the blood of our fathers, husbands, sons and brothers; and now, after the hard labours of seventeen years, no fruits remain! In such unhappy circumstances shall we be thought unreasonable if we ask a *free and gratuitous confirmation of our titles to our lands*? We hope not! \* \* \*

The petition closed with a prayer to the Assembly to gratuitously confirm the Connecticut titles to all farm-lots in towns laid out, or in detached places between any towns, and which had been either occupied by, or assigned to, persons living in the Wyoming settlements prior to the Decree of Trenton.

The names of one hundred and thirty persons are attached to this petition, some of them being as follows: Zebulon Cady, Daniel Earl, Benjamin Jones, Benjamin Smith, Caleb Bates, Ebenezer Marcy, Richard Halstead, Jr., John Dickson, Elisha Harding, Thomas Gardner, William Jackson, Zebulon Marcy, Gideon Osterhout, Nathan Draper, Cornelius Cortright, Asahel Atherton, Isaac Tripp, Stephen Gardner, Jeremiah Blanchard, Timothy Peirce, William Smith, William Hooker Smith, Abraham Westbrook, Daniel Gore, Joseph Sprague, Jr., and John Rosecrance.

On the day before Colonel Pickering left Wilkes-Barré, he was handed by the Rev. Jacob Johnson, a communication from himself, relative to the Wyoming lands. The original letter is among the "Pickering Papers" (LVII : 131). It has been printed in full (from a verbatim copy obtained by the present writer) in Vol. XI of the "Proceedings and Collections of The Wyoming Historical

and Geological Society," page 184. The following paragraphs are from this letter, (with some changes in spelling and punctuation):

"I am fully persuaded, the Lands in controversy appertain, both in Law, Equity and Justice to the State of Connecticut and Proprietors who hold under that State. Nevertheless, for the sake of ending the unhappy controversy in Peace and Love, I am rather inclined to come to a Division of the Lands agreeable to the Precedent or Example set us by King David—very similar to the present case. The King gave all the Lands appertaining to the House of Saul to Mephibosheth. Afterwards the King gave away the same Lands—and even the whole—to Ziba; upon which a controversy arose betwixt Mephibosheth and Ziba—who was heir-in-law to the aforesaid lands, being a grant was equally made to both. The King ended the controversy by ordering a Division to each one, as fellow commoners in Law to said Lands.

"This medium of ending the Controversy I have proposed some time ago\*, agreeable to the dividing lines drawn by Congress betwixt the East and West Branches of Susquehanna—setting off the East Branch to Connecticut proprietors, and the West [Branch] to Pennsylvania. This medium of compromise I would still propose and urge, agreeable not only to the Royal example above, but also a late settlement of Massachusetts and New York." \* \* \*

According to his diary, Colonel Pickering, carrying with him the election returns, and the petition from the one hundred and thirty residents of Luzerne County to the General Assembly†, left Wilkes-Barré for Philadelphia, Thursday, February 8th, between 9 and 10 o'clock in the morning, in company with Christopher Hurlbut. Colonel Butler and Mathias Hollenback went with them as far as "Bullock's." Arriving at Philadelphia a few days later, Colonel Pickering filed the returns, as well as a report of his doings, with the Supreme Executive Council. At the same time he rendered his bill against the State "for services and expences executing the duties under the Act of December 27, 1786." The total amount claimed by him was £40, 19sh., and included charges for his services—for 39 days, at 17sh. 6d. per day—for printing, stationery, etc., and the bill of John Hollenback, at Wilkes-Barré, which was made up of the following items: 30 days' board, at 3s.; 38 bowls of toddy, at 1s. 6d.; 30 nights' hay for horse, at 1s. 6d.; 168 qts. of oats for horse, at 2d.

On February 23, 1787, the General Assembly then being in session, President Benjamin Franklin, of the Supreme Executive Council, sent to the Assembly a communication reading as follows:‡

"During your recess an election has been held for the County of Luzerne. While this event affords a proof of the wisdom of your measures, we must acknowledge that Mr. Pickering, a Commissioner for holding the election, was instrumental in its accomplishment, by exposing the many false and artful representations which had been made, by the people opposed to the authority of Government."

On March 2, 1787, Col. Nathan Denison, Councilor-elect from Luzerne County, attended a meeting of the Supreme Executive Council at Philadelphia, took the oaths of allegiance and office, and was seated as a member of the Council. Three days later he transmitted to the General Assembly the petition from the residents of Luzerne County, previously mentioned, accompanying it with a letter from himself which had been written by Colonel Pickering, and read in part, as follows:§

"I have the honour to enclose a petition from sundry inhabitants of the County of Luzerne, praying for a confirmation of their titles to certain lands in that County, which, through the medium of The Susquehanna Company, were derived from the Colony and State of Connecticut. As that petition has not been generally signed, I think it a duty which I owe to my constituents,

\*See pages 1334 and 1335.

†It seems that when Colonel Pickering departed for Philadelphia from Wilkes-Barré, he left in the hands of some of his trusty adherents here, copies of the petition to the Assembly, which were to be signed by as many of the inhabitants of Wyoming, as could be reached, and prevailed upon to sign, within a short time; after which the documents were to be forwarded to Philadelphia. At "Jacob's Plains, Wyoming, February 21, 1787," Dr. Wm. Hooker Smith wrote to Colonel Pickering, informing him that Colonel Franklin had returned from Connecticut to Wyoming; that "numbers of the inhabitants" had signed the petitions to the Assembly, when, through the influence of Franklin and others, "the petitions were publicly burned," and Franklin declared that he "had rather see human blood run as deep over the land as the waters did last Fall in the great flood, than to have seen so many signers to that petition!" (See the "Pickering Papers," LVII : 138.)

‡See "Pennsylvania Colonial Records," XV : 167.

§See the "Pickering Papers," LVII : 146.

and a matter of information proper to be laid before the General Assembly, to mention the other classes of people in the County who claim under titles in like manner derived from Connecticut. \* \* \* If it shall please the Assembly to appoint a committee to attend to this business, which, in behalf of my constituents, I pray may be done, I shall be happy to attend and communicate, &c."

The petition was immediately referred to a committee, which, on March 10th, submitted to the House, the following report:\*

"The Committee report, That, conceiving it of importance to the subject, they first state to the House that, during the former session, and in conference between the committee of the House and the agents—John Franklin and John Jenkins—of the Connecticut claimants, the agents were explicitly told that every case would be considered specially; and that no claims, unless urged in behalf of individuals and for particular occupancies, would be received.

"The agents, admitting the propriety of this restrictive mode, doubted not of a conformity to it on the part of their constituents, when next they should make application to the House. But the present petition, on the contrary, advances claims collectively, and is made for entire and extensive districts. From this circumstance the House might well waive any present deliberations on the subject of the claims; but, in consideration of the peace of the County of Luzerne, as well as to testify our satisfaction at the submission at length paid to the laws by the petitioners, the committee recommends to the House, notwithstanding, to proceed to establish the principles on which they will quiet the possessions and occupancies of the petitioners, and others of that County in a like predicament; and, also, those on which they will make compensation to such proprietors under titles from this State, as may in consequence be deprived of their lands.

"The committee, in connexion with the subject, refer the House to a printed paper accompanying this report—dated at Hartford, Connecticut, December 26, 1786, and signed 'Joel Barlow'—as worthy of their animadversion. This paper, purporting to be resolutions of The Susquehanna Company, reviews their pretended title to a large territory within this State—including in it the land of the Connecticut settlers—directs a mode of distribution, and intimates a design of erecting it into a Government, independent of the authority of this State!†

"The committee recommend to the House: That such of the people called Connecticut claimants, their heirs and assigns, as were the actual possessors or occupants of lands within the County of Luzerne at and before the date of the Decree at Trenton, be quieted and confirmed in their several possessions and occupancies. That compensation in lands, equivalent in value, to be made therefor to proprietors under the rights of this State. That commissioners be appointed to carry these resolutions into execution."

This report was laid on the table until March 17th, when it was taken up, read a second time, and then adopted. Colonel Pickering, in a letter to his son, referring to the action of the Assembly at this time, wrote:‡

"The committee were directed to bring in a Bill accordingly. The committee put their report into my hands, and requested me to draw the Bill. I made a draught, which was necessarily long, to provide for the various matters incident to the quieting and confirming of the Connecticut claims. The principal difficulty arose out of the claims of a considerable number of persons [Pennamites] who had received grants of the best parts of the same tracts of which the Connecticut settlers were possessed—grants made prior to the Revolution, under the authority of the Penn Proprietaries, to whom, as heirs of William Penn, the original patentee of the whole Province, belonged all the vacant land in the State. If the lands purchased of the Proprietaries were to be taken from the purchasers, to quiet the Connecticut settlers, justice required that those purchasers should receive an equivalent.

"If, at that time, the State of Pennsylvania had been possessed of adequate funds, those purchasers might have been indemnified out of the public treasury; but the State had no money, and the State certificates, like those of the United States, were then worth only four or five shillings in the pound. It was in the power of the State, however, to give a complete indemnity without increasing its financial burthens. There were some millions of acres of new, unappropriated lands, of which the Indian title had three years before been extinguished. These were at the disposal of the State. I therefore introduced into the Bill a section to provide for an equitable appraisalment of the tracts claimed by the Pennsylvanians in the Wyoming territory, and, in lieu thereof, authorizing them to locate, where they pleased, in the great body of vacant lands, such quantities as would be equivalent to those lost at Wyoming—not acre for acre, but value for value."

At Philadelphia, on March 20, 1787, Colonel Pickering wrote to Capt. Aaron Cleveland§, in part, as follows:

"Having been appointed to some public offices in the County of Luzerne in this State (which County comprehends the Wyoming lands), I was authorized by the General Assembly, in conjunction with Colonel Butler and Mr. Franklin, to hold an election there. Franklin was

\*See the "Pickering Papers," LVII : 147.

†See page 1540.

‡See Upham's "Life of Timothy Pickering," II : 265.

§He was a native of Connecticut, and, as early at least as 1774, was a proprietor in The Susquehanna Company. At Wilkes-Barre, on March 20, 1786, "Obadiah Gore of Wilkes-Barre" conveyed to Aaron Cleveland of "said Wilkes-Barre" for £15, his house-lot, so called, consisting of 3½ acres"—being Lot No. 5 in the town-plot, and "adjoining the house-lot lately belonging to Col. John Durkee, deceased, on the north-east side thereof." Lot No. 5 in the town-plot fronted on the present River St., half-way between Market and Northampton Streets. See page 655, Vol. II.

absent, but Colonel Butler joined me, and with much labor and difficulty we persuaded the people to elect a Councillor, Representative, &c. The Councillor, Colonel Denison, has taken his seat in Council, but *Mr. Franklin has stayed at home*, dissatisfied (as I am well informed) at their having been an election; and he may probably continue his opposition to the measures pursuing by Government for giving peace to that unhappy country.

"However, I am disposed to believe that peace is not far distant, for I think those measures will give general satisfaction. I shall, in consequence, move up to that country with my family. When there last Winter I was informed that you owned a town-lot in Wilkesbarre, and that you would probably be willing to sell it. If so, and you will inform me of the terms—or authorize any friend of yours here to sell it—and we agree as to the price, I will purchase it.

"You may perhaps recollect me. I think I saw you at Salem, Massachusetts, where I then lived. I believe it was at your relation's, Mrs. Higginson. On the ground of that connection I will ask your friendship to assist me in bargaining for one-half the right in Wilkesbarre which belonged to Colonel Durkee, and which was sold by his son John to Captain Spalding and (as I am informed) Mr. Jedidiah Hyde of Norwich. When at Wyoming, I bought Spalding's half (*viz.*, half the meadow-lot, half a five-acre lot, and half the back-lot) for £65, Pennsylvania currency (or 173½ dollars). \* \* \* I now beg the favor of you to see Mr. Hyde, and in my behalf, to treat with him for his interest aforementioned." \* \* \*

The Bill drawn up by Colonel Pickering, as hereinbefore related, was approved by the committee of the Assembly, and without delay, was reported to the House. After some debate the House agreed, by a small majority, on March 27, 1787, that, with some slight alterations, the Bill should be enacted into a law. Among the thirty-six Representatives who voted in favor of the Bill were the following-named: Robert Morris, Thomas Fitzsimons, George Clymer, and Jacob Hiltzheimer of the City of Philadelphia; Isaac Gray and George Logan of Philadelphia County; Adam Hubley and George Ross of Lancaster County; Daniel Clymer of Berks County; Peter Trexler, Jr., of Northampton County. Among the twenty-three Representatives who voted against the Bill were the following-named: Robert Whitehill of Cumberland County; Robert Brown and Peter Burkhalter of Northampton County; Frederick Antes and Samuel Dale of Northumberland County; William Findley of Westmoreland County. The majority of the negative votes came from Representatives living in the then western Counties of the State.

On the same day that the vote on the Bill was taken, Colonel Pickering, at Philadelphia, wrote to his brother John, in Massachusetts, in part, as follows:

"I have so far accomplished a business of great moment as to bring the Wyoming people to consent to receive the laws of Pennsylvania, provided their old possessions could be confirmed to them; and this day the General Assembly have agreed to a law for quieting them, *on the principles I held out* to the people. So peace and good government will be introduced into a settlement with which Pennsylvania has been contending these seventeen or eighteen years. The result of the measure will oblige me to go to Wyoming (now called the County of Luzerne) in a few days. \* \* \* I thus consider myself as fixed for the remainder of my life in this State, and here I should wish to concentrate my interest. \* \* \* I have bargained for several parcels of land at Wyoming—containing in the whole about 700 acres—for which I shall have to pay about 500 dollars in the course of five months, and nearly 500 more in a year." \* \* \*

On March 28, 1787, the aforementioned Bill, having been duly engrossed, was signed by Thomas Mifflin, Speaker of the Assembly, and thus became a law of the Commonwealth. It was entitled: "An Act for ascertaining and confirming to certain Persons, called Connecticut claimants, the Lands, by them claimed within the County of Luzerne, and for other purposes therein mentioned." In Pennsylvania history it has been, and is known, as "The Confirming Law of 1787."

The preamble (Section 1) of the Act, after referring to the "unhappy dispute," which for years had subsisted between Pennsylvania and Connecticut—"which dispute was finally terminated by the decree of the Court of Commissioners at Trenton"—reads, as follows:

"*Whereas*, Before the termination of the said claim of Connecticut, a number of its inhabitants, with their associates, settled upon and improved divers tracts of land lying on or near to



the North-east Branch of the River Susquehanna, and the waters thereof, and now within the County of Luzerne;

"*And Whereas*, parts of the same lands have been claimed under titles derived from the late Proprietaries of Pennsylvania, and these interfering claims have occasioned much contention, expense and bloodshed; and this Assembly being desirous of putting an end to those evils by confirming such of the Connecticut claims as were acquired by actual settlers prior to the termination of the said dispute, agreeably to the petition of a number of the said settlers, and by granting a just compensation to the Pennsylvania claimants;

"*And Whereas*, the lands aforesaid, claimed by the Connecticut settlers, have usually been assigned to them in rights, or lots, of about 300 acres each—which rights, or lots, have either been entire or in two or more divisions;

"*Therefore, Be it Enacted*, \* \* \* That all the said rights, or lots, now lying within the County of Luzerne, which were occupied or acquired by Connecticut claimants who were actually settlers there at or before the termination of the claim of the State of Connecticut by the decree aforesaid, and which rights, or lots, were particularly assigned to the said settlers prior to the said decree (agreeably to the regulations then in force among them), be and they are hereby, confirmed to them and their heirs and assigns.

"*Provided*, That all the claimants, whose lots are hereby confirmed, shall, \* \* \* within eight months next after the passing of this Act, prefer to the Commissioners hereinafter mentioned their respective claims to the lots aforesaid; therein stating the grounds of their claims, and sufficiently describing the lots claimed (so that the same may be known and ascertained), and support the same by reasonable proofs.

"*Section 3.* \* \* \* Be it further enacted by the authority aforesaid, that Peter Muhlenberg, Timothy Pickering and Joseph Montgomery, Esquires, be and are hereby appointed Commissioners for the purposes hereinafter expressed and declared; and in case of death, absence, or refusal to serve, of any or all of the said Commissioners, the Supreme Executive Council are hereby authorized and required to supply the vacancy or vacancies occasioned thereby. \* \* \*

"*Section 4.* \* \* \* The said Commissioners shall repair to the County of Luzerne within two months next after the passing of this Act, and at such place within the same County, and at such time as the said Commissioners shall appoint, to meet together for the purpose of receiving and examining the claims of all persons to the lots intended by this Act to be confirmed; \* \* \* and that all persons interested in the said lots may be duly notified to make and support their claims thereto, within the time prescribed by this Act, the said Commissioners shall cause it to be published in one or more of the newspapers printed in Pennsylvania and Connecticut, with an advertisement subjoined expressing the time and place proposed for their first meeting; and copies of this Act, and of the said advertisement, shall also be posted up at sundry places within the said County, for the information of the inhabitants." \* \* \*

Then follow, in Sections 5, 6, 7 and 8 of the Act, certain conditions on which the lands were to be "certified" to the owners. The Commissioners were authorized to appoint surveyors to survey the lots of the Connecticut claimants; and a clerk, to record the proceedings of the Commissioners. The Commissioners were to receive for their services, twenty shillings each, per day; the clerk was to receive fifteen shillings per day; and the Commissioners were to fix for the surveyors, chain-carriers and markers, a "reasonable compensation," which was to be paid by the claimants whose claims to the lands in question, should be admitted. Pennsylvania claimants were provided for as follows:

"*Section 9.—And Whereas*, the late Proprietaries and divers other persons have heretofore acquired titles to parcels of the lands aforesaid, agreeably to the laws and usages of Pennsylvania, and who will be deprived thereof by the operation of this Act; and as justice requires that compensation be made for the lands of which they shall thus be divested; and as the State is possessed of other lands in which an equivalent may be rendered to the claimants under Pennsylvania; and as it will be necessary that their claims should be ascertained by a proper examination;

"*Be it therefore Enacted*, That all persons having such claims to lands which will be affected by the operation of this Act, shall be, and they are hereby, required, \* \* \* within twelve months from the passing of this Act, to present the same to the Board of Property, therein clearly describing those lands, and stating the grounds of their claims, and also adducing the proper proofs. \* \* \* And for every claim which shall be admitted by said Board, as duly supported, the equivalent by them allowed may be taken either in the old or new Purchase, at the option of the claimant; and warrants and patents, and all other acts of the public offices relating thereto, shall be performed free of expense." \* \* \*

In compliance with the mandate contained in Section 4, of the foregoing Act, the Act itself, with a "subjoined advertisement," was printed in the *Pennsylvania Packet* (Philadelphia) of April 12, 1787, and in certain newspapers in Connecticut. As Commissioner Montgomery was not in Philadelphia at that time (he was living in Harrisburg, Pennsylvania), the advertisement was signed

\*See "Pennsylvania Archives," X : 751.

by, and appeared over the names of, the other two Commissioners only. The following is a facsimile of it.

Philadelphia, April 2d, 1787.

**IN** purfuanee of the foregoing Act  
of the General Assembly of Pennsylvania, we hereby give  
Public Notice. That the Commissioners thereby appointed,  
will meet at the houfe of Col. Zebulon Butler, in Wilkef-  
borough (otherwife called Wilkefbarre) in the county of  
Luzerne, on Monday the twenty eighth day of May next, to  
receive and examine the Connecticut Claims to Lands in that  
county, and to perform the other duties required of them by  
the faid act.

PETER MUHLÉNBERG, )  
TIMOTHY PICKERING, ) Commissioners.

Copies of this were, in due time, distributed freely throughout the Wyoming settlements.

At Philadelphia, on the same date as that of the Commissioners' advertisement, Colonel Pickering wrote to Colonel Butler, at Wilkes-Barré, in part, as follows:\*

"I think it a little extraordinary that some people at Wyoming should not have patience enough to wait for the result of the late session of the Assembly before they proceeded to execute the unwarrantable resolves of The Susquehanna Company. Such precipitation serves to confirm the opinion that certain characters (notwithstanding all pretences to the contrary) do not desire peace with this State on any reasonable terms. 'Tis, nevertheless, a satisfaction to the real lovers of peace, to reflect that a great majority of the settlement are disposed to accept of such terms as Pennsylvania has granted. They are terms which give entire satisfaction to the Connecticut gentlemen in town with whom I have conversed, and go to the full extent of what the Connecticut Delegates in Congress expected or desired, or, rather, I believe, *beyond their expectations!* All the lands prayed for in the petition are confirmed—and *freely, without price!* \* \* \*

"I trust the prudent part of the settlement will have spirit enough to maintain their own rights, and pay no regard to the extravagant claims, or wild, impracticable schemes, of men who have not the true interest of the settlement at heart."

At Philadelphia, on April 11, 1787, President Benjamin Franklin, of the Supreme Executive Council, forwarded to Lord Butler, at Wilkes-Barré, his commission as "High Sheriff of Luzerne County", together with printed copies of the Confirming Law, and a personal letter (now printed for the first time) reading, in part, as follows:†

\* \* \* "The spirit of condescension and goodwill of the Legislature towards those settlers, manifested by this Act, in attending so readily to their petitions, and in giving them so fair an opportunity of establishing their claims and quieting their possessions for themselves and their posterity, will, we are persuaded, have its proper effect on the prudent and reasonable majority, who can set a just value on the blessings of peace and good government; and we hope, therefore, that the endeavours of a few restless individuals—if such should remain—who may expect to find their own private and separate advantage in public troubles, will not have any effect in disturbing this commencement of harmony, which, in its completion, will secure to the inhabitants not only the lands that have been in question, but the additional advantage of our excellent Constitution, and the *protection of one of the principal States in the Union!* You may assure the people that the good disposition of the Council towards them is not inferior to that which has been manifested by the General Assembly."

Colonel Pickering returned to Wilkes-Barré from Philadelphia about April 10, 1787, and upon his arrival here found that Colonel Franklin and his adherents were actively engaged in arousing among the inhabitants a sentiment of hostility to the Confirming Law. According to Miner ("History of Wyoming," page 409), "Franklin, with characteristic industry, visited from town to town, from

\*See the "Pickering Papers," LVII : 153.

†See the "Pickering Papers," LVII : 158.

settlement to settlement, and from house to house, kindling by his burning zeal, the passions of his adherents, to resist the laws, not by open violence, but by avoiding to commit themselves by taking the oath of allegiance, or participating in any measure, that should seem to acknowledge the jurisdiction of the State, unless some law more comprehensive, liberal and specific should first be enacted to quiet the settlers in their lands."

That Franklin, at this time, was not only refusing to recognize the change in jurisdiction from Connecticut to Pennsylvania, but also the fact that the County of Luzerne had been erected, is shown by original documents of that period, now in existence. For example: the present writer has in his possession a deed, in the handwriting of Colonel Franklin, executed at "Wilkesbarre" April 10, 1787, whereby, "Frederick Eveland of Plymouth, in the Susquehanna Purchase", conveyed to Benjamin Harvey of Plymouth, certain lands on "Shaw-anese Flat." The acknowledgment of Eveland, the grantor, appears in the following form:

"Wyoming, ss.: Wilkesbarre, April 10th, 1787, personally appeared Frederick Eveland, signer and sealer of the above written instrument, and acknowledged the same to be his own act and deed, before me.

[Signed] "JOHN FRANKLIN, Director."

As noted, it had been decided, before Colonel Pickering left Wilkes-Barré, early in February, that the election for Justices of the Peace should be held in the three districts of the County, on April 19, 1787. Upon his return to Wilkes-Barré, however, Colonel Pickering decided that, in consequence of the very unsatisfactory conditions then prevailing throughout the greater part of the County (but particularly in the central portion), the date for holding the election in the First District (which comprehended Wilkes-Barré) should be changed to April 26th, and the date for the Second District (which comprehended Kingston and Plymouth Townships) should be changed to May 3rd. Accordingly, on April 13th, Colonel Pickering gave official notice to the freeholders of the First District to meet on Thursday, April 26th, "at 12 o'clock, at the house of Col. Zebulon Butler in Wilkesbarre, in said County, to elect four Justices of the Peace for the said District." At the same time, notice was issued to the freeholders of the Second District to meet at Forty Fort, on May 3rd, to elect four Justices of the Peace. Notice had already been issued with respect to the Third District, fixing April 19th as election-day.

About this time, Colonel Pickering learned of two matters which vexed and disquieted him considerably: (1) A remonstrance against Joseph Montgomery's serving as a Commissioner under the Confirming Law, had been forwarded to the Supreme Executive Council, signed by a number of Wyoming inhabitants, and setting forth that when Montgomery was in Wyoming in April, 1783, as "Chairman of the Board of Commissioners, appointed by the Assembly, he was partial and prejudiced." (2) Copies of a printed address intended for certain of the inhabitants of Wyoming, were brought into the settlements and secretly distributed among the known adherents of Colonel Franklin. One of these copies fell into the hands of Colonel Pickering, and is now preserved (probably the only one in existence) among the "Pickering Papers" (LVII : 167). It is a broadside, about 12x20 inches in size, and was printed at Hudson, New York, by Ashbel Stoddard. It bears no date, but is endorsed on the back, in the handwriting of Colonel Pickering: "Major Judd's\* address to the inhabitants

\*See page 824, Vol. II, and pages 1540 and 1549 of this volume.

of Wyoming, brought into the settlement about April 13, 1787." The document reads, in part, as follows:

"AN ADDRESS"

"To the Settlers at Wyoming under the Connecticut Claim."

"Gentlemen: Impressed with the distresses through which you have passed; the intolerable sufferings you have sustained in the settlement of a new country distant from other inhabited parts of the country; the depredations you have experienced from a savage enemy; the relentless cruelty of opposing claimants, aided by the power of a potent State; together with the dangers you appear surrounded with (from the insinuating craft of a junto, foiled and disappointed in their stratagem to dispossess you by force of a country the fair inheritance of your fathers, purchased, settled and defended by your prowess through a long, cruel and bloody war—a territory enriched by the blood of your fathers, brothers and sons, and still reeking with the mangled carcasses and blood of your dearest friends, whose scattered bones are still whitening in the sun, promiscuously dispersed from your borders on the south to the falls of Niagara on the north), the sad remembrance will force a tear of compassion from the manly bosom of every virtuous inhabitant of that so-long-devoted country.

"My dear friends, I have shared with you in some of the enumerated distresses, and in all, my heart hath bled for your misfortunes. Suffer me for a moment to point you to what you have been—still are—and the prospects still within your reach.

"You were once the free citizens of a free country, justly entitled to all the blessings resulting from a free and equal Government established in a country the purchase of your ancestors, and transmitted to you unclogged by the shackles of rents or tythes or any other engine of despotism—a fair inheritance which your personal valor hath defended with much applause. And now you have become powerful; have braved the dangers with which you have been surrounded; put to silence the tongue of slander, and established yourselves beyond the reach of those that sought, your ruin—aided by your numerous friends in Connecticut, whose exertions have ever sustained you while tottering beneath the power and stratagem of Pennsylvania; have fostered you in their bosoms: generously parted with their property, for mutual advantage, and are daily furnishing you additional strength, in men and means—all calculated to sustain you against the impotence of that gasconading power that hath sought your ruin. \* \* \*

"Your country is fertile, pleasantly situated and healthful; your numbers are an overmatch for your opponents—considering your local situation; your strength is daily increasing, and without doubt will be augmented threefold in the course of the present year, unless prevented by your internal divisions. The eyes of the Eastern States are upon your country; hundreds and hundreds of your [Susquehanna] Company friends are preparing to emigrate to you; men of property and ability are sending out their sons, and many are calculating to remove with their families and effects into your country. Many heretofore cool are incensed, and determined to support you; preparations are making to disannul the infamous Decree of Trenton; our Assembly, already sufficiently alarmed, will be petitioned; Congress will be applied to, in full confidence that the end will be joyous and happy!

"Where, then, are your present fears conjured from? unless the guilty dreams of the apostates prompt them to mislead you, hoping the specious delusion may cover their dark designs from the eye of Truth, till you are sunk beyond the power of humanity to relieve you. The day brightens upon you! All is sunshine without, and nothing from within deserves the name of danger! Arouse, then, my friends! Prove yourselves capable of enduring to the last, when the fair possession your deserts have gained will be established in safety and peace; and, if supported by the Government of any State in the Union, you may become an important branch of a National Government that hastens upon us with uncommon strides.

"Can you, my friends, forget the malicious spirit with which you have been persecuted? Do you not remember the administration of Moore and Patterson; the cruel and faithless conduct of Boyd and Armstrong? Do not the deep-wrought sears occasioned by handcuffs and fetters still remain upon your hands and feet? Hath the filthy stench of prison dungeons quite escaped your remembrance? Are your late enfeebled limbs and dreary countenances, lank faces and tattered carcasses—the effects of long confinement—wholly forgotten by you? \* \* \* Are the miserable sufferings of your old men; your wives and children driven through the wilderness by the hand of cruelty (dishonourable to savage barbarity) all overlooked? Where are your herds, your flocks, your furniture and clothing, of which you were mercilessly despoiled by an inhuman banditti, palmed upon your country by the Government to destroy you?

"Where is the evidence of a prompt and ready disposition of the part of Pennsylvania to restore your plundered property, and reimburse your losses, sustained (*sic*) by their troops and taken from you by the command of their leaders, with an avowed design to impoverish you, and thereby disable you from holding and enjoying the fruits of your purchase and labour? From what quarter are you assured of the favour of that Government that is gaping to receive you? Where is your title to your lands under that State? What ground of security have you that you shall be permitted to inhabit your country one moment after you submit to that Government? Have you not petitioned with humility? Have you been answered with a graceful smile? or have your petitions been treated with disrespect, and been totally unanswered? \* \* \*

"As a friend to the settlement, and from my knowledge and experience of the duplicity of that Government a few of you seem to wish for, I have thought it my duty solemnly to warn you to be cautious, and not to leap before you look and clearly see your way—lest you repent your folly when it is too late. If, after all my admonitions, you will destroy yourselves, I shall

be acquitted, and the folly will be chargeable to your own account. *Colonel Pickering is an artful man*, and is made use of (being of New England extraction) to deceive you. He is interested under Pennsylvania. Beware of this disguise! Let me entreat you to be wise and steadfast. *Look to Colonel Franklin—he hath been and is still your friend!* His ability and integrity you may rest secure upon.

"I am, gentlemen, your devoted friend and very humble servant,



On April 19th, in accordance with the arrangements which had been made, the election for four Justices was held in the Third District (at Sheshequin), with the following result: Obadiah Gore received 50 votes; Elijah Buck, 35; Nathan Kingsley, 31; Joseph Kinney, 26; and twelve others received from one vote to 15 votes each. On the same day, at Forty Fort, a meeting of the inhabitants of Wyoming, generally, was held—a sort of town-meeting. Miner, (in his "History of Wyoming", page 410) gives the following account of the affair:

"A platform had been erected for the Moderator and clerks of the meeting, and a stand for the speakers, convenient to address the assembly. James Sutton was called on to preside. The meeting had come together to take into consideration, the important matter whether the terms offered by the Confirming Law should be accepted—which involved the point whether the laws of Pennsylvania should be received and obeyed. On these questions, as we have previously intimated, there was a wide diversity of opinion. Throughout the Valley of Wyoming proper—wherein the earliest settlements were made, and the principal sufferings had been experienced \* \* \* a great majority were in favour of coming in kindly under the jurisdiction of the State, and accepting the terms held out by the Confirming Law. The older men, wearied with contests, and desirous of repose, more especially took the part of obedience, compromise and peace. A few—perhaps a third—smarting under the treachery of Armstrong and the insolence of Patterson, distrusted all promises made on behalf of Pennsylvania, however plausible and fairly made. Others—young men, brave and ardent—still 'loved the rocking of the battlements,' and wooed the storm that brought action and imparted distinction. \* \* \*

"So great a gathering had not been known in the Valley for years. Matters of the highest moment were to be discussed and decided. Indeed, the future fate of Wyoming seemed to rest on their deliberations, and the decision of that day. Little less than war or peace appeared to be involved in the issue. All felt the magnitude of the question to be resolved. But Wyoming was no longer united. Discord had reared its snaky crest; malign passions were awakened. Brother met brother, and friend confronted friend, not with the 'All hail!' of hearty good-will, but with beating heart, knit brow, and the frown of anger and defiance.

"Colonel Pickering, sustained by the Butlers, the Hollenbacks, the Nesbitts and the Denisons, appeared as the advocate of law and compromise. Colonel

Franklin, supported by the Jenkinsons, the Spaldings, the Satterlees, came forth the champion of the Connecticut title. Colonel Pickering first ascended the rostrum, and opened the meeting by an able address, urging, in his plain common sense, strong and emphatic manner, every motive that could operate, leading to a fixed government of law—freedom from harassing contests for their homes. \* \* \* He pledged his honour, dearer than life, that Pennsylvania was honest in her purpose, sincere in her offer of compromise, and that full faith might be reposed in her promise. Half convinced, yet distrustful, Stephen Gardner spoke up: ‘Your lips speak fair, but Oh! that there was a window in that breast, that we might read your heart!’

“Colonel [John] Jenkins, in his brief and sententious way, demanded: ‘What security have we, that if we comply, and put ourselves in your power, the State won’t repeal the law, and deal as treacherously as in the case of Armstrong?’ Colonel Franklin now rose, and replied with all the bitterness he was master of. He dwelt on the justice of the Connecticut title; the land was their own, purchased with their money, their labour and their blood; the sufferings of the settlers, the wrongs and insults they had received from Pennsylvania, he set forth; and declared the terms of the compromise hollow and deceptive, and in no measured strains (as if the spirit of his oath on the bloody rifle re-animating him) denounced all those who took part with Pickering.

“At this moment, passions long with difficulty suppressed, overpowered all prudential considerations, and Col. [Mathias] Hollenback, one of the earliest and bravest of the settlers, drew the butt of his riding-whip and aimed a blow at Franklin’s head. Caught by some friendly arm, it missed its aim; but the whole meeting was instantly thrown into wild confusion. The parties ran to the neighboring wood, and each cutting a stick, returned, and blows, furious and severe, were exchanged, until in the wild *melee*, the meeting separated after a vote—not very orderly taken—was adopted to support the laws, and accept the proposed terms of compromise.”

Among the “Pickering Papers” (LVII : 176) is a paper in the Colonel’s handwriting entitled: “Notes of Colonel Franklin’s speech at Forty Fort, April 19, 1787.” Some of the notes are: “He, Franklin, wishes to remain here in peace. The Commissioners, [Pickering, Muhlenberg and Montgomery] were appointed without the consent of the people. A Federal Court ought to determine the title to the lands. The petition [to the Assembly] was not the voice of the people and was calculated to deceive.”

Mrs. Deborah (*Sutton*) Bedford, a daughter of James Sutton, the Moderator of the Forty Fort meeting, was fourteen years old at that time and resided with her parents near Forty Fort. Many years later she related to the Rev. Dr. George Peck the following, concerning the Forty Fort *melee*. “The Franklin men, beginning to doubt their strength, took father away, and carried him into the woods. A general *melee* followed. The men rushed into the thicket and cut clubs; it was an awful scene. \* \* \* Father was found and brought back, and after a slight brush, in which no one was killed or very seriously injured, the men scattered and went home. Poor Franklin came along with his face bleeding from wounds received in the squabble.”

Shortly after the Forty Fort meeting, Colonel Pickering learned, privately, that either Franklin or some of his adherents intended to take steps to endeavor to prevent the holding of the election in the First and Second Districts, on April

26th, and May 3rd, respectively. He thereupon drew up a document, copies of which he sent to his trusty friends in different localities. These were to be signed by the freeholders, who could be induced to sign them, and returned to Colonel Pickering as soon as possible. Several of the original documents, with the signatures thus obtained, are preserved among the "Pickering Papers" (LVII : 182), and the one relating to Wilkes-Barré (which has never heretofore been printed) reads, as follows:

"WILKES-BARRE ASSOCIATORS.

*"County of Luzerne, April 21, 1787.*

"We, whose names are hereby subscribed, inhabitants of the County of Luzerne, do hereby declare that it is our sincere desire that the elections of Justices of the Peace for the said County may forthwith take place; and that the Government and Laws of Pennsylvania may immediately be submitted to, and have their free operation in this County, as they have in every other County of the State.

[Signed]

"Zebulon Butler,  
Abel Yarington,  
William Ross,  
John P. Schott,  
Jabez Fish,  
Jabez Sill,  
Ebenezer Slocum,  
Amos Bennet,  
Eleazer Blackman,  
Comfort Cary,  
Rufus Bennet,  
Daniel Gridley,  
Edward Edgerton,  
William Neal [or Veas],  
Elisha Blackman,  
Cornelius Gaile,  
Charles Bingham,  
Richard Dillee,  
Elijah Bennet,  
John Campbell,  
Joseph Sprague,  
Joseph Sprague, Jr.,

William Dorton,  
Martin Young,  
Robert Young,  
John Hollenback,  
Joseph Kilborn,  
Asa Bennet,  
Jehoiada P. Johnson,  
Daniel Ross,  
Elisha Blackman, Jr.,  
David Richards,  
John Downing,  
Thomas Gibson,  
Adam Dillee,  
Guy Wells,  
Ichabod Blackman,  
Christopher Eliss,  
Ashbel Waller,  
Mesheck Walker,  
Adam Mann,  
Asa Stevens,  
Benjamin Bailey,  
John Hyde,

John Hagemen,  
Christian Oehmig,  
Nathan Cary,  
Jonathan Avery,  
Richard Price,  
Josiah Stanborough,  
Jacob Johnson, Jr.,  
Charles Bennet,  
Richard Dillee, Jr.,  
Benjamin Cary,  
Stephen Strickland,  
Thomas Neill,  
George Crumb,  
William Young,  
Jonathan Frisbey,  
Nathan Waller,  
John Carey,  
Stephen Holcomb,  
John Seelye,  
Daniel Roberts,  
M. Hollenback,  
Nathan Abbott."

A similar petition, entitled "Jacob's Plains\* Associators", was signed by the following named:

"Wm. Hooker Smith,  
Benjamin Brown,  
Increase Billings,  
Enos Brown, Jr.,  
Stephen Prouty,  
Nathan Stark,  
Silas Jackson,  
John Williams,  
Cornelius Cortright,  
Thomas Read,  
William Stark, Jr.,  
John Hover,

Daniel Gore,  
James Westbrook,  
George Cooper,  
John Rozecrance,  
Job Phillips,  
Isaiah Howell,  
Abraham Westbrook,  
Enos Brown,  
Silas Smith,  
William Hurlbut,  
Jonathan Rawson,  
William Smith,  
Martin Smith,

John Staples,  
John Kennedy,  
William Jackson,  
Abraham Vanfleet,  
Jacob Ozencup,  
Edward Prouty,  
William Stark,  
Samuel Hover,  
Jonathan Smith,  
James Armstrong,  
Richard Westbrook,  
Daniel Holley,  
Isaas Vanorman."

Similar petitions were signed in the following localities, situated in the Second District: Hanover, 34 signatures; "Lackawannock", 39 signatures; Kingston and Exeter, 40 signatures; "Shawnee and Kingston", 87 signatures; Tunkhannock, 7 signatures.

Colonels Pickering and Butler appointed Christopher Hurlbut to serve as Judge of Election in the First District, and James Sutton to serve in a like capacity in the Second District. On April 25th, however—the day before that fixed for the election in the First District—Colonels Pickering and Butler appointed† "John Hageman to preside at said election, \* \* \* *provided*, that if the said

\*Jacob's Plains lay within the bounds of Wilkes-Barré Township.

†See the "Pickering Papers," LVII : 209.

Christopher Hurlbut shall attend and hold the said election, then you [Hageman] will forbear to act on this warrant. This precaution of appointing you to preside at the said election being taken to *frustrate the flagitious designs* of a few lawless men, by whom it is said, the said Christopher Hurlbut is to be seized and carried away, to prevent an election of Justices as aforesaid."

The election in the First District was held without any rumpus, on Thursday, April 26, 1787, at the house of Colonel Butler in Wilkes-Barré, with the following result: Mathias Hollenback received 45 votes; William Hooker Smith, 42 votes; Christopher Hurlbut, 39 votes; Ebenezer Marcy, 36 votes; and fifteen other persons received from one vote to twenty-six votes each. Messrs. Hollenback, Smith, Hurlbut and Marcy were thereupon declared and returned elected



MATTHIAS HOLLENBACK

The next day, Colonel Pickering wrote to his wife, at Philadelphia, in part as follows:

"I am happy that I can inform you that we have held an election here in perfect tranquillity, and that I have reason to think all danger at an end. *Franklin has got to the end of his tether*, and I believe it will not be in his power to do more mischief. I expect to leave this place for home this day week—say May 5. I am busy *in making a garden, and in farming*; but we have such cold and dry weather that nothing grows—hardly a night without frost. Mr. [Matthias]



Hollenback will deliver this, and I wish him to breakfast or dine with you; for he has been very obliging to me, and I expect we shall live in his house, which is a very good one." \* \* \*

At Wilkes-Barré, April 29, 1787, Col. John Franklin wrote to Dr. Joseph Hamilton\* at Hudson, New York, as follows:†

"You will receive this with my budget by Mr. Follett, on his way to Windham. I hope Esquire [Zerah] Beach will be here before I leave the settlement, which must be as early as the 9th of May. Pray write as soon as possible. Send your dispatches—that comprehend matters of secrecy—to Major Jenkins, in case of my absence. I fear you have missed your politics in putting too much trust on Mr. A. Mooder. I believe him to be a friend to our cause, but fear he will expose us by making too free with strangers. The address from Major Judd has fell into Pickering's hands. I expect A. Mooder delivered one of them to some one who he supposed to be a friend, by which means it was conveyed to Pickering.

"Mr. Chapman is gone on to Tioga yesterday. He appears to be a gentleman of knowledge, and capable of doing us service, but *I cannot put confidence in strangers until I am fully acquainted with his character.*

"We shall proceed with our Court of Directors. I expect that Mr. [Rosewell] Welles or Mr. [Asa] Starkweather will be appointed Secretary. Colonel Butler and Captain Schott have hitherto appeared willing to proceed, tho contrary to Pickering's advice. He endeavored to prevent Colonel Butler from proceeding some time since, but to no purpose. How long Colonel Butler will continue willing to act I cannot say. He was forward for the election to take place. Captain Schott appeared to be opposed to the election for some time, but finally fell in with it. At the election in this District he agreed to be run on the ticket with Mr. Hollenback and others for a Justice, but was much disappointed for the want of votes. He has since told me that he will proceed as one of the Commissioners. I believe he wishes us well, but is too easily persuaded when he can discover a prospect of obtaining interest or honor.

"I fear you have put too much trust on Esquire [Obadiah] Gore. You may depend that he will sacrifice the Company's interest to secure his own. He has not surveyed the town of Franklin or Judsburg. I fear your settlers will be disappointed unless some other surveyor is provided. I hear Mr. Gore is about to move to Wilkesbarre. Immediately *expects to be Judge of the Court.* I should have had a greater esteem for him if he had laid aside musk-rat traps and assisted us in time of trouble. He is willing that Pennsylvania should have the town of Athens, and cheat those of us, who have been the salvation of this country, out of our lands. Ingratitude blacker than Hell! Perhaps he may curse the day he was born, before he will accomplish his designs in that respect.

"I am, Sir, your humble servant,

JOHN FRANKLIN."

"To be communicated to Major Judd and others you may think proper, by copy or otherwise; but I would wish *the affair of Captain Schott to be a secret among yourselves*, as I would not wish to make him an enemy. You will send these on by Mr. Follett if you think best. He can deliver them to Messrs.——— and Wolcott, or to Major Judd. He will stand in need of some expense money to help him to Windham. I was not able to furnish him with any."

\*The town of Sharon, in the north-eastern section of Litchfield County, Connecticut, near the New York State line, was incorporated in October, 1739. Among the first of the new settlers to locate in the town, either in 1739 or 1740, was David Hamilton, who came from Lebanon, Connecticut. He appears to have been one of the great land speculators of the day in that locality, his name appearing on the public land records as the grantee or grantor in deeds more frequently than the name of any other person. He was largely interested in lands in the "New Hampshire Grants," and is said to have held a right in the Susquehanna Purchase. He was for a time Deputy Sheriff of Litchfield County. He died in 1781, being survived by his sons (i) Dudley, (ii) John and (iii) Joseph.

(iii) JOSEPH HAMILTON was born at Sharon about 1740. Prior to 1769 he had become a physician, and he practiced medicine in Sharon for a number of years. October 25, 1773, being then a resident of Sharon, he bought one "right" in the Susquehanna Purchase, and about the same time became interested in the "New Hampshire Grants." In November, 1774, he was still living at Sharon. He was in Wyoming Valley in the latter part of 1777, but it is doubtful if he remained here long. In May, 1778, he was appointed by the General Assembly of Connecticut one of the Justices of the Peace in and for the County of Westmoreland (Wyoming), and in May, 1779, and again in May, 1780, was reappointed to the same office. As his name is not to be found in the Westmoreland tax-lists for 1776, 1777, 1778 and later years, it is fair to presume that he never took up his residence in Wyoming. However, he must have made, or purchased from an early settler, prior to May, 1780, improvements of some importance here, for we find his name in the "Bill of Losses" presented to the General Assembly of Connecticut in October, 1781, with the amount of his losses stated at £284, 17s. (See page 1282.)

In November, 1784, the town of Hudson (on the Hudson River, in Columbia County, New York, about thirty miles south of Albany) was so named. Prior to that time the place had been known as Claverack Landing, and the land there and thereabouts had been purchased of Peter Hogeboom in 1783 by a company of proprietors from Rhode Island, who settled there the same year. The advent of the year 1785 found the settlement in a prosperous condition. Throngs of settlers came, who, a year before, had never heard of Claverack or Hudson. Among them was Dr. Joseph Hamilton, who removed from Sharon in the Autumn of 1785, and was the first physician to locate in Hudson. In July, 1785, prior to his removal from Sharon, Dr. Hamilton was appointed a member of the Executive, or Standing Committee of The Susquehanna Company. In 1786, he was one of the several innkeepers licensed in and for the town of Hudson. He was one of the charter members of Hudson Lodge, No. 7, Ancient Free and Accepted Masons, constituted in May, 1787.

Dr. Hamilton was married August 3, 1769, to Zada Stevens of Salisbury, Connecticut, and they became the parents of the following-named children: (i) *Walter*, born March 16, 1771; (ii) *Theron*, baptized in 1773; (iii) *Peyton R.*, baptized May 7, 1775; (iv) *Lucinda*, baptized in 1777; (v) *Teruis* and (vi) *Thyrza*, twins, baptized April 14, 1782; (vii) *Betsy* and (viii) *Zada*, twins, baptized April 14, 1782.

(i) *Walter Hamilton* was living in Athens, Luzerne County, Pennsylvania, in 1795, and on May 7th, of that year was granted the town of "Salisbury" in the Susquehanna Purchase by the Standing Commissioners of The Susquehanna

On Thursday, May 3, 1787, the election for four Justices of the Peace in the Second District of the County was held at Forty Fort, quietly and in order, with the following result: Benjamin Carpenter received 33 votes; James Nesbitt, 21 votes; Hezekiah Roberts, 14 votes; John Dorrance, 13 votes; and eleven other persons received from one vote to 12 votes each. Whereupon, Messrs. Carpenter, Nesbitt, Roberts and Dorrance were duly declared and returned elected.

Colonel Pickering left Wilkes-Barré for Philadelphia, on May 6th, and on the day before he set out, he received from Dr. Wm. Hooker Smith, a letter, reading in part, as follows:\*

"There is at my house a young man from Lyme, Connecticut, who informs me that there has been a battle between the Mob party and the Government at Springfield. The mob kept the field. They had fifteen killed. How many is killed on the side of the Government he does not know. They on the Mob side give thirty hard dollars bounty and forty shillings hard [money] a month—which is punctually paid. Shay† has sent from Canada to inform the mob that he expects soon to join them with 8,000 soldiers. I think I fully now discover *Franklin's scheme.*"

At Philadelphia, May 10, 1787, Colonel Pickering sent the following communication to the Supreme Executive Council:

"I arrived here last evening, and now have the pleasure to enclose the returns of the elections of Justices of the Peace for the County of Luzerne. The intended interruption of one of the elections by the violence of Franklin's party I rather think an advantage to the Government. It has excited a spirit of firmness in supporting the measures of the Government, and of resentment against Franklin and his adherents."

The next day, the Council, in conformity with the law of the Commonwealth, chose from the list of twelve men elected as Justices, as previously related, the following—named: Mathias Hollenback and William Hooker Smith for the First District; Benjamin Carpenter and James Nesbitt for the Second District; Obadiah Gore and Nathan Kingsley, for the Third District; and they were thereupon duly commissioned as Justices of the Peace. On the same day these several Justices were "assigned" and formally commissioned "Justices of the County Court of Common Pleas in and for the County of Luzerne." The commission issued to them by the Council, reads, as follows:



"Pennsylvania, ss. In the Name, and by Authority of the Freemen  
of the Commonwealth of Pennsylvania,

"THE SUPREME EXECUTIVE COUNCIL of the said  
Commonwealth,

"To Matthias Hollenback, William Hooker Smith, Benjamin Carpenter, James Nesbitt, Obadiah Gore and Nathan Kingsley, Esquires, of Luzerne County,

"Reposing especial trust and confidence in your patriotism, prudence, integrity, and abilities, Know, that we have assigned you, and each of you, Justices of the county court of Common Pleas in and for the county of Luzerne—giving and granting unto you the said Matthias Hollenback, William Hooker Smith, Benjamin Carpenter, James Nesbitt, Obadiah Gore and Nathan Kingsley, and to each of you, full power and authority to execute and perform all the several acts and things which any justice of the said Court, by the constitution and laws of this commonwealth lawfully can, may, or ought to do, both in and out of the said Court, to have and hold the said power and authority for seven years, from the date hereof, you behaving yourselves well.

Company. The "rights" comprehended in this town, or township, were all held in the name of Walter and Joseph Hamilton. In July, 1795, Walter Hamilton, describing himself as of Hudson, New York, sold certain of his "rights" in Salisbury to David Paine of Athens, who at that time was Assistant Clerk of The Susquehanna Company.

Dr. Patrick Hamilton, who in 1793 and '94 was one of the County Supervisors of Columbia County, New York, and resided in Canaan Township in that County, bore some relationship to Dr. Joseph Hamilton—just what, the present writer has been unable to ascertain. May 7, 1795, the Commissioners of The Susquehanna Company granted the town, or township of "Sharon" in the Susquehanna Purchase to "Dr. Patrick Hamilton of Canaan, Columbia County, New York." All the "rights" comprehended in this township were held in the names of Patrick and Joseph Hamilton. In 1796 Dr. Patrick Hamilton represented Columbia County in the Legislature of New York.

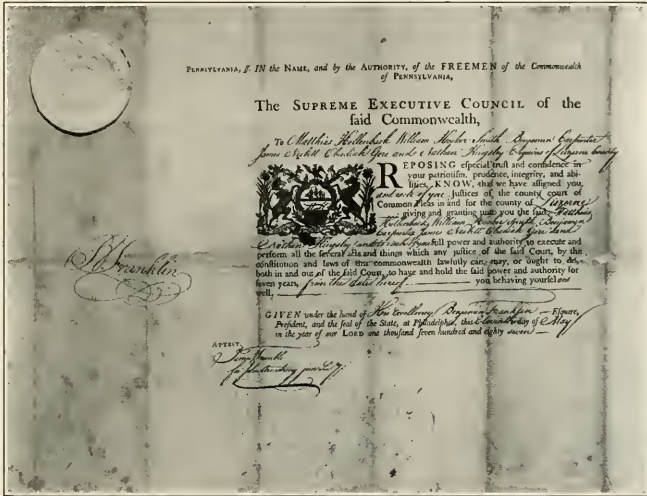
†The original letter—never heretofore published—is in the collections of the American Philosophical Society, Philadelphia.

\*See the "Pickering Papers," LVII : 217.

†Relative to Daniel Shay and his "rebellion," see page 1491.

"GIVEN under the hand of His Excellency Benjamin Franklin, Esquire, President, and the seal of the State, at Philadelphia, this eleventh day of May in the year of our Lord, one thousand seven hundred and eighty-seven."

"Attest. James Trimble,  
for John Armstrong, Junr, Secry."



REDUCED PHOTO-REPRODUCTION OF THE ORIGINAL COMMISSION.  
Now in the possession of the present writer.

It was also incumbent upon these Justices to sit as Judges in the Orphans' Court and the Courts of Quarter Sessions and Oyer and Terminer of the County. The law required, however, that all Courts of Oyer and Terminer should be presided over by a Judge of the Supreme Court of the State, with the local Justices, or Judges, sitting as "Associates". As related on page 1542, Colonel Pickering had been commissioned, in October 1786, a Justice of the Court of Common Pleas, in and for Luzerne County. This was done in accordance with a provision of a State law, the object being to enable the Prothonotary to sign, as Judge, all writs issued from his office. It was only in very particular or unusual cases, however, that the Prothonotary took his seat on the bench as a Judge.

On or near the same day that Colonel Pickering set out from Wilkes-Barré, for Philadelphia, Col. John Franklin took his departure for Hartford, Connecticut, where the General Assembly of that State was about to convene. On May 10th, he appeared before that body and presented a memorial in behalf of himself and the rest of the inhabitants settled upon the rivers Delaware and Susquehanna." Neither Miner, in his "History of Wyoming", nor Hoyt, in his "Brief of a Title" &c., has mentioned this incident, nor did any other writer of Wyoming history, ever mention it until the present writer referred to it, and printed some extracts from the document, in his "Harvey Book", published in 1899. The following paragraphs are from this memorial:\*

\*The original is document "No. 172", in the volume entitled "Susquehanna Settlers, 1755-1796", mentioned on page 29, Vol. 1.

"The memorialists have suffered every species of cruelty in the power of mortals to conceive, and *have now no alternative but the sword*, trusting the event to Providence—unless by the intervention of this Honourable Assembly. \* \* \*

"That the Penns, by their agents, having by mere accident possessed themselves of the Indian deed† to the purchasers, and many other important papers—evidences of the title of this State to the lands aforesaid—applied to the Congress of the United States for the constituting of a Federal Court for the settlement of the jurisdiction, &c. \* \* \*

"Your memorialists are now able to prove beyond contradiction that the aforesaid deed and evidences of title were actually in the hands of the Agents of the State of Pennsylvania before that State made their application to Congress for the establishment of said Federal Court, and that they secreted them until after the aforesaid decree, and now have them in their power and custody—which was one very influential means of the failure on the part of this State." \* \* \*

The memorial concludes with a prayer to the Assembly "to request Congress to direct a revision of the aforesaid question of jurisdiction, and *not lamely submit to the indignity, so flagrantly manifest* in a sister State, and in a point that involves the interest of so many individuals, as well as the honour and dignity of this State," &c., &c.

With this memorial, Colonel Franklin filed a power of attorney, dated at Wyoming, May 2, 1787, and authorizing him to make application "to the General Assembly of Connecticut for a revision of the trial at Trenton." To this paper, there are eighty autograph signatures attached, among them being those of the following-named:

"John Jenkins,  
Stephen Jenkins,  
William Jenkins,  
Henry D. Tripp,  
Abraham Pyke,  
Chester Bingham,  
Benjamin Harvey,  
Benjamin Smith,  
Parshall Terry,  
Elisha Blackman,

Mason F. Alden,  
Joseph Jameson,  
Benjamin Bailey,  
James Atherton,  
Samuel Ayres, Jr.,  
Rufus Bennet,  
Gideon Church,  
Richard Brockway,  
Benedick Satterlee,  
Ichabod Blackman,  
Ira Stephens,

William Slocum,  
Giles Slocum,  
Amos Park,  
Ira Manvil,  
Ishmael Bennet,  
Andrew S. Alden,  
William Ross,  
Isaac Underwood,  
Elisha Satterlee,  
John Platner,  
Peregreen Gardner."

With reference to the action taken by the Assembly on the foregoing documents, we learn the following, from a letter written to Colonel Pickering by Col. James Wadsworth, at Hartford, June 10, 1787.

"Your letter came here after Franklin had been received before our Assembly, and *part of his request granted* in the Lower House; but all was negatived in the Upper House, and his whole scheme is fallen to the ground. I am persuaded you will *never be interrupted by our Legislature.*"

According to Miner ("History of Wyoming", page 412) "Franklin and his party, now excited to still greater activity, continued to throw every obstruction in the way of the Confirming Law, and made the most spirited opposition to the law's being received and obeyed. Surveyors were now out in various directions, locating townships under the Connecticut claim. Whole share rights and half-share rights had become a stock of lively speculation, and no inconsiderable value. The dormant titles throughout Connecticut and the neighboring States, were drawn forth from their long neglected repose, and were purchased by speculators, or entered and surveyed for the owners; while a stream of population was literally pouring in from the East, and settling along the Susquehanna and the chief branches that empty into the river—more especially in the more northern limits of the County."

"Now for the first time, was presented the spectacle, equally gratifying to foes and painful to friends, of *open and decided hostility among the Wyoming people!*"

It is an interesting fact that, in May, 1787, it was not alone the old-line, unreconstructed Yankees of Wyoming who were opposing the Confirming Law, but that many of the Pennamites in the neighboring County of Northampton,

†See pages 1299, 1302.

were also up in arms against it. The following paragraphs, indicating that fact, are from a letter written at Easton, Pennsylvania, May 21, 1787, and published in *The Pennsylvania Packet* (Philadelphia) June 9, 1787.

"Inclosed are handed you for publication the proceedings of a township meeting of the inhabitants of the town and township of Easton, held May 7, 1787, on the subject of the late Act of Assembly confirming to the people called Connecticut claimants their possessions in the County of Luzerne. \* \* \* Several townships of this County have adopted the resolutions entered into at Easton. \* \* \* Dr. Andrew Ledlie was placed in the chair, and the following resolutions were unanimously agreed to. \* \* \*

"(3.) That the Act of Assembly passed the 27th of March last, depriving a great number of the citizens of their property in the County of Luzerne, without a trial by jury, is a direct and dangerous infringement of the Constitution. (4.) That the hasty manner of enacting the said law was as unconstitutional as the matter of it, inasmuch as it was enacted within a week after the publication of the Bill of consideration, and in the same session of the Assembly, before the persons whose property was affected by it could possibly have any notice of so unusual an intention in the Legislature, or any opportunity to consult together and to express their sentiments concerning the general tendency of so alarming a measure, or the probable operation of so dangerous a precedent.

"This hasty proceeding, which deprives a number of citizens of their justly acquired property without their consent, without law, or even without the form of a trial, is considered by us as a *direct violation of our Constitution*, which has provided that no Bill shall be passed into a law until it has been published for consideration at one session of the Assembly and laid over to the next—except in cases of sudden necessity; which necessity certainly cannot be said to exist with respect to the disturbances at Wyoming, which have subsisted for more than seventeen years past. \* \* \*

"(7.) That the promoters of this law were greatly deficient in their guardianship of the rights and property of their constituents in offering to the *plundered citizens* the vacant and unsettled lands of the State as compensation; which they had no authority to bestow, because every citizen has a joint right in them as a common fund for lessening the expences of Government and the taxes of the State; and their constituents have given them no authority to bestow their common property upon one class of citizens to make way for a much more valuable present to a *lawless banditti*, who have intruded themselves into the State in defiance of government and justice, and have held the property of its peaceable citizens *by force of arms, murder and violence, for more than seventeen years past!* \* \* \*

"(9.) That it is the duty of all the citizens of this Commonwealth to unite together as one man to oppose the execution of such an unconstitutional and oppressive law, which, from its dangerous precedent, sets all our property afloat, and renders every citizen insecure in his possessions. \* \* \* (11.) That the promoters of this unconstitutional and oppressive law have, by this outrageous attempt upon the property of the good citizens of Pennsylvania, forfeited all right to the confidence of their fellow-citizens, and deserve to be noted as tyrants who would enslave them whenever they had an opportunity, and, therefore, should be no further entrusted with any office, whether civil, military or judicial, in the State of Pennsylvania.

"(12.) Copies of these resolutions shall be circulated through the State. (13.) That until these remonstrances be answered to the satisfaction and relief of the injured citizens—that is, until protection is furnished by the Government to all the people without exception—*it is the duty of the people to withhold the payment of those taxes which are levied for the support of that Government.* (14.) That David Waggoner, Henry Alshouse, Sr., and John Townes be a committee for carrying these resolutions into effect, for corresponding with other townships, &c."

A remonstrance, containing the substance of the resolutions thus adopted, was drawn up, addressed to the President, and Supreme Executive Council of the Commonwealth; while a circular letter, of the same tenor, was prepared and sent to every township in Northampton County, and elsewhere in the State.

In *The Pennsylvania Packet*, of June 29, 1787, there was printed "an extract from a letter from Northampton County, dated June 18." Upon reading this "extract", one might almost conclude that Capt. Alexander Patterson was its author. The following paragraphs are from it.

\* \* \* "We did expect that the advocates for the Luzerne law would be very industrious to torture some expressions in the resolutions [of May 7th] to the disadvantage of the subscribers; for it is an old and true remark that he who is so wicked as to injure his neighbor or friend without cause, cannot after be at peace with him—even tho the injured should require no concession. But our assurance rests in the justice of our cause. We have not a doubt that there does yet remain public virtue in the Councils of this State, and spirit and honesty in our fellow-citizens, to set all things to right. When the people at large are informed of our sufferings for the laws of Pennsylvania, the eyes of all the brave, the just and good will point to essential and speedy redress.

"It cannot be that a number of honest, peaceable citizens, attached to the laws and customs of the State, will be expelled from their fair fields (purchased, and held under the faith, of the Government) to make room for a *banditti composed of the dregs of all nations, and for many years dis-*

*owned by all!* Such a band of unprincipled ingrates cannot be suffered to possess the well-earned property of those who have lost their all in support of the Government of Pennsylvania! Is the murder of Captain [Nathan] Ogden already forgot? Was the Luzerne law designed as a repository for the remains of Jesse Lukens? Was it necessary to stop the Courts of Justice, and, by a Summary law, or a smuggled Act, at once put an end to all open enquiry or trial by jury?

"We see the design of this Act, and the fatal consequences that may arise from its operation. Should it be carried into effect, whose property is safe, whose title secure? Can any reliance be had on the standing laws of the land, or the Constitution we live under? I learn that General Muhlenberg and Mr. Montgomery have resigned the invidious task of granting away, without judge or jury, our property at Wyoming to *that molley group*. Thus they have, by this refusal, given further proof of their integrity, hitherto so well known. In a few words—think as you will at Philadelphia, it appears to me that the Luzerne Act, and all the evils it contains, will fall together, as soon as the Legislature meet. *It is too base and partial to remain on the records of Pennsylvania!*"

Shortly after the return of Colonel Pickering from Wilkes-Barré to Philadelphia, General Muhlenberg resigned as a Commissioner under the Confirming Law, and on May 22, 1787, Daniel Hiester, Jr., was elected to succeed him. Two days later (May 24th) Colonel Pickering and Mr. Hiester set out from Philadelphia for Wilkes-Barré, where, as the Commissioners had formally notified the settlers, they were to sit on Monday, May 28th, "to perform the duties required of them" as Commissioners under the Confirming Law. Relative to their arrival at Wilkes-Barré, Colonel Pickering wrote to his business partner, Samuel Hodgdon at Philadelphia, in part as follows:\*

*"Wilkesburg, May 29, 1787.*

"More lies have been told in my absence. The capital one was that the people of Pennsylvania were generally dissatisfied with the law for confirming the Connecticut titles, and that it would be repealed. And this, it was said, prevented the coming of the Commissioners; for we did not arrive here till near sunset on the 28th—the day appointed for our meeting—and the people began to be alarmed. Our appearance, however, has exposed these lies. Franklin is not in the settlement."

On Tuesday, the day following the arrival at Wilkes-Barré of Colonel Pickering and Daniel Hiester, Jr., the Courts of Luzerne County were formed and opened, as described in the official records of the County (Minute Book No. 1, of the Court of General Quarter Sessions of the Peace), in the hand-writing of Colonel Pickering, as follows:

COUNTY OF LUZERNE, to wit. May, 1787.

Be it Remembered, That on Tuesday, the twenty-seventh day of May, in the year one thousand seven hundred and eighty-seven, William Hooker Smith, Benjamin Carpenter, and James Nesbit, Esq'srs., Justices of the County Court of Common Pleas for said County, convened at the dwelling house of Zebulon Butler in Wilkesbarre, in the said County, when and where the following proceedings were had.

Proclamation having been made by the Sheriff of said County, commanding all persons to keep silence, there were read:

I. The Commissions issued by the Supreme Executive Council of Pennsylvania to the said William Hooker Smith, Benjamin Carpenter, and James Nesbit, and also to Timothy Pickering, Obadiah Gore, Nathan Kingsley, and Matthias Hollenback, constituting them Justices of the County Court of Common Pleas for the said County.

II. The *Dedimus Potestatum* to Timothy Pickering and Nathan Denison, Esquires, issued by the Supreme Executive Council, empowering them to administer the oaths to persons who were, or should be commissioned in said County.

III. Then William Hooker Smith, Benjamin Carpenter, and James Nesbit, Esquires, took the oaths of allegiance and of office, and Justices of the Peace, and of the County Court of Common Pleas for said County, (as required by the Constitution of Pennsylvania), before Timothy Pickering, Esq., empowered as aforesaid to administer them.

IV. The Court of Common Pleas was then opened, and Joseph Sprague appointed Crier.

V. Then were read the other Commissions granted to Timothy Pickering, Esq., by the Supreme Executive Council, constituting him,

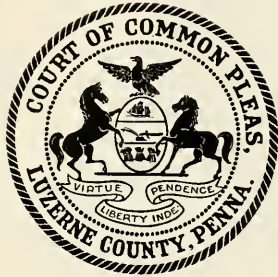
1. Prothonotary of said Court of Common Pleas,
2. Clerk of the Peace,
3. Clerk of the Orphans' Court,
4. Register for the Probate of Wills, and granting letters of Administration,
5. Recorder of Deeds, for said County.

\*S: th e "Pickering Papers", LV11 : 224.

VI. The Court, upon application to them made, admitted and appointed Ebenezer Bowman, Putnam Catlin, Roswell Wells, and William Nichols, to be attorneys of the same Court, who were accordingly sworn.

VII. Then appeared Lord Butler, Esq., Sheriff of the same County, and petitioned the Court to take some order relative to the erecting of a jail within the said County, Whereupon

It is ordered, that he immediately apply to the trustees for that purpose appointed, and request them to execute the powers granted them by the law of the State, so far as respects the erecting of a County Jail.



The following is a copy of an original document to be found among the "Pickering Papers" (LVII : 223), endorsed in the handwriting of Colonel Pickering: "Oath of allegiance subscribed by the Attornies admitted at the County Court of Luzerne County, May 29, 1787."

"I do swear (or solemnly, sincerely and truly declare and affirm) that I will be faithful, and bear true allegiance, to the Commonwealth of Pennsylvania as a free and independent State; and that I will not, at any time, wilfully and knowingly do any act, matter or thing which will be prejudicial or injurious to the freedom or independence thereof.

[Signed]

"ROSEWELL WELLES,  
 "EBEN'R. BOWMAN,  
 "PUTNAM CATLIN,  
 "WILLIAM NICHOLS."

Writing to his wife from Wilkes-Barré, under the date of May 29th, Colonel Pickering said:

"I have the pleasure to inform you that we this day opened the Courts of Common Pleas and Sessions of the Peace for Luzerne County, when everything was conducted in perfect quiet and good order. Mr. [Andrew] Ellicott of Baltimore, the Commissioner for running the boundary line between Pennsylvania and New York, happening to be here on his way up the river, delayed his journey a few hours that he might be present at the opening of the first Courts, and, I am told, expressed much satisfaction at the event. Four gentlemen were admitted by the Court to practice as Attorneys in this County. These were Mr. Bowman and Mr. William Nichols, whom you know, and two young gentlemen from Connecticut, who have been here a few months."

The following item appeared in *The Pennsylvania Packet* (Philadelphia), June 13, 1787:

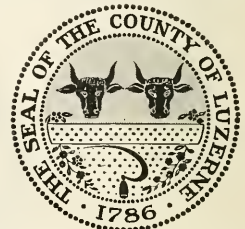
"The County courts for Luzerne were held the last week in May, in perfect quiet and good order. Four gentlemen were admitted as Attorneys to practice in the County, two of whom are young gentlemen from Connecticut, who took the oath of allegiance to the State of Pennsylvania in open court. They had appointments from The Susquehanna Company as Secretaries to their Board of Commissioners. In regard to the Company's claims, and the state of the settlement, they were deceived by the lies which have been raised and propagated to support their cause."

On June 2, 1787, Mathias Hollenback, and on June 9, 1787, Obadiah Gore and Nathan Kingsley, "took the oath of allegiance and oath of office as Justices of the County Court of Common Pleas in and for the County of Luzerne (as prescribed by the Constitution of the Commonwealth), before Timothy Pickering, by virtue of the powers granted to him by the Supreme Executive Council." Justice Gore was then chosen by his associates "President Judge of the County Court."

As soon as possible after the Courts had been organized, Colonel Pickering arranged to have a County Seal designed, and a brass die of the same

cut. The work was done by James Trenchard, of Philadelphia, who, July 9, 1787, was paid £3 for the job.

"Thus Luzerne", says Miner ("History of Wyoming", page 409), "being politically organized, Courts established, and the laws introduced under the auspices of Colonel Pickering, he, sustained by the Confirming Law, proceeded with wisdom and promptitude to conciliate the goodwill of the people, to assuage passion, to overcome prejudice, to inspire confidence. If Franklin was busy, Pickering was no less active. Without, in the slightest degree, lessening his dignity by unworthy condescension, he yet rendered himself familiar—talked with the farmers about corn and potatoes, and with their wives about the dairy; maintaining his own opinions with zeal, yet listening to others with respect. 'He was no way a proud man', was the general expression of the ancient people; but they thought he farmed rather too much by books, and they smiled to see him cart into his barn damp clover, to cure by its power of generating heat in the mow.



Facsimile of a drawing of the original seal.

"To show his entire confidence in the faith of the State, and the beneficial effects to be expected from the Confirming Law, Colonel Pickering immediately purchased several tracts of land of Connecticut claimants. \* \* \* How entirely he sought to conform to the simple habits of the people, is shown by the record in his own handwriting, that Timothy Pickering and some other citizens 'were elected fence-viewers and overseers of the poor.' "

About the middle of June, 1787, Colonel Pickering returned to Philadelphia from Wilkes-Barré, in order to make arrangements to remove his family and household effects to his new home. At Philadelphia, on June 25, 1787, he wrote to President Benjamin Franklin, in part, as follows:\*

"The Justices of the Peace for the County of Luzerne are destitute of the laws of the State. It seems that heretofore Justices of the Peace have been furnished with the laws at the expence of the State, and the Justices of Luzerne have expressed their hopes that they may be supplied in the same way, and requested me to make the application in their behalf. I beg leave to express my hopes, also, that they may be so furnished; otherwise I fear they will, for the most part, remain unprovided & the laws unexecuted.† At the same time it is proper that I should add, that there was manifested a general disposition to conform to the laws with great punctuality, and many were solicitously enquiring what were the laws in particular cases, that they might not transgress them."

As previously related, Daniel Hiester, Jr., was elected on May 22nd, by the Supreme Executive Council to succeed General Muhlenberg as a Commissioner under the Confirming Law. On June 1, 1787, the Hon. Stephen Balliet, was elected to succeed Joseph Montgomery, who, on account of the opposition against him manifested at Wyoming, declined to serve as a Commissioner. At Philadelphia, on June 29, 1787, Commissioners Pickering, Hiester and Balliet addressed to President Benjamin Franklin a communication reading, in part, as follows:‡

"As the examination of the Connecticut claims to lands in the County of Luzerne will be of several months' continuance, and we may not return hither until the business shall be accomplished, we are desirous of receiving some part of our pay in advance; and if this shall be

\*See "Pennsylvania Archives", Old Series, XI : 159.

†That copies of the desired laws were sent from Philadelphia following this request appears from a letter written by Vice President Biddle to Samuel Dale under date of Sept. 26, 1786. It reads in part:—"You will proceed as soon as possible to Wyoming and there distribute as many of the laws that are passed erecting the County (of Luzerne) as you may think necessary."

‡See "Pennsylvania Archives," Old Series XI: 159.



thought proper by Council, we request such grants may be made to us and Mr. [Griffith] Evans (whom we have appointed our Clerk), as Council shall judge expedient.

"The law for confirming the lands of the Connecticut claimants required that it should be published in the newspapers of Connecticut. But there are divers claimants under Connecticut who live in the State of New York; and other claimants under Pennsylvania who live in New Jersey. We submit to the consideration of Council whether it is not expedient to cause the law to be published in one of the newspapers of each of those States. It may supersede applications which may hereafter be made for allowing further time to make their claims, under pretence that they were not informed of the law."

That Col. Pickering fully appreciated the necessity of a change of policy on the part of Pennsylvania, and that delay in the execution of duties of the Commission would lead to further suspicion and dissatisfaction on the part of the settlers, is evidenced by the following letter to his friend Hodgdon at Philadelphia.

Wilkesburg, Aug. 9, 1787.

"I am glad Wm. Montgomery is appointed in Heister's\* stead, as Mr. Hollenback says he is rightly disposed. \* \* \* 'Tis of highest importance that examination of the claims should be begun and til then the laws will operate faintly. If Montgomery comes up, we shall not wait an hour on Balliet. People are growing more and more uneasy and their jealousies are increasing lest they should at last be deceived. Yesterday I received good information that Franklin, on his last return from Connecticut, came down the Susquehanna and that about Unadilla (in York state) and at other places along the river, told the people to be under no apprehensions about their lands—that he had a commission from the Governor of Connecticut to erect a separate and independent State in those parts of the country.

This information I have from Esq., Gore, Pres. of the Ct. of Common Pleas. A number of Franklin's adherents are making a considerable settlement at Newtown (New York). They have met and chosen a Committee to govern them, with powers similar to those formerly given to a Committee of Directors here. It would seem, from all that I hear, that this is to be a place of retreat of Franklin's partisans when forced to quit Pennsylvania."†

\*Daniel Heister, seems to have had no other part in the affairs of Wyoming than such duties as transpired during the time of his first and only visit there and in the detail of such activities by subsequent report. In July, 1787, shortly after reaching Philadelphia from Wilkes-Barre he resigned and William Montgomery was appointed in his stead.

†See the "Pickering Papers" LVII : 245.





## CHAPTER XXXI.

INFLUENCES OF THE FRANKLIN PARTY IN WYOMING AFFAIRS — WILD SPECULATION IN SHARES OF THE SUSQUEHANNA COMPANY—HATCHING THE PLOT FOR FRANKLIN'S ARREST—THE STORY OF HIS VIOLENT APPREHENSION—RETALIATORY MEASURES AGAINST COLONEL PICKERING — PICKERING'S EXILE AND RETURN TO WYOMING — SUSPENSION OF THE CONFIRMING LAW — PENNSYLVANIA'S DUPLICITY—THE ADMINISTRATION UNDER PICKERING.

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"Souls made of fire and children of the sun,  
With whom revenge is virtue."

*Young.*

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"Dissentions, like small streams, are first begun,  
Scarce seen they rise, but gather as they run:  
So lines that from their parallel decline,  
More they proceed the more they still disjoin."

*Sir Sam'l Garth.*

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"He who hath most of heart knows most of sorrow."

*Bailey.*



However sturdy was the character of Col. John Franklin, and however sincere were his motives in continuing opposition to the Confirming Law, as well as to the enforcement of other regulations intended by Pennsylvania to amicably settle the Wyoming troubles, it is certain that during the summer and early fall of 1787, he was engaging in various intrigues calculated to keep alive old animosities and to engender new. His friends and neighbors at Wyoming were, with some notable exceptions, inclined to attend to their own prospering affairs. But his restless energy, coupled with a sense of Pennsylvania's injustice, which continued with him to the very end of his life, urged him on. His frequent visits to Connecticut, and the power of his personality exercised over shareholders of the Susquehanna Company, no less than over those not early identified with Wyoming affairs, whose land hunger impelled them to seek homes in

the wilderness, caused deep anxiety in the minds of those entrusted with public affairs of that State.

Connecticut had at no time, in the earlier disputes between herself and Pennsylvania over the Wyoming lands, openly avowed the acts of the Susquehanna Company. The Decree of Trenton, after its promulgation, estopped any lawful connection with these claims. Rather than disavow subsequent actions of that Company, which it had chartered, the State maintained an aloofness from the whole matter, fearing intermeddling with even unwarranted measures, might seem to further becloud the undetermined title of its settlers to the soil. The hopes of the Franklin party, which had centered for a time in having Congress set aside the Decree, and thus open the whole subject to a rehearing, proved, as has been seen, without avail.

In refusing to acknowledge the duly constituted authority of Pennsylvania, Colonel Franklin and his adherents were driven to an unique alternative of basing their activities on duly authorized resolutions of the Company itself. At its meeting in December, 1786, which proved to be the last aggressive action of its long career, the Susquehanna Company, as before mentioned, gave full authority to a committee to sell shares, confer titles and in fact, to act within certain limitations, as the Committee's judgment dictated for the interests of the corporation. Colonel Franklin and his friends quite naturally controlled the destinies of this committee.

In pursuance of these broad powers, the Franklin party sent surveyors out in every direction, and sold and transferred rights in the Company. Indeed, whole share rights and half share rights became a medium of lively speculation, not alone in Connecticut and Pennsylvania, but in New York and New Jersey. Titles almost forgotten through the years of turmoil and uncertainty, were produced from their places of repose and either entered and surveyed by their owners or sold to speculators. A constant stream of population was entering Luzerne county and spreading itself over the Susquehanna basin, especially to the north.

To these newcomers, as well as to a coterie of the older inhabitants of the territory, Colonel Franklin was the guiding genius. He was pointed out wherever he went, as the "Hero of Wyoming."

It is not to be imagined that these activities, hostile in their nature to its jurisdiction and laws, were unnoted or disregarded by Pennsylvania. Colonel Franklin's movements during the summer of 1787, were closely reported by Colonel Pickering, not alone to the Supreme Executive Council at Philadelphia, but to his friends in private correspondence.

On August 26, 1787, he wrote from Wilkes-Barré, to his partner, Hodgdon, in part as follows:

"Franklin, however, with some other members of the Susquehanna Company and a few other desperate men at Hudson (New York) and its vicinity may, like the madmen of Massachusetts, attempt measures that may disturb the peace of both Pennsylvania and New York. Report says that Livingston and another from the York government were in a conspiracy\* and actually came to Tioga on their way to Niagara, but that the information received there induced them to return. I think it will be expedient to organize the militia of this County and make Col.

\*The "conspiracy" mentioned in the preceding letter relates to the hair-brained design of Livingston and kindred malcontents of New York and adjacent states, to seek the aid of Great Britain in erecting a new state from parts of Massachusetts and of New York and Pennsylvania, adjacent to Canada. It has never been shown that Colonel Franklin had anything to do with this desperate and disloyal plan, although Colonel Pickering intimates that such may have been the case. The Livingston project must not be confounded with the proposed "State of Westmoreland" mentioned elsewhere, although it appears to have been thus confused in the minds of certain Pennsylvanians. The fact that Livingston and his followers turned back from Tioga, where many of Colonel Franklin's followers had surveyed claims and were residing at that time, is indicative of the fact that the advice of radical Connecticut claimants, if not of Colonel Franklin himself, wholly disproved and discouraged any disloyal measures.

Zebulon Butler, County Lieutenant. He is an old officer of experience and bravery in the field and will in that line be respected, *notwithstanding a failure which you have heard me mention*. I think also that we cannot too soon be furnished with a few chests of arms and ammunition to be lodged in this place."

As if to amend for its lack of activity in earlier months, the Pennsylvania Commission appointed to put into effect the terms of the Confirming Law, again reached Wilkes-Barré, about the middle of August, 1787. The arrival of the Commission seemed a signal for other active measures, intended by the Commonwealth to counteract the constant activities of the Franklin party. Lest Colonel Pickering might feel that what appeared to be an impending crisis in Wyoming affairs was viewed with indifference at Philadelphia, Dr. Rush wrote him the following encouraging letter:

"Philada. Aug. 30, 1787.

"Dear Sir:

"I have only time to assure you that you will meet with the steady support of your friends in executing the late law of the State of which you are appointed a Commissioner.

"Perhaps a short visit to Phila. during the approaching session of the Assembly might be useful. Keep a good heart and put a bold face upon things. All will end well.

"The new Federal Government, like a new Continental wagon, will upset our State dungcart, with all its dirty contents (reverend and irreverend), and thereby restore order and happiness to Penna." \* \* \*

"Benjamin Rush.

"To Colonel Pickering, Wilkesbarre."

All of the recommendations made in the Pickering letter seem to have been promptly carried into effect. Four days later, August 30, 1787, a Commission was issued at Philadelphia, by Thomas Mifflin, acting for Benjamin Franklin, (then sitting in the Constitutional Convention) as President of the Council, directed to Col. Zebulon Butler, at Wilkes-Barré, naming him Lieutenant of the County of Luzerne, thus placing him in command of the militia of the County.

Colonel Pickering seems to have taken a diplomatic advantage of the arrival of Colonel Butler's Commission at Wilkes-Barré. He wrote of the incident in his characteristic way to President Franklin, of the Council, as follows:

"Wilkesborough, Sep. 5, 1787.

"I was honored with a letter from Council enclosing a commission for Col. Butler, whom they have been pleased to appoint Lieutenant of the County. It arrived opportunely. The Col. accepted the commission which, by permission, I read in the County Court in the hearing of the grand and traverse juries and spectators. In open court I also administered to him the oath of allegiance and of office and read the Council's letter, repeating with emphasis, that part in which the aid of Government is promised in support of the peaceable inhabitants of the County."

Another recommendation, contained in the letter of Colonel Pickering, as to organization of the militia of the County, seems likewise to have followed promptly. From an original document among the papers of Zebulon Butler, now preserved in the files of the Wyoming Historical and Geological Society, at Wilkes-Barré, and in the handwriting of Colonel Butler himself, is "A List of the Company Officers elected in the Lower Battalion commanded by Lt. Col. Matthias Hollenback, in the County of Luzerne. Returns made to me by the Inspectors and sworn according to law, Wilkesbarre, 12th November, 1787."†

"Upper District of Wilkesbarre, 4th Company. Daniel Gore, *Captain*; George Cooper, *Lieutenant*; Cornelius Courtright, *Ensign*.

Lower District of Wilkes-Barre, 3rd. Company. Wm. Ross, *Captain*; David Richards, *Lieutenant*; Wm. Hyde, *Ensign*.

Upper District of Hanover, 2nd Company. Wm. Hibbard, *Captain*; Edward Inman, *Lieutenant*; James Stewart, *Ensign*.

\*From "Life of Pickering," II : 301.

†On the day preceding the above return of Colonel Butler, as to the Militia of the County, the Council, over the signature of Benjamin Franklin, its President, transmitted a "letter of Instructions to the officer Commanding the Militia in the County of Luzerne," the original of which is in possession of the editor and a photographed copy of which is reproduced on the opposite page.

The change in our State Government, has so intimately connected the reputation and success of the Executive Authority, with a diligent and able discharge of the duties imposed upon the various officers, who are employed in the administration of the public affairs, that, independent of the respect that I owe to the station, in which the confidence of my fellow citizens has placed me, I feel a strong personal interest, in the establishment of order, energy, and economy, in every subordinate department.

I am persuaded, Sir, that the office, to which you are appointed, will be conducted with an honourable view to those essential points; and, there ere, it may be superfluous to add, that, while, on the one hand, I shall be happy to encourage, as far as my jurisdiction extends, the zeal and fidelity of every public officer;—no inducement will ever prevail upon me, on the other hand, to overlook the least appearance of delinquency, for the pernicious effects of negligence, in the execution of a public trust.

In order to ensure a proper degree of confidence, and to advance the means of useful information, I invite you, Sir, to a candid correspondence, at all times, upon the business of your appointment: but I particularly request, that, at least, once, in the course of every three months, you will transmit to me a statement of your official transactions, as far as it is necessary that they should be communicated; with such remarks on the defects in the laws, or usages, by which your proceedings are regulated, and such hints for improvements, as your experience shall enable you to suggest.

J. ant.

Sir,  
Zebulon Butler Esq.  
Lieutenant of the County  
of Luzerne

Your most obedient servant,

Thos Mifflin



Lower District of Hanover, 1st Company. Mason Fitch Alden, *Captain*; Shubel Bidlack, *Lieutenant*; Silas Smith, *Ensign*.

Upper District of Kingston, 7th Company. Benj. Smith, *Captain*; Philip Meyers, *Lieutenant*; Andrew Bennet, *Ensign*.

Lower District of Kingston, 8th Company. Robt. McDowl, *Captain*; Thos. Drake, *Lieutenant*; Elisha Atherton, *Ensign*.

Plymouth District, 6th Company. Geo. Palmer Ransom, *Captain*; Abraham Nesbitt, *Lieutenant*; Prince Alden, Jr. *Ensign*.

Salem District, 5th Company. Giles Parman, *Captain*; Robert Dunn, *Lieutenant*; Zebulon Lee, *Ensign*."

A troop of horse was recruited earlier in the year than the date of Colonel Butler's report, and doubtless was not enumerated by him at the time because it was more or less a free lance organization, not a part of the foot Battalion. In a letter sent by John Paul Schott from Wilkes-Barré, to Vice President Muhlenburg, of the Council, under date of May 29, 1787, the following mention of the undertaking is made:

"I have undertaken to raise a Troop of Light Dragoons and have got 42 of the very best young gentlemen of the County and true supporters of the law. I have 37 of them together last Monday, the 26th inst. and proper inspectors appointed to elect their officers. The whole troop is to equip themselves. \* \* \* I hope the Honorable Council will send us commissions as your honors will find this troop very serviceable in this County."

In a subsequent letter to the Council, dated at Wilkes-Barré, October 20, 1787, Captain Schott, who was previously commissioned with the others mentioned, makes "A true return of officers and privates belonging to Troop of Light Dragoons for the County of Luzerne, who did not attend in the Troop at the formal muster yesterday."

The delinquents seem to have been Rosewell Welles, 2d. Lieut, and Privates Wm. Smith, Nathaniel Walker, Benjamin Duane, John Marcy, John Hawkins, John Inman and Lemmanuel Gaylord.

The final recommendation of Colonel Pickering as to munitions for the recruited militia seems also to have been acted upon. On October 5, 1787, the minutes of Council record that "50 stands of arms, 100 wt. powder and 300 wt. lead be forwarded to Colonel Butler at Wyoming, to be put into the hands of such persons as he and the Commissioners may be of the opinion are best affected to the State."

On August 31st, Samuel Hodgdon, who seems to have been a trusted intermediary between the Philadelphia Council and Colonel Pickering, wrote the following to the latter:

"I am happy to hear the Commissioners are present and proceeding on the business assigned them. The greatest firmness is become necessary to stop the complaint that has and will prevail from delay. Some of the gentlemen have much to answer for on this score. If they think so they will now exert themselves. Col. Zebulon Butler is this day appointed County Lieutenant and the militia is to be immediately arranged. The spirit of the people is up and government at all hazards will now be supported. \* \* \* Livingston's scheme is well understood here. He is not alone in it—many considerable characters in York State and in his British Majesty's Province of Canada are in the secret and joined in the business, but here it is thought harmless from the coloring given. You can best judge of their designs by the movements they make. That country, in all events, will be settled, and the present commotions may facilitate what all wish."

How or when the plan to prefer charges of *high treason* against Colonel Franklin originated, is not clearly shown by any records at the command of the writer, but events were shaping themselves inexorably against him. Colonel Franklin was indicted at the September, 1787, term of the Court of Common Pleas of Luzerne County, on two counts, but no suggestion of the major offense was contained in this proceeding.

Two sentences contained in the letter of Colonel Pickering, written in 1818, to his son, descriptive of his career at Wyoming, which letter has been

previously mentioned, states positively that the commissioner himself never knew who originally preferred these charges. See "Life of Pickering," II, p. 302. The passages referred to are:

"John Franklin, a shrewd and resolute man, the prime agent of the Susquehanna Company, and the chosen commander of the militia, had been for some time visiting all the settlements, to stir up the people to an open and forcible opposition to the government of Pennsylvania. \* \* \* Evidences of these practices have been communicated (I know not by whom) to Chief Justice McKean, he issued a warrant for the arrest of Franklin, on the charge of *Treason* against the State."

Indeed, the fact that Colonel Pickering was not in sympathy with the purposes of the grand jury, and therefore was not the real instigator of the charges, is evidenced by the following letter to his friend Hodgdon:

"Wilkesburg, Sept. 6, 1787.

"We have had a peaceable court. Col. Franklin is still at Tioga. The grand jury found two bills against him for breaches of the peace and for the felonious stealing and carrying away another man's grain and hay. But I suspect in the latter's case the point of law has been mistaken and that it had been better not to have meddled with it."

But more influential forces than those centered at Wilkes-Barré, seemed resolved that Col. John Franklin should bow to the will of Pennsylvania.

That others were at Tioga, with Colonel Franklin, about this time and that the Council was informed of the fact, is evidenced by the following communication, addressed by President Franklin, to Governor Clinton, of New York, on September 22, 1787:\*

"There are a number of disorderly people collecting near the line that divides our two states, who are impatient of the regular Government and seize upon and presume to dispose of lands contrary to and in defiance of laws. Their numbers are daily increasing by vagabonds from Shays' late partisans and propose defending their proceedings by force of arms. Your Excellency will be sensible with us of the Mischief such a body of banditti may be capable of occasioning both our states. The vicinity of the boundary line affording them a present and imaginary security, since, if pursued by the authority of one state, they can easily step over into the other."

The letter concluded with a request that the Delegates of Pennsylvania be permitted to have a conference with Governor Clinton on the subject.

On the same day, the President of Council addressed a letter to the Pennsylvania Delegates in Congress, stating the substance of the above Communication, and informing them "that Council have thought of sending a few resolute men to bring off and apprehend *Franklin* and *Jenkins*."

On September 8th, General Arthur St. Clair, Delegate to Congress, wrote to President Franklin, that "the Delegates have had a conference with Governor Clinton, who is well disposed to concur in any measure that may tend to preserve the peace of the two states. \* \* \* As to *Franklin* and *Jenkins*, the Delegates are of the opinion that no more proper method could be pursued than that suggested, of sending a few resolute men to take them, and should they escape to the York side of the line, the apprehending them will give no offense to the Government."

The *dignity* of Pennsylvania, at least, was deemed at stake in putting an end to Colonel Franklin's adverse activities and the stage was rapidly set for the dramatic scenes of his apprehension. From the "Pickering Papers"† the most direct evidence is obtainable as to preliminaries of the undertaking. On Sept. 1, 1787, Vice President Biddle wrote to Commissioners Pickering and Balliet, then at Wilkes-Barré, the following:

"Understanding that Jno. Franklin is at the head of \* \* \* all opposition to the Laws, we have thought it necessary to send a warrant to apprehend him. If you are of opinion it will tend to preserve the peace of the County you can have it executed during the sitting of the Court."

\*See "Pennsylvania Archives," XI : 187. †See the "Pickering Papers, LVII : 2-69."



In Council  
Philadelphia November 11<sup>th</sup> 1704

Instructions to the Officer commanding the Militia  
to be sent or raised in the County of Luzerne  
in the execution of Gov<sup>t</sup> respecting the peace under  
your command not being to act offensively against  
any place, person or persons in that County but  
merely to protect the civil officers in the exercise of  
their functions & to secure the peace of the County  
& the due operation of Laws of the State against the  
attempts of the disorderly part of the people who have  
lately opposed the same. You are to take special care  
that your men observe the strictest discipline nei-  
ther infusing nor making any of the  
Inhabitants in person or property

And you are to take your orders from the  
State Comiss<sup>rs</sup> & the civil Authority of the County

And if circumstances should appear to you on  
any occasion to require additional force, you are  
to apply to the Sec<sup>y</sup> of the County for his assis-  
tance & also to consult & advise with him  
in all cases of importance

I am Sir your Obed<sup>t</sup> & avery  
H<sup>ble</sup> Servant

Ben<sup>o</sup> Franklin  
President

PHOTOGRAPHIC COPY  
LETTER OF INSTRUCTION TO THE MILITIA OF THE COUNTY OF LUZERNE

Issued by the Supreme Executive Council over the signature  
of Benjamin Franklin, November 11, 1787.



The warrant enclosed, in the handwriting of Chief Justice McKean of the Supreme Court of Pennsylvania, is likewise among the same "Papers." It was directed to:

"Zebulon Butler, Lieutenant of Luzerne County, Lord Butler, Sheriff and to all and singular the Bailiffs, Constables and other Ministers within our County and especially to Wm. Nichols\* of the City of Philadelphia, Esq., Greeting:

"John Franklin, being a pernicious and seditious man and a person of disquiet mind, contriving, practicing and maliciously and turbulently intending our peace and common tranquility to molest and disturb, hath at divers times and within the last six months in the said County of Luzerne \* \* \* incited and encouraged divers inhabitants of the said County to disobey our laws and resist our Government, to the evil example of all others in the like case offending and against our peace."

*Tho M. Kean*

Being allowed a discretion of serving the warrant against Colonel Franklin, Colonel Pickering seems to have moved with his usual deliberation. Doubtless, he kept the possession of the warrant to himself, awaiting the appearance of Colonel Franklin on more favorable ground than at Tioga, where his attempted arrest would have been an almost impossible procedure. Moreover, Colonel Pickering realized that in the arrest of the leader of the Connecticut party, a grave danger existed of estranging many of his former neighbors who were now yielding at least a luke-warm allegiance to Pennsylvania. As a third object in delay, he may have awaited the commission by Colonel Franklin of some overt act so imminent and so flagrant in its nature, as to justify the risks of his capture.

Colonel Franklin opened the door to the vengeance of Pennsylvania almost at once. On September 23rd, Colonel Franklin was guilty of an indiscretion that was to vex him grievously in after months. He sent orders in writing to some of his adherents, in many of these documents styling himself "Colonel, Commandant," to assemble at a fixed time and place with arms and ammunition "to prevent the Pennsylvania loyalists from holding an election of militia officers." One of these letters was intercepted by agents of Colonel Pickering, and is now among the "Papers" of the latter. It was addressed, as follows:

"Mr. Jehiel Franklin,

"Sir:—You are requested to give notice to the half share men and settlers at Wysox and Towanda who expect to support their lands under the Susquehanna Company that they will appear at Abel Yarrington's in Wilkesbarre on Tuesday, the 9th of October next at 9 o'clock in the morning compleat in arms and equipped.

"JOHN FRANKLIN.

"Wilkesbarre, Sept. 25, 1787."

Among the "Butler Papers" is found a letter which indicates how widespread were these incendiary notices sent out by Colonel Franklin:

"Wyalusing, Sept. 29, 1787.

"Col. Zebulon Butler,

"Wilkesborough,

"Sir:

"I am this instant informed by Capt. Landon, that you intend to get one battalion of the militia together as quick as the Law will admit, which gives me great satisfaction. Inform you that Esquire Franklin has sent letters up the river to Tunkhannock, Wyalusing, Tioga and Newtown—by young Isaac Baldwin† who stayed at my house last Wednesday night. He left one of the letters with Joseph Eliot directed to him or Amasa Wells to warn all the half share men in these parts to appear at the house of Abel Yerrinton on the 9th day of October next, complete in arms without fail. My son has received the letter. I find there is some in these parts are very spirited and are determined to proceed, as they are military men. I hope you will be able to receive them in that line etc. I hope to be down and see you at the election.

"Yours,

"(Esq.) NATHAN KINGSLEY."

\*Nichols, then living at Philadelphia, was one of the four attorneys first admitted to the Luzerne County bar.  
†A nephew or brother of Waterman Baldwin.

From the "Autobiography of Charles Biddle"\* (p 221) a hitherto unrecorded account of the plot to apprehend Colonel Franklin is now available. That it was formulated in the Supreme Council at Philadelphia, and not in the mind of Colonel Pickering, as has heretofore been frequently asserted, is now certainly known. Mr. Biddle's account of the circumstance is such as would indicate that any attempted interference with the personal liberties of Colonel Franklin was a desperate measure not to be lightly undertaken.

"The disturbances at Wyoming still continuing, and complaints being continually made to Council, the Board thought it would be necessary to send some militia from Berks and Northampton Counties. They, therefore, sent for Captain Craig, the County Lieutenant of Northampton, (John Craig, a very mild, worthy man, cousin of Colonel Craig, and, like him, an intelligent, active, gallant officer. He served all the war in Moylan's Regiment of Horse) to consult with him as to the number of militia necessary to be sent on the expedition. When Craig came to town, he gave it as his opinion, that if John Franklin was taken, the other insurgents would soon be quiet, for that he was the man who occasioned all the disturbances. After mentioning our intention of sending out the militia, he said he would rather have a few old Continental officers than all the militia of Berks and Northampton, for it was only necessary to take Franklin, and if Council would allow him to take eight or ten of his friends, he would bring Franklin to Philadelphia, or never return. Council, agreeing to let him have his own way, he chose seven officers who had served with him, three of whom I knew—Stevenson, Brady and Erbe—and more determined fellows never went upon any desperate enterprise.

"They were going to take from the midst of his friends a very stout, active man, as fearless as any of themselves.

"Although Craig and his companions were anxious to go, it was against my inclination they went, as I thought it highly probable they would all be sacrificed.

"Franklin has told me since that it was owing to a chapter of accidents that they were not. They went to Wilkes-Barre under pretense of purchasing land from the Connecticut claimants for whom they pretended a great regard. Watching their opportunity when Franklin was alone in a tavern they attacked him. He called out that the Pennanites were murdering him, but he was not heard. They got him down and with great difficulty, tied his hands behind his back, and gagged him. They had prepared themselves with a rope and gag before they took hold of him. He fought with great desperation, and there was not one of them that did not feel the weight of his arm.

"He hurt Stevenson so much that he would have shot him through the head if Craig had not prevented. They got him at last on horseback, tied his feet under the horse's belly, and set off before his friends could assemble and arm themselves. They rode thirty-eight miles before they halted; they were closely pursued, and if they had halted sooner it is probable they would have been overtaken, and killed, for they were all well armed and would not have surrendered.

"Craig appeared before Council about ten days after he set off; he sent the doorkeeper in to me, and informed me when I went to him that he had brought Franklin to town. Council ordered him to gaol, and, as it was apprehended he would endeavor to make his escape, he was ordered in irons. Craig and his companions had 300 Pounds given them. They were entitled to much more. However, with that sum they were perfectly satisfied."

Supplementing the Biddle account is a letter, preserved in "Pennsylvania Archives," II : 189, relating to instructions given by Council to Colonel Craig. It was dated September 26, 1787, and addressed to the latter, as "Lieutenant of Northampton County."

"You are to take what number of militia you think necessary and proceed with the greatest dispatch to Wilkesbarre, in the County of Luzerne. When there, if you think necessary, consult

\*CHARLES BIDDLE—whose name is several times mentioned hereinbefore, was born in Philadelphia, December 24, 1745, the sixth child of William Biddle (who died in 1756), a native of New Jersey, and his wife Mary, daughter of Nicholas Scull (Surveyor General of Pennsylvania), to whom he was married April 3, 1730. In October, 1784, being then engaged in business at Reading, Pennsylvania, and also following the calling of a sea captain, Charles Biddle was elected a member of the Supreme Executive Council of Pennsylvania. John Dickinson was then President and James Irvine was Vice President of the Council.

On taking his seat, Mr. Biddle found the Council nearly equally divided between that were then called Republicans and Constitutionalists. James Irvine having tendered his resignation as a member of the Council, October 10, 1785, Mr. Biddle was elected Vice President in his place. This appears to have been the last meeting of the Council that President Dickinson attended. Benjamin Franklin was elected a Councillor on October 17th, and the next day was unanimously selected, by the members of the Council, President to succeed Dickinson. On October 29th, Franklin was formally elected President, and Charles Biddle, Vice President by the joint vote of the Council, and the House of Representatives, as required by the Constitution.

At this time, as Franklin was in poor health and suffering much physical pain, he did not often attend the meetings of the Council, wherefore his duties as President, devolved upon Vice President Biddle. The latter's term of office expired in October, 1787, and he was immediately elected Secretary of the Council to succeed Gen. John Armstrong, Jr. The office of Secretary, as well as the Supreme Executive Council itself, ceased to exist on December 21, 1790, when the new Constitution of Pennsylvania (adopted in September, 1790) went into effect. Therefore, in February, 1791, Governor Mifflin appointed and commissioned Mr. Biddle, Prothonotary of the Court of Common Pleas of Philadelphia County, to succeed his brother, James Biddle.

Charles Biddle was married in 1778, to Hannah Shepard, and they became the parents of ten children. Mr. Biddle died April 4, 1821, at his residence on Chestnut Street, west of Eleventh Street, Philadelphia.



THE CAPTURE OF FRANKLIN

From an old wood cut in possession of the Wyoming Historical and Geological Society.  
The incorrect "Pickering House" is shown in the cut.



Col. Pickering on the best method you can take to apprehend John Franklin, John Jenkins, Zerah Beach and John McKinstry. Should you take all or any of the men prisoners, you are to bring them to Philadelphia. If you take Franklin at Wilkesbarre, do not proceed any further or run no risk of losing him by endeavoring to apprehend the others.

"Council have the utmost reliance on your secrecy and prudence in conducting this affair. If opposed by force, you are to use force and execute the warrant at all events."

Miner in his History, (p 413) gives a vivid account of the capture of the "Hero of Wyoming" (October 2, 1787) basing his narrative on data he secured from eye witnesses:

"Col. Franklin, at the close of September, had been on a political tour down the west side of the river to Huntington and Salem, and returned by Hanover to Wilkes-Barre, when as he stood by Mr. Yarrington's near the ferry, it being about two o'clock in the afternoon, a person whom he knew came up and said, 'a friend at the red house wished to speak to him.' Unconscious of danger, he walked down, when suddenly he was seized behind, and an attempt made to pinion his arms. By powerful efforts, he shook himself loose; was again seized, but by the most vigorous exertions kept his opponents from their purpose, till a noose was thrown over his head, and his arms confined; the power of all four being requisite to tie him. To get him on horseback was the next object. Col. Franklin now cried out: 'help, help. William Slocum! Where is William Slocum?' and drawing his pistols, for he went armed, discharged one of them without effect, when a heavy blow struck him for a moment almost senseless, and covered his face with blood. The hour had been judiciously selected,—in the midst of seeding time. William Slocum, with nearly all the male population, were at work in distant fields sowing grain. But the spirit of the good Quaker mother was aroused. Her Yankee blood was up. A lovely and amiable woman she was, but for a moment she thought of nothing but the release of Franklin. Mrs. Slocum seized the gun, and running to her door, 'William,' she cried, 'Who will call William? Is there no *man* here? Will nobody rescue him?'

"From the river bank, Capt. Erbe had got his prisoner into the main street near Col. Pickering's, but with tremendous power, in despite of his four captors, Franklin threw himself from the horse, as often as placed on him, when Col. Pickering was obliged to come from behind the curtain, and decisively to interpose. Accompanied by his servant, William A. George, he ran to the door armed with a loaded pistol, which he held to Franklin's breast, while George tied his legs under the horse, and bound him to one of his captors."

Whatever prescience Colonel Pickering may have possessed of the adventure, and however much he was "consulted" as to methods, it is certain that, as a witness to the struggle between Franklin and his abductors, he showed no hesitancy in action, nor fear of assuming responsibility. The first Pickering residence in Wilkes-Barré was not the "Pickering House" or "Ross House", whose sturdy frame still withstands the onward march of business structures, at 130 South Main Street. Colonel Pickering had written his partner Hodgdon, on August 7, 1787, to send forward "an Irish bricklayer and a carpenter \* \* \* to carry forward my buildings" and further declared that "I have a good stone mason." These, in all probability, combined their efforts to construct the "Pickering House," which is still an ornament to Wilkes-Barré and was, in its time, the most pretentious of all buildings in the settlement.

During the period of his exile in the fall of 1787, Col. Pickering forwarded directions as to the construction of this new home down to even minutest details. "Enjoin it upon Dr. Sprague to dig it as low as possible, and stone it well," he wrote to his wife in November, in referring to the well on the premises. "I wish John Scott (one of his servants) to see to the carrying up of the chimney. Let John see that the mortar is faithfully made, the bricks laid true and let the joints be all well filled with mortar," he wrote a week later. "I have therefore concluded to have 7 by 9 glass. Four hundred panes should glaze the house," he writes again.

Colonel Pickering built as he labored—on sure foundations. That is why to-day, 1923, there still stands, in Wilkes-Barré, the "Pickering House," with the mortar yet filling every joint and many of the four hundred panes of 7x9 glass still glazing its windows.

The first Pickering residence stood a "few rods," as he himself wrote, from the Yarrington Ferry, whose landing was at the foot of Northampton Street. In a row stood the home of Col. Zebulon Butler, where now stands the residence of Judge J. Butler Woodward, at the corner of Northampton and River streets; the old "red house", or tavern, and a third house owned by John Hollenback, which was occupied at the time by Colonel Pickering and his family. It was from this building that Pickering witnessed the struggle on the River Common, and realizing its bearing on the future relationships of Wyoming, lent assistance to the enterprise. With his usual punctilious care, Colonel Pickering recorded the event as follows:



THE OLD RED HOUSE ON RIVER STREET  
Erected by Capt John P. Schott 1783

"The four gentlemen seized him, two of their horses were in my stable, which were sent to them; but soon my servant returned on one of them, with a message from the gentlemen, that the people were assembling in numbers, and requested me to come with what men were near me, to prevent a rescue. I took loaded pistols in my hands, and went with another servant to their aid. Just as I met them, Franklin threw himself off his horse, and renewed his struggle with them. His hair was disheveled and face bloody with preceding efforts. I told the gentlemen they would never carry him off unless his feet were tied under his horse's belly. I sent for a cord. The gentlemen remounted him, and my servant tied his feet. Then one taking his bridle, another following behind, and the others riding one on each side, they whipped up his horse, and were soon beyond the reach of his friends."

That the news of Colonel Franklin's arrival, under heavy guard, in Philadelphia, was received with great satisfaction by those in authority, who had so long attempted to checkmate his activities, is evidenced by a letter written at 2 A. M. October 5th, by Mr. Hodgdon to Colonel Pickering. In part, it reads as follows:

"At one o'clock this day, Franklin was brought to town and lodged in jail. It seems 6 men were deputed to take him, under a charge of *Misprision of Treason*. They say he fought the whole of them for several minutes before he surrendered. Five of them have receipts to prove the assertion—a black eye, each. Franklin has a black eye and is otherwise bruised. How this will effect you, time will discover, but I hope his party is too contemptible to affect you or alarm any one. It affords a great triumph here, and I sincerely hope that peace may follow violence. \* \* \* Col. Dennison\* has this moment called on me. He has seen Franklin. He informs me he seems disposed to be composed, tho' it is manifest, he is in the horrors. His plan of independence seems to lay heaviest against him."

In the *Pennsylvania Packet*, at Philadelphia, under date of October 7, 1778, the following sententious notice appeared:

"October 6, 1787. We are informed that John Franklin, the hero of Wyoming, has been seized by several of the friends of government, and brought to this city. It is hoped that some legal steps will be taken to subdue the turbulent spirit of this modern Shays, who has been the chief cause of the discontents in the county of Luzerne, and has uniformly labored to involve the county in a civil war. Every overture that has been made on the part of government has been rendered ineffectual by his machinations, and even his election as a representative in the General Assembly was not sufficient to gratify his ambition. 'Better to reign in hell, than serve in heaven,' has ever been a favourite sentiment with the demons of sedition."

While news of the Franklin episode was received with quiet satisfaction at Philadelphia, it created a profound sensation in Wilkes-Barré and throughout the whole of the Susquehanna Purchase. From Nescopeck to the York state line, commotion was in evidence. Older settlers, and many reconciled former neighbors of the imprisoned leader, held their peace. But the rage and chagrin of the younger generation and of newer claimants under grants of the Susquehanna

\*Colonel Denison was then a member of the Council.



Company, knew no bounds. From the north rode Capt. John Swift and Capt. Elisha Satterlee, firebrand adherents to the Franklin cause, breathing revenge and retribution. Other followers nearer at hand lacked only leadership to stir them to unwonted activity.

Leadership came in the person of Captain Swift. At Kingston, the Franklin party assembled during the evening hours of October 2nd, and a plan to abduct Colonel Pickering was quickly determined. The party was quietly set in motion toward the ferry.

In opposition to this maneuver, the friends of Colonel Pickering, under command of Colonel Butler, assembled for his protection. After the Swift party had crossed the river, it immediately surrounded the house and demanded admission, under threat of setting the building on fire in case of refusal. Fire actually having been started,\* Colonel Butler then came out and pledged his word that Colonel Pickering was not there. Still unsatisfied, an agreement was finally reached between the besiegers and Colonel Butler, that if the arms of both parties were deposited in the hands of a committee, to be mutually chosen, Captains Swift and Satterlee could enter the house and make such search as they chose. Here it is well to let Colonel Pickering himself take up the narrative:

"The rising of Franklin's men was expected from the opposite side of the river. I desired my friends to place sentinels along the bank, where they might discover the first movements for crossing the river, and then sat down to sup with my family. Before I had finished that meal, a sentinel came in haste from the river, and informed me that Franklin's adherents were crossing in boats. My house was within a furlong of the river. I took up a loaded pistol and three or four small biscuits, and retired to a neighboring field. Soon the yell of the insurgents appraised me of their arrival at my house. I listened to their noises a full half hour, when the clamour ceasing, I judged that the few armed neighbors, who had previously entered and fastened the doors, had surrendered. This was the fact. The rioters, (as I afterwards learned) searched the house for me, and for concealed arms, if any there were.

"While I was listening, Griffith Evans, secretary to the board of commissioners, and a lodger at my house, retiring from it, fortunately taking the same course, joined me. Believing that when they should have searched the house in vain, they would proceed to the near fields to find me, I told Mr. Evans it would be well to retire still farther. When we had gained the side of Wilkesbarre mountain, we laid ourselves down and got some sleep. In the morning I descried at the distance of a mile or more, a log house, which was on a lot of land I had purchased, and near a mile from the village, and occupied by an honest German, whose daughter lived with Mrs. Pickering as a maid. I proposed to Mr. Evans, as he had no personal injury to apprehend from the rioters, to go to the log house, and ask the German, in my behalf, to go down to my house, (which, as his daughter was there, would be perfectly natural,) and if he could see Mrs. Pickering, inquire what was the state of things, and whether I could return with safety. Mr. Evans waited his return; and then brought me word from my wife, that I must remain concealed, for they were still searching for me. It was now about eleven o'clock. I told Mr. Evans that as I could not return to Wilkesbarre, we had better proceed for Philadelphia, and inform the Executive of the state of things at Wyoming. He readily assented, and we immediately commenced our march. It was through pathless woods, and we had no provisions except the three or four biscuits I had put into my pocket the preceding evening. That we might not get lost, I proposed turning short to our left, to strike the road leading from Wyoming, and thence take our departure with more safety. We did so; and then again darting into the woods, proceeded as nearly as we could judge, in a line parallel to the road, but not in sight of it. A little before sun-setting, we came to a small run of water, which I supposed to be the "nine mile run," being at that distance from Wilkesbarre. I therefore desired Mr. Evans to go cautiously down the run till he should strike the road which crossed it. He did so, it was not far off. On his return we concluded to lie down to get some sleep, intending to rise when the moon should be up, at about two the next morning and prosecute our journey. About two miles from the nine mile run was Bear Creek, a stream perhaps forty or fifty feet wide, and without a bridge. Having several times traveled that road, I knew when we approached it. There I thought it probable the insurgents had posted a small guard to intercept me, leaving their main guard at a deserted cabin four miles back. Mr. Evans proposed to advance alone, to reconnoiter, and if he discovered there, any armed men, to halloo, that I might escape into the woods. I told him, that was impracticable; fatigued and destitute of provisions, I could not fly; that each of us had a loaded pistol; that I presumed the guard at the creek would not exceed three men; that if they attempted to take us, we must each kill his man, when the third would be glad to escape. With this determination, we proceeded. The creek was not guarded, we forded it, and then marched at our ease. In the morning, we reached the first inhabited house about twenty-five miles from Wilkesbarre. Here we were refreshed with a comfortable breakfast,

\*See, "Miner's History," p. 415.

and then went on our way. Having traveled some miles farther, we came to some farmers' houses, where we hired horses, and then continued our journey to Philadelphia.

"On my return to Wilkesbarre, I was informed that the arrangement of the guards to intercept me, was precisely as I had conjectured. A subaltern's command marched to the deserted cabin, whence three men were detached to Bear Creek, where they waited till night, when they returned to the cabin; concluding that I had reached the creek before them.

"The insurgents, soon brought to reflection, and deprived of the counsel and direction of their leader, Franklin, began to relent, and sent a petition to the Executive Council, acknowledging their offence, and praying for a pardon. This was readily granted; and Colonel Denison, the Luzerne counsellor, went up with the pardon. It was natural to infer from this, that I might return in safety to my family. I proceeded accordingly; but when within twenty-five miles, I sent by a servant who was with me, a letter to my wife, desiring her to consult some of the discreet neighbours, who were my friends, relative to my return. She did so. They were of opinion that I could not return with safety at present. So I went back to Philadelphia."

Having missed their quarry, the followers of Colonel Franklin undoubtedly resorted to the power of dire threats, especially toward Mrs. Pickering, in the hopes of having her disclose the hiding place of her husband. Undoubtedly, also, searching parties were scattered in various directions, enjoined to intercept the fugitive. Colonel Pickering's narrative describes one of these parties as having left the crossing at Bear Creek prior to the arrival of himself and Mr. Evans at that point.

In the absence of other authentic information as to what transpired following an unavailing search of the Pickering residence, letters written shortly after the occurrence, and now published for the first time, throw considerable light. Enroute to Philadelphia, Colonel Pickering paused to pen a letter to Capt. John Swift, who had been recognized as the leader of Franklin adherents on the night of the 2nd.

The information obtained therein, must have been communicated to the fugitive through the medium of the "German farmer" heretofore mentioned, or brought to him by one of his servants. The letter was dated at Savage's,\* Thursday, October 4, 1787, and in part, reads as follows:

"Sir:

"I am informed that you commanded the party which surrounded Mr. Hollenback's house last Tuesday night, and that my wife is kept there a prisoner. I am further informed that it has been proposed to send her to Tioga.

"But so cruel a measure I cannot think you will suffer to be carried into execution. I profess myself to be innocent; unless it is a crime to have laboured for near a year past to promote the welfare and interest of the Connecticut Settlers in the County of Luzerne. But whatever misrepresentations and lies may have caused any to believe, concerning me, certainly my wife is innocent, and ought not to suffer; and I rely upon you to prevent any insult or abuse being offered to her; and a greater injury perhaps could not be done to her, than to send her to Tioga. She is of a tender frame, and has an infant at her breast about three weeks old, besides four other young children to look after. To compel her to make such a journey, either by land or water, and in such circumstances, and a prisoner, may be fatal to her; and any injury done to her I shall not consider as I should injuries done to myself; for these I can easily forgive. But injuries done to her, I shall not soon forgive or forget.

"I was glad when I heard you had a command, because I think you naturally possess both honor and humanity; though you are sadly misled to engage in your present undertaking.

"I long ago heard that in case Franklin should be taken, the vengeance of his party was to fall on me. But why, if any regard was had to justice, it was not easy to determine. If I have been guilty of any crimes, I am ready and willing to answer for them; and no more will be required of Esquire Franklin. He will not be condemned, unheard. He will have a fair trial by a jury, and the Constitution of Pennsylvania requires that persons accused of crimes, be tried in their own county. \* \* \* What can you and those who joined you, propose to yourselves in taking up arms? Is it possible that you should think Franklin's party able to withstand the power of Pennsylvania? Do you not see how much the present situation of the settlers differs from their situation before the law passed for confirming their lands? Then not only the settlers, but the people of Connecticut and the majority of the people of Pennsylvania might excuse your opposition to government, because they thought the settlers ought to be quieted in their old possessions. \* \* \*

If you think Pennsylvania will be still as formerly, when her government is trampled on, you will find yourselves mistaken. Now that she has done what justice and your own petition required, she will feel herself justified before God and the world, in sending a sufficient military force to crush at once all opposition—and rest assured that she will do it. \* \* \* At the same time it is inconceivable what reasons Franklin could give his followers to make them believe his

\*Savage's or Savitz's Tavern was on the Sullivan road between Wind Gap and the Tobyhanna.

project would be successful; for I believe a wilder one never before entered into the head of any man in his senses. Who but a madman, with his handful of associates could imagine that he could successfully oppose a State that is equal in power to one-eighth part of all the United States? Or that because you baffled the handful of troops she sent against you formerly therefore that you can maintain your ground against the whole force of the State, which, for the reason before mentioned, will be ready to arm against you. All who before were your friends and well-wishers, now that your lands are confirmed, and you still refuse submission to the laws, will be your enemies. The Government and the people of Connecticut are satisfied with the Confirming Law—except I suppose, some members of the Susquehanna Company. Doctor Johnson and Mr. Sherman, two of the Connecticut Delegates in the late Continental Convention, in particular, were satisfied with it. And Dr. Johnson, I understood, sent a message by William Ross to Franklin, to this effect: "That if he did not abandon his measures of opposition, he would bring himself to ruin." But he would obstinately persist in them, and now you see the consequence. This reminds me of what I said to Franklin last April—the Friday evening after the election at Forty Fort was violently broken up. He called to see me at John Hollenback's, where we conversed together two or three hours on the subject then in dispute. At the close of the conversation, when he rose up to go home, I addressed him in words to this effect: "Mr. Franklin, you have heretofore had great respect paid you in this settlement, and taken the lead in its affairs; and notwithstanding all that is past, notwithstanding all your opposition to Government, it is not too late to retreat. If you now change your course of conduct, if you submit, as every good citizen ought, to the Government of the State, your past conduct will be overlooked, you may still be respected—still take the lead in the Settlement." This sentiment I expressed to him in language as serious and affecting as I could frame, hoping it might have the desired effect, and induce him quietly to submit to the laws. \* \* \* But all my words and arguments were thrown away upon him; for if he had regarded them, he must have given up the daring though ridiculous idea of forming a new and independent State. That this was his plan, is now pretty clearly seen and generally known, and it was to be accomplished by the slaughter and banishment of all the good and faithful citizens of Pennsylvania in the County. Government have from various quarters been apprized of his proceedings and wicked designs; and for some time past, proposed to apprehend him. The three Commissioners received a State warrant a month ago for that purpose, but we did not think it expedient to put it into execution. He was taken last Tuesday by another warrant directed to sundry officers, particularly to one of the gentlemen who took him, but of this we knew nothing till they arrived."

Before a reply could be received to the above epistle, reassuring news was addressed to Colonel Pickering, at Philadelphia, by Judge Obadiah Gore, in the following letter:

"Wilkesbarre, Oct. 5, 1787.

"I am this A. M. arrived here and find your family safe. I am induced to believe the idea of removing them is at an end and I have an assurance from Captains Swift and Baldwin that no opposition will be made to either elections of civil or military officers. My present sentiments are that no further opposition will be made and that the Commissioners may as soon as convenient return to execute their trust."

Lord Butler, Sheriff of Luzerne County, likewise sent a communication to the exiled Pickering, which showed, as did Judge Gore's letter, that those of the old Connecticut stock, who had accepted office under Pennsylvania, were not in sympathy with the Franklin cause:

"Wyoming, Oct. 5, 1787.

"I can't express my feelings on the cruel and ungenerous treatment of the people of this county against you. \* \* \* When I found that the authority could not stop the riot, (on October 2nd) I was distressed to see destruction coming upon us. Your family is well and you may rest assured that they will not be hurt. \* \* \* I am crazy to think destruction is to come upon the unhappy County. \* \* \* It is thought best to carry out the elections, which I am determined to do if there is but ten votes. Swift and some others seem to wish to compromise if they can be forgiven."\*

Captain Swift replied promptly to Colonel Pickering's letter. The reply was conciliatory, and even apologetic in tone, but professed a loyalty for Colonel Franklin which seems to have remained in the hearts and minds of many of his followers to the end. The text of the letter follows:

"Wilkesborough, Oct. 6, 1787.

"Sir:

"I received your letter dated the 4th inst., in which you express much concern for your family. I expected it. Some of the party had told Mrs. Pickering to prepare to go up the river to be kept as a hostage till Col. Franklin should be restored; But as soon as I heard such orders had been given, I repaired immediately to your family to relieve Mrs. Pickering's anxiety. Your family has not been removed, nor any way injured to my knowledge. Mr. Ebenezer Bowman

\*See the "Pickering Papers," LVII : 308.

can inform you the particulars. I write this to inform you that your family and effects shall be safe till you return—that they are not under any kind of confinement—that Col. Franklin's friends are disposed to submit to Government and law in all things—that you will think differently of them from what you have done, and that we wish your return with the rest of the Commissioners.

"Upon my honor, the notion of Independency was not in our heads; neither was it (to my knowledge) Franklin's object, at the time he was taken. You may expect me and my influence in favour of Law. One thing for myself and for his (Franklin's) friends, in this County, I ask of you; that is, I wish you to use your influence that Col. Franklin (whom you know I love) should be dealt with fairly and that as much lenity as possible be shown him. This you can do—this will lay us under obligations to you, and will tend greatly to the peace of this County.

"Major Jenkins, Cpts. Baldwin & Satterlee, Lts. Slocum and Mattison concur with me. We have spent two days in Wilkes-Barre to convince the authorities of our peaceable disposition.

"I hear there is a State warrant out to take off, as Franklin was taken, myself and others for our past conduct. We must not be taken off in that manner. *'Twas too cruel!*

"I am sir, Your Humble Servant,

"JOHN SWIFT."

The compromise suggested in the foregoing letter of Sheriff Butler was not long delayed. Realizing that a great majority of the inhabitants of Luzerne County, and especially those who dwelt in the more populous centers, believed that Connecticut either would not or could not interest itself in their behalf, and that their future peace and prosperity lay rather in securing the best recognition possible of their land titles under the Pennsylvania jurisdiction, as well as in obtaining the benefit of the laws of that Commonwealth, the Franklin party dwindled in power and influence. Many of its members expressed a willingness to become citizens of Pennsylvania, provided some sort of an amnesty act were passed in their behalf. In the breast of others, the embers of discontent and suspicion still smouldered to burst forth in a final but ineffectual effort to throw off the Pennsylvania yoke.

The Supreme Executive Council, at Philadelphia, was apparently sincere in holding out the olive branch of peace in the direction of Wyoming.

On October 10th, the Council discussed the best method of procedure in regard to those who had taken part in the late troubles at Wilkes-Barré, with the result that Col. Nathan Denison, the Luzerne County member thereof, was instructed by Benjamin Franklin to grant amnesty to all concerned "in the late riot"\* provided they "prayed for a pardon."

Colonel Denison returned to Wilkes-Barré at the earliest opportunity. Ebenezer Bowman returned with him, and on October 17th, the latter wrote Colonel Pickering as follows:

"Wilkesborough, Oct. 17, 1787.

"We arrived here Saturday (Oct. 13) and found the settlement nearly in the same situation as when I left. Beach and McKinstry (two of the "Wild Yankees" who had stormed Col. Pickering's house) with a party of half share men were here. Some of them on the night I left this place for Philadelphia, abused Esquire Gore in a shameful manner. \* \* \* On Monday, the 15th, we had a meeting at which time Col. Denison communicated the determination of Council towards them. The offenders seemed much pleased with the lenity of Council towards them and manifested their readiness to submit to Government. Beach and McKinstry were present, but made no remarks upon the letter of Council nor did they give any advice, publically, to the people. I am told, however, that Beach is still very busy endeavoring to persuade people to sign the *Combination*, as they call it.

"The idea of troops being sent here is disagreeable to many, particularly to those who have no just claim to any property in this settlement.

"The election of military officers was adjourned until the 20th inst. Had it gone on, Franklin undoubtedly would have been Colonel. The election of civil officers was held peaceably."

Very little excitement and no disquiet prevailed at the fall elections in Luzerne County. Colonel Denison was again returned to the Executive Council and Capt. John Paul Schott was chosen the county's assemblyman in place of Colonel Franklin. Sheriff Lord Butler (against whom considerable criticism had

\*See "Pennsylvania Archives," IV : 17.

arisen as to his indecision on the night of (October 2nd) wrote a short report of this election to Colonel Pickering, on October 15th:

"We have held the election in peace" the letter ran. "Our opposers joined very freely and run with us on the same ticket."

Elsewhere, meanwhile, other important events of the eventful year 1787, were transpiring. Delegates from twelve of the thirteen states had convened at Philadelphia, May 14, 1787, for the purpose of drawing up a Constitution for the United States, to take the place of the loosely drawn and unsatisfactory Articles of Confederation. While a quorum did not reach the convention until May 25th, its efforts were unremitting after the latter date, under the guiding hand of General Washington. Its work was completed September 17th. Under its terms, the document needed the ratification of twelve states to become effective. A copy of the Constitution, probably owing to the distinguished connection of Benjamin Franklin therewith, seems to have reached the Pennsylvania House of Assembly promptly.

Samuel Hodgdon was first to give the news of the momentous event to the people of Wyoming. Writing to Colonel Pickering, then in Wilkes-Barré, under date of September 17th, from Philadelphia, he states:

"This A. M. the new Constitution was read in our House of Assembly to a crowded audience and seems to be generally approved. Indeed, we have been in high glee ever since, bells ringing and congratulations in every street."

A convention of delegates from each state met to consider and pass upon the Constitution. On November 12, 1787, an election was held at Wilkes-Barré, to select the representative from Luzerne County, to this Convention. Colonel Pickering, although still exiled in Philadelphia, received an overwhelming majority. Two letters, posted the same day, from Wyoming, informed him of this fact. Ebenezer Bowman penned a candid and amusing epistle which, while not complimentary to several prominent settlers therein named, has been preserved among the "Pickering Papers," LVII : 332, and is worth a perusal:

"Wilkesborough, Nov. 12, 1787"

"The people have made choice of you (by a great majority) to represent them in Convention. \* \* \* I deemed it my duty to exert myself to prevent if possible, a person being chosen who would object to the proposed Constitution. Christopher Hurlbutt was the person proposed, an I being in favor as well with the opposers as the supporters of Government, it appeared highly probable he would be chosen. As you had informed Hollenback and Doctor Smith, that it would not be convenient for you to attend (if chosen) no proposal of the kind had been made; but at that late period it was necessary that some person should be run in whom the people would be most likely to unite, or the other party would succeed. You was proposed, and it took generally with the people. The only objection was that your attendance would interfere with the business of the Co., and this was removed by assuring them you was not expected under three weeks. \* \* \* Comptroller, General Nicholson sent four pamphlets into this settlement, each containing the new Constitution, with a number of suitable remarks upon it. Had he known the character of those to whom he sent them, I am sure he would not have taken so much trouble (Col. Butler, Dr. Smith, Esq. Gore and Esq. Hollenback). Gore, as he is a person of some enquiry, undoubtedly read his, but the other three, I am convinced, never have. I had the curiosity to enquire of Butler, just before the poll was opened, concerning the pamphlet he had received from Nicholson. It turned out as I expected. He was not able to determine whether it was the Constitution or an almanac!

"I was informed by Dr. Smith that an enquiry would be made concerning the conduct of some particular persons in this place, and that Lord Butler (in consequence of his having met with the Commissioners appointed by the Luzerne County, and also for neglecting his duty at the time of the riot, here) would not be commissioned. The lot of these charges, I believe, to be groundless, as I cannot learn that he has ever acted as secretary to that Board since his appointment as Sheriff, and I think it my duty to say that from my first acquaintance he has ever appeared friendly to Government. With respect to his conduct at the time of the riot, as an executive officer, and one whose particular business it is at all times to suppress mobs and riots, he certainly has laid himself open to censure; but I believe his conduct ought to be imputed more to the want of resolution than want of attachment to Government.

"I am sensible that no motives of fear (in general) are sufficient to excuse an officer from attempting to discharge his duty. Yet, considering the intricate situation of the county at that

time, and the violence of those who were opposed to Government, I do not think him to blame for not attempting to disperse the people. I am sure he would have met with great personal abuse. \* \* \*

"Dr. Smith, I suspect, said more against Lord Butler than he ought to. I believe the Doctor to be a true friend to Government; but he undoubtedly is wanting in that excellence of which he is so often boasting—*viz.*, *Courage*, and, like others of that character, is very ready to censure any who through fear (although the cause is ever so great) neglect their duty.\*

Judge Obadiah Gore wrote on the same date, to much the same import, omitting the personal equation:

"You will doubtless, by Mr. Butler, receive an appointment from this county to attend the Convention. How far you will approve of our policy in the appointment I cannot tell, when you so much wanted to attend the office of Commissioner. As Mr. William Stewart and some others were making an interest among the opposers to Government, put us on a pass of running one person on our ticket, and by that means, you had it by a great majority. But I wish that the other Commissioners might attend, as soon as possible, to the examination of our claims after the arrival of Troops.

Colonel Pickering did attend the Convention, from his temporary residence in Philadelphia, and on December 12, 1787, it ratified the Constitution, being the second state of the new union to subscribe to the document.

A brief description of the Convention, of general interest, was recorded by Colonel Pickering:

"\* \* \* After a great deal of discussion, the Convention assented to and ratified the Constitution. It was engrossed on parchment, and received the signatures of nearly all the Delegates, including the opposers while under discussion, with the exception of some three or four obstinate men, and, to the best of my recollection of their characters, as ignorant as obstinate. The opposers of its adoption were the extra-republicans or democrats—the same sort of men who afterwards were called anti-federalists, and who uniformly oppose all the leading measures of the federal administration of the General Government."†

At the close of the Convention of Delegates, Colonel Pickering intimated his purpose to return to Wyoming.

His friends in Wilkes-Barré sent frequent assurances that this could now be accomplished in safety. His various official duties in Luzerne County had been neglected, his business affairs, although capably managed by his wife and servant, John Scott, under his direction, were becoming involved, his new home was nearing completion and his every thought was with his family, from a portion of which he had been exiled for several months.‡

His wife was opposed to the venture, unless he was furnished an escort of troops. To this Colonel Pickering objected, on the ground that the presence of an escort would tend to revive bitter animosities, the signs of which seemed to be gradually disappearing.

Moreover, no Sessions of the Commission of which he was the head had been held during his absence, and this was evoking criticism and causing anxiety on the part of holders under the Connecticut title, lest the time limit (of eight months) fixed by the Confirming Law, should expire before their claims could be proved. In a postscript to a letter sent to his brother, under date of January 1, 1788, Colonel Pickering leaves no doubt of his intention.

"At the request of the Council," he wrote, "I have delayed my journey until now, to take some orders for Wyoming. \* \* \* I am just going to set off." He went by way of the Wind Gap and stopped at Haller's tavern. That his friends in Philadelphia were concerned over the outcome of the journey, there can be no doubt. Under date of January 12, 1788, his partner, Hodgdon, wrote from that city to Colonel Pickering, at Wilkes-Barré, as follows:

\*That the Council took no official notice of Lord Butler's alleged dereliction, is shown by the fact that under date of November 17, 1787, the Secretary of the Council transmitted a Commission to Mr. Butler, as Sheriff, for another term.

†See the "Pickering Papers," LVII

‡Four of his sons had joined him in Philadelphia, and were living with friends there while attending school.

"By Mr. Haller, who is to be the bearer of this letter, I am informed of the time you left his house to proceed to Wyoming; by which I with pleasure observe that no accounts on the road had operated to prevent your design of going immediately in. I hope all remains quiet, and that, with pleasing prospect, you are enjoying domestic happiness."

Excepting for the sincere congratulations of friends, Colonel Pickering's arrival seems to have been without incident. No demonstrations disturbed what seemed to be a community at peace with itself and the world. "We moved into the new house last Saturday (January 14, 1788) he recorded in a letter, "and while it is not yet finished, yet we have much more comfort than in that of Mr. Hollenback."

Throughout the six months of tranquillity at Wyoming which followed Colonel Pickering's return, a student of his voluminous correspondence, preserved in his "Papers," may grasp an idea of the importance of affairs with which his active mind was concerned, and in which his ready sympathies were enlisted. A considerable portion of his correspondence was devoted to a settlement of many claims arising for *material* and supplies, furnished the Revolutionary army during the period of his office as Quartermaster General under Washington.

No man has ever resided in Luzerne County who possessed as wide an acquaintance among distinguished residents of other states as did Colonel Pickering. With these he corresponded as to the new Constitution, which was having a hard fight for recognition in New York, Massachusetts and elsewhere. With others, he kept up an intermittent exchange of letters as to agriculture, upon which subject he was regarded as an authority. Still another chapter of his activities related to an earlier suggestion he had made to General Washington, as to the establishment of a school of military instruction at West Point. He was so convinced of the necessity and value of such an institution, that he recurred to it at frequent intervals at this time and later. To his logic and clear thinking, President Washington in later years assented. When, in 1794, the President ordered to West Point for instruction, a new "cadet corps" then organized, a foundation was laid for the institution, although it was not formally legalized as the "Academy" until July, 1802. Colonel Pickering has been called by some of his admirers the "Father of West Point," and certainly, if one judges from the earnestness of his recommendations, the title is not undeserved.

Important and diversified business interests likewise engaged his attention at this time. With others, he had taken up large claims of "wild lands" in central Pennsylvania and elsewhere. At Philadelphia, he was engaged in several ventures with his partner Hodgdon. That he had faith in the ultimate confirmation of Connecticut titles under Laws of Pennsylvania, is shown by the purchase, for cash, of more than 700 acres of land in Wilkes-Barré.\* Unless the titles of Connecticut settlers in general could be quieted, he realized, of course, that these purchases on his own account were valueless.

However deeply extraneous matters enlisted his interest, his thought consistently turned, as his chief concern, to the duties of his appointment as Commissioner at Wyoming. Colonel Pickering, in the early months of 1788, was no longer merely one of a Commission to carry into effect the terms of the Confirming Law. To all and sundry, with the possible exception of remnants of the Franklin party, whose leader was still in jail at Philadelphia, awaiting trial he acted as counsellor and friend.

\*For a description of these lands, see Pickering's letter to the House of Assembly on a following page.

Regarded for his business acumen, respected for his learning, admired for his close association with men and events of the golden age of American statesmanship, he seemed to have earned the esteem and merited the confidence of those with whom he dealt, in either a public or private capacity.

The conduct of the preceding Assembly had perturbed him greatly. A measure had been introduced, through the sinister agency of a powerful lobby of land speculators, to *suspend* the operations of the Confirming Law. Colonel Pickering clearly foresaw the confusion in Wyoming affairs that would attend any alteration in this conciliatory measure.

He realized also that were its provisions repealed, it would once again open the Commonwealth to charges of bad faith, and place him in a most unsatisfactory, if not humiliating position, with those whose possessions were most vitally affected by terms of the Law. With customary clarity and initiative, he had delivered to the Speaker of the Assembly, while still in exile at Philadelphia, the following comprehensive statement of his objections to any change in the legislative intent toward the settlers:\*

"Thursday evening, November 22nd, 1787.

"Sir,

"Deeply impressed with a sense of the mischievous consequences of the material alteration of the law relating to the Wyoming lands, which will be effected by the clause just adopted by your Honorable House, I beg leave to state some facts which appear to me important, and which, perhaps, may induce a reconsideration of it. The part I have taken in this business, the safety of myself and family which depends on the issue of it, and weighty public considerations, compel me to enter on the subject, and I pray for the indulgent attention of the House.

"After the law has been enacted for creating the northern part of Northumberland into a separate county, by the name of Luzerne (a measure of which, till then, I was wholly ignorant), it was proposed to me to apply for the office of Prothonotary for the new county. I objected; but it was urged upon me, chiefly on this ground,—that the views of government being conciliatory, my particular situation would enable me, more than any other probable candidate for that office, to promote them. I yielded to these solicitations, and applied for that office and the others usually joined with it in new and thinly peopled counties.

"Afterwards, the Assembly having passed a law to enable the electors of Luzerne to choose a Councillor, Representative, Sheriff, and other county officers, and therein authorized me singly, or in conjunction with the other persons therein named, to conduct those elections, I went thither with the law, and during the space of three weeks, was unremitting in my endeavors to persuade the people to make their elections, and peaceably submit to the government of this State. With extreme difficulty, I prevailed. The Councillor took his seat; but the Representative, John Franklin, having other views, remained at home; and, by his artifices and misrepresentations, seduced a considerable number of the people from their duty; so that, on my return to that county, in April, I had to repeat my labors; but again I succeeded, and the elections of the justices were ultimately held, with the very general approbation of the inhabitants.

"Immediately after the first elections, in February, I consulted some of the principal persons who had attended the elections, and who had been old settlers, and, as I supposed, were best acquainted with the claims and expectations of the people. Those claims and expectations the petition which has been read this evening was intended to describe; and the law for confirming the lands so claimed, was grounded on this petition; and such words or passages as were inserted into the law, to extend the confirming clause beyond the limits of the Committee's report, I trust I may be permitted to say, were not "insidiously" introduced. I did not conceal a single fact or motive from the Committee. The principle of public policy which led to the adoption of the bill, was that of securing the submission and future attachment of that great majority of the Connecticut settlers within the county of Luzerne, who had equitable pretensions to lands granted them, prior to the Trenton decree; and, to effect that, it appeared expedient to extend the confirmation beyond the occupied rights; but, so far was I from wishing or attempting to conceal that extension, I well remember to have told one honorable member, who supported the bill, and who is also in the present house, that it might perhaps comprehend one hundred such unoccupied rights. The case of the claimants of such rights, as originally stated to me, struck me very forcibly. In all my communications with that people before the first election, I held up no ideas of confirmation beyond the rights they had occupied before the Trenton decree; but the gentlemen, there, whom I afterwards consulted, represented that, besides such occupants, there was a considerable number of persons who, or those whom they represented, were actual settlers there, prior to the said decree, but who had not taken actual possession of their rights before the passing of the said decree. These persons, they said, were obliged, during the late war, to live with their friends in the compact part of the settlement, for their safety and protection against the Indians; that they had suffered and bled, in common with the other settlers, in the defence

\*See the "Life of Pickering," II : 344



of that frontier; and that it would be singularly distressing to reduce them or their orphan children to beggary, merely because their lots had fallen to them in places remote from the heart of the settlement. I need not be ashamed to own that humanity, as well as considerations of equity and public policy, prompted me to wish such sufferers might be provided for; and to such the petition specially referred. These sufferers, Sir, I yet hope may experience the commiseration and favorable regard of your Honorable House.

"There are, Sir, other circumstances respecting the Connecticut claimants which seem necessary to be made known before the bill now pending is passed into a law.

"The first township granted by the Susquehanna Company, called Kingston, was to be divided into forty-three parts, each of which as the township was five miles square, would contain about three hundred and seventy-two acres, without any allowance for roads.

"Another township, called Hanover, was to be divided, agreeably to the latest resolution of the Susquehanna Company that I have seen, into thirty-six parts; and I think there is one other township which was also granted to about six and thirty settlers. The other townships, as well as I recollect, were to be divided into fifty-three parts, which gives about three hundred acres to each right. In each of them, three rights were to be reserved; one for the first settled minister in office, one for a parsonage, and one for the support of a town-school. The manner of dividing the townships has been various. In some, they made as many as four several divisions. In Wilkesbarre, for instance, each settler had a meadow lot (being part of the flats) of about thirty acres. A town lot of three acres and a half, or three acres and three-quarters, a back lot of about two hundred and fifty acres, and a fourth lot containing five acres, and the land reserved for the three public uses aforementioned was left in one entire body. In some townships, those three public rights were drawn in several lots; and in other townships, some parcels of land have been reserved to accommodate a mill, or for other uses of common benefit to the inhabitants. Now whatever lands shall be confirmed, it seems necessary to advert to these circumstances to prevent the confusion and mischief which a departure from the usages of the people might produce. The surveys of townships, which have been made by order of the Commissioners, have been conformed to those usages.

"I would here beg leave to mention the alteration lately made in the lower line of the county of Luzerne. In the first law, it was declared that it should run west from the mouth of Nescopeck Creek. In the supplement to that Law, it was declared that it should run 'northwestwardly' from the mouth of Nescopeck; and in the law passed in September last, the word 'northwestwardly' was interpreted to mean 'north, one degree west.' Sir, I am well informed that this last line will never strike the ridge dividing the waters of the east and west branches of the Susquehanna. I am also informed that it will cut off one-half, and perhaps the whole, of the township of Huntington, which is one of the seventeen townships mentioned in the petition, and in which there are sundry Connecticut settlers, who occupied and improved their lots long before the Trenton decree. A number of them have already presented, and regularly supported, their claims.

"I would here cease, Sir, to trouble the House with any further observations, had I not reason to believe that pains have been taken to lessen the weight of any applications I should make in this business, by false suggestions of their proceeding solely from interested motives. Permit me, Sir, to declare that I claim no lands under a Connecticut title, except those mentioned in the enclosed paper; that I cannot acquire a single acre by extending the confirmation beyond the rights actually occupied prior to the decree of Trenton; all the lands I purchased being parts of very old settlers' rights; and that I can lose nothing from the lessening of the original grant by the clause just adopted, unless by that restriction numbers of the inhabitants who will lose their expected rights should murmur, and a general jealousy and discontent be excited from an apprehension, that this step is only a prelude to the total repeal of the law,—which, indeed, to stir up the people to rebellion, Franklin has been continually predicting. Such general discontent should it arise, would oblige me to remove my family, and abandon the country for ever.

"I am, Sir, very respectfully, your most obedient servant,

"TIMOTHY PICKERING."

"*The Honorable, The Speaker of the General Assembly.*"

The following accompanied the letter to the Speaker:

"Lands purchased by Timothy Pickering, within the county of Luzerne, under Connecticut titles, the whole lying within the town of Wilkesbarre:—

	£	s.
2 town lots of Colonel Butler, fenced, containing 17½ acres.	37	10
1 town lot of M. Hollenback, Esq., agent of Benjamin Clarke, not fenced, 3¼ acres	15	0
1 meadow lot of 30 acres, and 8 acres adjoining, of Asa Bennet	90	0
½ of a meadow lot, of 15 acres, ½ of a back lot of about 135 acres, and 1 five-acre lot	65	0
1 back lot of Tabez Fish and John Corkin, 250 acres	78	15
1 back lot of Capt. Schott, 250 acres	80	0
	366	5
Total acres, 704½."		

Those who have studied the dilatory and strangely inconsistent policy of Pennsylvania, in its course of settlement of the Wyoming claims, have invariably turned from the subject amazed at a lack of sincerity disclosed, a want of ap-

plication of even the most elemental rules of justice to the case, and the utter disregard of the rights of property involved, in an unrighteous sequence of conflicting and confounding measures adopted by the Assembly. It is for the historian to record facts, leaving conclusions to others. But to those who make even a cursory examination of the series of laws intending to supplement the Decree of Trenton, in their application to Wyoming affairs, an absence of purpose and a suspicion of double dealing are so self-evident as to excite inquiry into motives that impelled them. The Decree in itself was rather a matter of *policy* than of *right*. Aside from the Confirming Law of 1787, there appears to have been little of policy and less of right, in the attitude of Pennsylvania toward the settlers on lands of the Susquehanna Purchase. That this Law was not allowed to remain in effect longer than a few months, seems not a matter of surprise in the light of all circumstances of the case. Its suspension was tainted with suspicion and its subsequent repeal, on April 1, 1790, was tinged with duplicity and dishonor.

Beneath the surface could be found an active and earnest party, consisting of capitalists in high places, and speculators in low, who, in one of the intervals when the Connecticut settlers had been driven from these lands, had purchased of Pennsylvania, overlapping claims to the same territory. This party was known to possess an influential backing in the Assembly, and gave no indication of resting until all Connecticut titles in the Commonwealth were wholly repudiated. Fear of the accomplishment of this sinister lobby tended, more than any other agency, to keep alive the insurrectionary spirit in Wyoming.

Colonel Pickering's influence with a majority of the older settlers, had alone induced them to accept the Confirming Law as an earnest of good faith on the part of Pennsylvania and a guarantee of equality under its laws respecting their persons and possessions. That the Commissioner's conduct of his office was beyond reproach, time has proved. That he suffered for the sins of the Assembly is a matter of record. He had accepted office in order to put into effect the terms of this Law. Its suspension left one of two alternatives open to him. He could resign and leave the settlers to their fate. This action he contemplated.

That he decided to remain and take whatever consequences might follow in the impairment of his own fortunes and the loss of reputation which, of a certainty, would follow the failure of his mission to Wyoming, discovers the true character of Timothy Pickering.

Without him, chaotic conditions would have followed news of the suspension of the Law. The orderly march of events which succeeded during the early months of 1788, even in face of this news, was largely in response to the wise administration of his trust and a growing public confidence thus engaged.

The Assembly's bungling policy might have driven to despair, men less inured to privation and hardship than were the settlers at Wyoming. It might have forever estranged them from a Commonwealth, upon the mercy of which an unkind fate had thrust them, after years of futile contention that they were part and parcel of another state. What is more probable, it might have urged them forward into violent measures which malcontents in eastern states generally, would willingly have espoused.

That none of these unhappy results followed, was due no less to the influence of Colonel Pickering, than to the inherent common sense of the settlers, and

their belief that with him as an intermediary between the Assembly and themselves, justice would ultimately prevail.

Colonel Pickering visited Philadelphia in February, 1788, in the hope of having the terms of the Law restored. This mission was unsuccessful. The open hostility of these same powerful interests and the hidden intrigues of others prevented any further steps in quieting titles to the disputed lands. A letter received about this time from his friend George Clymer, at Philadelphia, indicated to Colonel Pickering and his adherents at Wyoming, how little encouragement in the settlement of affairs was to be expected from the Assembly:

"Assembly Room, March 15th, 1788.

"Dear Sir,

"Colonel Hodgdon just calling me out to let me know there would be an opportunity to write you this morning on the Wyoming business, I shall, in three words, tell you it is in the *worst possible state*. We have two parties in the House; one I detest, the other I despise. The Constitutionals would rather stimulate than repress anything that tended to insurgency and civil war, and so systematically refuse any measures likely to settle the peace of the country. The Republicans are bewildered about compensations, and, not agreeing in the mode, fatally acquiesce in doing nothing.

I have been urging the necessity of separating the confirming and compensating parts of the bill not necessarily connected, as the only means of saving us from confusion, but can get no second. I have no hope left.

"Your humble servant,

"GEORGE CLYMER."

Thus is left, for the remainder of the year 1788, the unsatisfactory state of legislation, as it affected the long drawn controversy which was to determine the ownership of lands at Wyoming.





## CHAPTER XXXII.

HARSH TREATMENT OF COLONEL FRANKLIN — RETALIATORY MEASURES  
 THREATENED—THE ABDUCTION OF TIMOTHY PICKERING—PENNSYLVANIA  
 STIRRED TO ACTIVITY — CONGRESS ORDERS CONTINENTAL  
 TROOPS TO HIS RESCUE—HIS VOLUNTARY RELEASE—ARREST  
 OR DISPERSION OF HIS CAPTORS—COLONEL FRANKLIN'S  
 PLEDGE—ANALYSIS OF HIS CASE—THE SUPREME  
 COURT AT WILKES-BARRÉ—FRANKLIN NOT  
 TRIED — SENTENCES OF ABDUCTORS—  
 THE "STATE OF WESTMORELAND"  
 —"THE SEQUEL"

"Why, headstrong liberty is lashed with woe,  
 There's nothing, situate under heaven's eye  
 But hath its bounds, in carth, in sea, in sky."

*Comedy of Errors.*

"Adversity is sometimes hard upon a man; but for one man who can stand prosperity,  
 there are a hundred who will stand adversity."

*Carlyle.*

"A prison is a house of care,  
 A place where none can thrive,  
 A touchstone true to try a friend,  
 A grave for men alive;  
 Sometimes a place of right,  
 Sometimes a place of wrong,  
 Sometimes a place of rogues and thieves,  
 And honest men among."

*Inscription in the old prison of Edinburgh.*



In order to understand an event which was to follow as a dramatic climax to the turbulent history of the infant County of Luzerne, the career of Col. John Franklin must again be referred to at this time. The violent measures of his arrest at Wilkes-Barre, October 2, 1787, have heretofore been recorded. His treatment while in jail, at Philadelphia, was not consonant with that quality of

mercy to have been expected of Pennsylvania.\* For a period of almost six months, he was closely confined in an upper apartment of the jail, a considerable portion of the time in irons; denied the admission of visitors, prevented from writing his friends and otherwise treated with every contempt shown a degraded malefactor. To add to his discomfort of mind and body, he was forced to purchase his own subsistence, owing to a neglect on the part of the jailer to inform him that Government had made provision of the usual prison fare.

To a strong, active man, accustomed to life in the open, this treatment brought on a fever which impaired his iron constitution, and all but broke his iron will. On April 16, 1788, he petitioned the Supreme Court, then sitting at Philadelphia, that he "might be liberated on finding bail that should be deemed sufficient." Assurances were given him that if he would obtain securities in the sum of two thousands pounds, he should have his liberty.† Josiah Rogers, Jonah Rogers, Christopher Hurlbut, John Hurlbut, Nathan Carey, John Jenkins, Hezekiah Roberts, Benjamin Harvey, Daniel Gore, Samuel Ayers and John Carey were named by Colonel Franklin, "any or all of whom would become pledged for his good behavior and his appearance at the time of trial." These friends and others had left no stone unturned as far as their influence extended in Philadelphia, to accomplish his bail and bring his case to trial, but delays were interposed.

While Colonel Franklin's request for bail secured him a more humane treatment as a prisoner, it did not effect his release.‡

At Wyoming, Colonel Franklin's former associates, to whom the treatment of their leader appeared merely another link in the chain of injustices to be expected of Pennsylvania, determined on radical measures as a final resort. To them, the attitude of Colonel Pickering toward Colonel Franklin, was neither to be understood nor condoned. Against every petition or request that the Commissioner use his good offices to secure Colonel Franklin's release, Colonel Pickering was adamant. To his dying day, he believed that Colonel Franklin was a dangerous man—dangerous to the peace of the community because of his radical views—and dangerous also because the Commissioner's mission at Wyoming could not be satisfactorily accomplished with Colonel Franklin free to again assume the leadership against the influence of Pennsylvania, which Colonel Pickering officially represented.

The two men were much alike in the persistency with which they held to their convictions. Colonel Franklin had the directness and often the impatience and impetuosity of the soldier. Colonel Pickering was skilled in diplomacy, but courageous withal, and rather the type of the constructive statesman. Their divergent views seemed to find no common meeting point.

\*That this severity of treatment was not only countenanced by the Supreme Executive Council, but in fact directed by that body, is shown by a resolution adopted October 8, 1787. "Council taking into consideration the intelligence received from the County of Luzerne since the capture of John Franklin, the principal of the banditti lately assembled at Tioga, and the public safety at this time requiring that the said John Franklin should be closely confined; therefore Resolved: That the sheriff of Philadelphia be directed to confine the said Franklin in one of the upper rooms of the jail, in irons, to suffer no person or persons whatsoever to speak to him without leave from Council, or one of the Judges of the Supreme Court, and to debar him the use of pen, ink, and paper." See "Colonial Records," XVI: 288.

†While Colonel Pickering was fixed in his purpose not to intercede with the Council for Colonel Franklin's release, he nevertheless seems to have performed all the duties required of him as Commissioner in measures looking to that end. On May 26, 1788, he notified the Justices of the Supreme Court, that he had "agreeably to their request, taken a recognizance of ten freeholders to the amount of 2,000 pounds for the appearance of John Franklin at the next term of Court of O. and T. in this County, to take his trial of high treason." See "Pennsylvania Archives," XI: 295.

‡The memorial of Colonel Franklin was read in Supreme Executive Council, and Frederick Watts and Nathan Denison were appointed to inquire into the facts alleged in the memorial, and report to Council. They subsequently reported that they visited Colonel Franklin "in the jail of this city, and find that his health is greatly impaired, and that unless his irons are taken off, he may greatly suffer." The favorable interposition of Governor Huntington is acknowledged, and Council directs "that the sheriff have the irons taken off Franklin, and otherwise mitigate the severity of his confinement as much as the sheriff shall think consistent with the safe keeping of the prisoner." See "Colonial Records," XI: 385.

Colonel Pickering was convinced that if Pennsylvania became dominant at Wyoming, the influence of Colonel Franklin must be destroyed. Colonel Franklin, on the other hand, realized that, with Colonel Pickering as Commissioner, continually adding as he was to his influence over a great majority of settlers, and thus securing their allegiance to the Commonwealth he represented, the long fight made by the Connecticut claimants could end only by trusting to the integrity of Pennsylvania. But before either could dominate, another test of the strength of the two parties was to startle the whole country.

Years afterward, 1818,\* Colonel Pickering wrote the preliminary to his "Life of Pickering."

The graphic story of the abduction of Colonel Pickering, depicting the wanderings of his captors and their victim, the vain attempts to extract a promise from him to secure Colonel Franklin's release, and other incidents of a thrilling episode, is best gathered from Colonel Pickering's own account of the affair. Indeed from no other source could any authentic narrative be obtained. Those concerned as his captors either fled the country, after the Commissioner's release, or else held their peace, owing to a fear that any account they recorded of the escapade might be used against them in subsequent Court proceedings. The Pickering narrative was written from memory in a letter to his son, penned in the year, 1818. The accuracy of his memory, in even minute details, in the account of his own abduction, is remarkable. He wrote:



COLONEL PICKERING

"Franklin remained in jail at Philadelphia. This put a stop for a time, to the unwarrantable measures of the Susquehanna Company and dampened the zeal of their partisans. Next to his confinement, they seemed to have thought my influence in the County was more adverse to their schemes. How to get rid of me was the question. I presume it engaged their attention for some months. In the Spring of 1788, as early, I think, as April, there were indications of some plot against me, and then, or soon thereafter, it was menacingly intimated to me by Major (John) Jenkins; (I doubt not in pursuance of instructions from the Susquehanna Company) in the hope, probably, so to alarm as to induce me to voluntarily quit the country. \* \* \* I felt no inclination to abandon my farm and buildings \* \* \* nor to relinquish the cause in which I had engaged. "By the month of June, the indications of some sort of an attack upon me became more apparent. To guard against it by shutting myself up in my house, would have been fruitless. Besides, if I abandoned my business, I might as well abandon the county. I therefore remained at my post."

In August, 1788, Garret Smith, who had been apprehended as one concerned in the abduction, turned State's evidence. His deposition, taken before Justice William Hooker Smith, throws considerable light on the plot which, as

\*See the "Life of Pickering," II : 381.

Colonel Pickering surmised, was hatching against him early in June. The deposition is recorded in the "Pennsylvania Archives," XI: 371, and is as follows:

"I, Garret Smith, of the township of Braintram, in the county of Luzerne, and of lawful age, testify and declare That on Sunday evening on the twenty second day of June last, I was at Meshoppen, and between the houses of Thomas Wigton and Martin Dudley, met Gideon Dudley, said Martin's son, when Gideon said he had a great secret to reveal to me, at the request of Major Jenkins, Colonel McKinstry, and John Hyde, (the son of John Hyde of Wilkesbarre, as I took it) and asked me if I would keep the secret. I answered That I would, if it was not to injure myself or my neighbors. He then said it was to take Colonel Pickering, and carry him into the woods, and there keep him, untill Colonel Franklin was returned to the county or released (or such like expression he made use of). I told him I would think of it till morning. The next morning I called at Captain Dudley's (having lodged at said Wigton's) and told Gideon I would go home and talk with my wife, but rather thought I should go with them. I then went down into the mill, to Captain Dudley and asked him if he knew anything about the affair of taking Colonel Pickering. He answered yes—but that he was unwilling that both of his sons should go. I asked, why? He answered for fear they should be found out—for if one was at home, people would think the other was some where at work. I then asked him which was going. He answered, Gideon, and that he (Captain Dudley) was willing he should go, and support the cause, but wished his son Joseph might not go, lest it should be found out that his sons were in the scrape. I then said Captain Dudley, I am a poor man, if I go who is to support my family, while I am gone? He answered, I will—I have enough—After this I left Meshoppen to go home in a canoe. When I had pushed up as far as Ephraim Tylers, I landed, and went to his house, where I found Joseph Dudley above mentioned, who immediately said to me—you are my prisoner for a while—he had a tomahawk in his hand). Then Ephraim Tyler asked me if I was willing to go and take Colonel Pickering? Then Joseph Dudley added (speaking to me) you have promised to go, and must either do that, or go down to Lieutenant Kilborn's (that is Joseph Kilborn's), and there lay confined 'till I return (meaning as I understood 'till he and the party returned from the taking of Colonel Pickering). I then said I had not promised, but only that I would go home and talk with my wife and if she is against it, I will not go. I then set off to go to my canoe, but was followed by said Tyler and Joseph Dudley, who took hold of me and by force, brought me back to Tyler's house. I then said to Tyler if I go what shall I do for provisions in going, and to support my family while I am gone? Tyler answered—I have sent the flour of two bushels of wheat, and fifty weight of pork, to lieutenant Kilborn's out of which you can be supplied; and I will see that your family has provisions in your absence, and I will get a man or go myself to work on your land, and we will also allow you a dollar a day for every day you are gone.—To whom (said I) shall I look for this pay? He answered, you may look to me for it. I then turned about, and said to him—I cannot go. Then Tyler's wife said she had dreamed last night, that the boys went to take an Elk, and that a person had been there and told the Elk, and that he was gone. Then her husband Ephraim Tyler said, If Garret Smith will give me his word and honour that he will go, or that he will not reveal the secret in three weeks, then he may go home. He brought a bible and asked me to lay my hand on it and swear, but I told him it was against my principle. He then asked me to hold up my hand, which I did, when he spoke to this effect—you declare that you will keep this secret for three weeks, I answered I will, after Tyler said if I would give my promise, I might go home. Elijah Reynolds who was by, said Garret Smith has lived with Colonel Hay, and knows what he is about.—I rather guess it is best to have him sworn, and then Tyler offered me the bible, as above mentioned.—I then left them, and went home. The same day I thought of my neighbour Thomas Kinney, and as he was a half share man, I suspected he might be concerned in the affair. In the evening, he came to my house, and we set out together and went up little Tuscorora creek to hunt. On our way I said to him, Mr. Kinney, do you know anything of this affair of the boys going to Wyoming? He answered yes—and added—The Pennanites have drove the Connecticut (or New England) People, and plundered them, and now we mean to have revenge and plunder, and if you will go along, you shall have part.—I forgot to mention, That while at Tyler's as above said, Tyler told me, that if I would go along with the boys, I should have, besides what he had before promised, the place I lived on (part of which I supposed belonged to Doctor Smith) and the half of ten acres of good wheat which James Smith then had on the ground,—for the other half must go to support the boys in the woods.—When Gideon Dudley proposed the matter to me. I asked him where we were to get support from? He answered—out of the settlement. I then asked him, who was going to vindicate this cause. He answered—That Colonel McKinstry was coming with five hundred men, in order to subdue the settlement—That he (McKinstry) was to take possession of John Hollenback's mill and place and John Hyde of Doctor Smith's place. I asked—What are you going to do with John Hollenback? He answered—Damn him, tomehawk him as soon as we can see him.—I also asked him (before this) if Doctor Smith was concerned in the affair. He answered no—and that he (the Doctor) was a damned rascal. I also asked if Colonel Butler was concerned. He answered—no, not that I know of.

"The mark of  
"GARRET SMITH."

"Luzerne ss. August 7, 1788. Then Garret Smith, who has subscribed the aforewritten deposition, being duly sworn, did declare, That the same deposition contains the truth, the whole truth, and nothing but the truth, to the best of his present recollection.

before,

WM. HOOKER SMITH,  
Justice of the Peace."

"I, the said Garret Smith farther recollect and declare, That about a week before Colonel Pickering was taken, I saw Nathan Abbot, the elder, at his own house (which is in the township of Braintram) and He then swore, That he would support his place where he then lived, and that he would kill any damned Pennamite that should ever set his foot on it. Said Abbot holds his place, as I have always understood, by a half-share right.

"The mark of  
"GARRET X SMITH."

The event can now be further verified by letters written at the time and by a painstaking diary, kept during Colonel Pickering's enforced pilgrimage, copies of which were uncovered after his death, in trunks and boxes filled with miscellaneous manuscript, which were not available for use when he wrote the account in question.

Only such of this manuscript as concerns itself directly with the abduction is here reproduced. The first is the account written in 1818. The second is a letter—and the only one, written during his sojourn in the wilderness. From some source, he secured of his captors the writing materials required, and addressed a reassuring letter to his wife. The third, is a copy of his diary, a curious and characteristic document, written on a quarter of a sheet of post paper, in so small a hand as to make deciphering necessary.

The main account (that of 1818, written for his son) is quoted at length:\*

"On the 26th of June, at about 11 at night, when your mother and I were asleep, and your brother Edward, nine months old, was lying on my arm, I was awakened by a violent opening of the door of the room. "Who's there?" I asked: "Get up," was the answer. "Don't strike," said I, "I have an infant on my arm."—I had no doubt that the intruders were ruffians come to execute the long menaced attack.

"I rolled Edward from my arm, rose, and put on my clothes. Your mother slipped out of the other side of the bed; and putting on some clothes, went to the kitchen, and soon returned with a lighted candle. Then we saw the room filled with men, armed with guns and hatchets, having their faces blacked, and handkerchiefs tied round their heads. Their first act was to pinion me; tying my arms together with a cord, above my elbows, and crossed over my back. To the middle of this cord they tied another, long enough for one of them to take hold of, to prevent my escaping from them. They told me it would be well to take a blanket or outer garment, for I should be a long time in a situation where I should want it. I desired your mother to get me an old surlout, which was in the chamber. She quickly returned, and I received it on one of my arms. They then led me off, and hastened through the village of Wilkesbarre, in perfect silence. Having traveled a couple of miles, they halted a few minutes. Then resuming their march, proceeded to Pittstown, ten or eleven miles up the river from Wilkesbarre. Here they stopped at a tavern and called for whiskey—offering some to me, which I did not accept; I drank some water.

"In twenty minutes, they left this house, and pursued their march.—There were about fifteen of them—arranged in my front, my rear, and on both flanks. We were in the darkness and stillness of night. As we proceeded, one of the ruffians at my side thus accosted me—"Now if you will only write two or three lines to the Executive Council, they will discharge Colonel Franklin and then we will release you." Instantly I answered—"The Executive Council better understand their duty than to discharge a traitor to procure the release of an innocent man." "Damn him, (exclaimed a voice before me) why don't you tomahawk him?" This wrath of the ruffian was excited by the word "traitor," applied to their old leader, Franklin. No more words were uttered on this subject.

"We soon reached the river Lachawannack, about two miles from the tavern. After searching a little while, they found a canoe, in which some of them passed over. On its return I stepped in, with the others of the gang. The water was low, and the canoe touched the bottom before we reached the shore. I was going to step out and wade to the shore. "Stop"—said one of them, who had a pack on his back. He waded to the shore—laid down his pack—returned to the side of the canoe, and carried me on his back to the shore.

"Proceeding upwards, we in a little while came to a ferry. The day had dawned. They crossed over in a scow (a large flat-bottomed boat) to the western side of the Susquehanna; and we continued our march, on the shore of the river, for an hour or two; then struck into the woods, and pursued the course upwards, out of sight of the river. About four in the afternoon, they arrived at a log house near the bank of the river about thirty miles above Wilkesbarre. Here they had victuals cooked, and I ate with a good appetite; having fasted since I was taken the preceding night.

"Seeing a bed in the room, I laid myself down upon it. I do not recollect when they unpinioned me. I had laid but a little while when a man arrived in a boat from Jacob's Plains, a small settlement about two miles and a half above Wilkesbarre. I knew the man. The ruffians (supposing that I was asleep) inquired with eagerness, what was the news below; and whether the militia had turned out to pursue them. He answered in the affirmative. I immediately saw

\*See the "Life of Pickering," II 381.





**"THE PICKERING HOUSE"**

Built in 1786 by Col. Timothy Pickering, and occupied by him from January 1787, to August 1791 at which latter date, he left Wilkes-Barré to accept the portfolio of Postmaster General of the United States, offered by President Washington.

From the first floor to right of entrance, Col. Pickering was abducted by the adherents of the "Franklin Party" June 26, 1788. The house is now owned by the Miner Estate, and in 1922, when this photograph was taken, was splendidly preserved.



that I should not be suffered to keep my place on the bed. In a few minutes, one of them came to the bed side and said "get up." I rose, and they took me directly back from the river, a quarter of a mile; and behind a rising ground they rested for the night. It thundered; and a heavy rain soon wet us to the skin. At day-light one of the crew went to the house; and finding all quiet, he returned, and we all went thither. The drying of our clothes, and eating breakfast, employed us till about ten o'clock. Standing with them on the bank of the river, I observed a man on the other side, leading a horse. It was on the shore of the river. Being near sighted, I did not know him. But one of them exclaimed—"There goes Major Jenkins, now,—a damned stinking — — —!" By this courteous observation on the second man of the party, and the first in Franklin's absence, it was apparent, that after encouraging and engaging them in the diabolical outrage upon me, he had deserted them. He, in fact, kept on his route, went into the State of New York, and there, being a land surveyor, found employment, during the residue of the season and until tranquillity was finally restored to the country.

"By this time, the blacking had disappeared from the faces of the ruffians; when I found two of them to be sons of one Dudley, a carpenter and a near neighbour at Wilkesbarre. The others were all before unknown to me.

"They now prepared to cross over to the eastern side of the Susquehanna. Gideon Dudley came up to me with a pair of handcuffs, with which to manacle me. To this, I objected, as they were going to cross the river in a small canoe, and I desired to have a chance of saving my life by swimming, if it should overset. At this moment, Mr. Earl (whom I had not known, but who was father to two of the party) interposed—telling Dudley that there was no danger of an escape, and advising him not to put the irons upon me. He accordingly, forbore.—We crossed the river; and they pursued their march. In an hour they halted; the leader of the band selected four, and bid the rest go on. With these four and me, he darted directly into the woods. This excited some apprehension in me, of personal mischief; especially as one of them, by the name of Cady, sustained, as I understood, a very bad character. The leader of this band was a hunter, and had his rifle gun with him. As we proceeded, a fawn was started, and as he bounded along, the hunter shot him, and in five minutes, had his skin off, and the carcass slung on his back. At the distance of three or four miles from the river, they halted, close by a very small run of water. A fire being quickly kindled, they began to cook some of the venison. The hunter took his first cut. They sharpened small sticks at both ends, running one into a slice of the fawn and setting the other end into the ground, the top of the stick bearing so near the fire as to broil the flesh. Being hungry, I borrowed one of their knives, and followed their example. I observed the hunter tending his steak with great nicety; and sprinkling it with a little salt, as soon as it was done, he with a very good grace, presented it to me.

"Before night, they cut down some limbs of trees, and formed a slight booth, to shelter us from the dew. One of them taking post as a sentinel, we lay down on the ground: my pillow was a stone. In this situation, we remained about a week. At first, they had some good salt pork, and wheaten bread that lasted two or three days; after which they got Indian meal which they made into cakes, or fried, as pancakes, in the fat of the pork. Of the pork, they were very sparing; frying only two or three small slices at a time, and cutting them up in the pan. Such was our breakfast, dinner and supper; my share did not exceed five mouthfuls of pork at each meal. They fared better—sopping up, with their bread or cakes, all the fat in the pan, of which I felt no inclination to partake. It was here I told them they would repent of their doings; and instead of being supported by four hundred men in the county, as they had professed to believe, that they would be abandoned to their fate.

"From this station they marched a few miles, and took another, in a narrow valley, a sequestered place, and about two or three miles from the Susquehanna. We had no sooner halted than they came to me with a chain, five or six feet long, having at one end, a band like the bands of horse-fetters. Colonel Franklin, they said, had been put in irons, in the Philadelphia jail, and they must put irons on me, although it was not agreeable to them to do it; 'bu' their great men required it.' Satisfied that it would be in vain to remonstrate, I was silent. They fixed the band of the chain round my ankle, securing it with a flat key, which they twisted, to prevent its being cut off without a tool to untwist the key. The other end of the chain they fastened by a staple to a tree. In this situation, I remained an hour or more; and they employed themselves in forming a booth with the boughs of trees. This chain, besides its conformity with the orders of their 'great men,' saved my gentlemen from the burden of mounting guard every night. When we lay down, they placed me in the middle, and one of them wrapped the chain round one of his legs; so that I could not rise to attempt an escape, without waking him up. But I determined not to make the attempt, for I soon considered that my life was not in danger; and I expected them to grow weary of their enterprise; so I patiently endured present affliction. Besides, if I escaped, they could take me again, unless I quitted the county; which was the precise object of the outrage to get rid of me.

"We had been in this valley but two or three days, when, one morning, whilst all my guard were fast asleep, I heard a brisk firing of musquetry. It was skirmish, I had no doubt, between the 'Boys' (as these fellows called their party) and the militia who had come from below to discover them, and rescue me. But I let them sleep on; naught did I tell them of the firing after they awoke. After breakfast, one of them went down to a house by the river, in their interest, and returned in haste, to tell his comrades that the 'Boys' and militia had met, and that in the battle Captain Ross, who commanded the militia, was mortally wounded. At the close of this, or the next day, they marched down to the river, and sought for a canoe to cross to the western side; but could find none. We were now at Black-Walnut Bottom, about forty-four miles above Wilkesbarre. Thus disappointed, they marched back into the woods, and we lay down for the

night. The next day, towards evening, they went again to the river and crossed it. It was so dark that at the distance of thirty or forty yards we might pass unseen. They passed through a thick wood to the house of one Kilborn, father to two of the party. There we lodged. The next morning they pushed back into the woods, about four miles from the river. This was the third and last station. This changing from place to place, was to prevent their being discovered by the militia, who came from below, at different times to find them.

"On the 15th of July, Gideon Dudley (who now appeared to have the command) with two others came out to our station. It was late in the afternoon. After lounging about for some time, as if they did not know what to do with themselves, they approached me; and Dudley asked—'Don't you wish to be set at liberty?'—'To be sure, I do'—was my answer. After a little pause, Dudley accosted me—'What will you do for us if we will set you at liberty?'—'What do you wish me to do for you?' was my reply. 'Will you intercede for Colonel Franklin's pardon?' 'No, I will not.' This answer was evidently unexpected; they were confounded; and retiring, they for some time, laid their heads together. Then again coming near, one of them asked—'Will you intercede for our pardon?'—After a momentary pause, I answered—'While I have been in your hands, you have told me of your 'Great Men,' and that you have been acting in obedience to their orders. By them you have been misled and deceived. Give me their names, and I have no doubt of obtaining your pardon. This they could not do, they said, without going down to their Head Quarters, and consulting the main body; and turned on their heels to depart—'Stop,' said I, 'and knock off this chain.' They instantly took off the chain, that I had carried about for ten days.

"I lay down with my guard that night, not doubting of my speedy release. As soon as it was light, I rose, put the fire-brands together (in the woods, a fire is generally kept up at night even in the warmest weather;) mixed up some of their miserable coarse Indian meal for cakes, spread the dough on pieces of hemlock bark (the usual trenchers) and set them to the fire. As soon as it was light enough to see our green tea, I went to gather it. This was the winter green, bearing red berries, which went by the name of partridge berries. Infused in boiling water, the winter green makes a tolerable warm beverage.

"By this time, my guard were awake, the tea was boiled and the cakes were baked. I told them that expecting to be released, I had risen and got the breakfast ready, in order to gain time; for if released, I had a particular desire to reach home the next day. I then proposed that we should go to their head-quarters, without delay; where, if released, it would be well; if not, I would come back with them again into the woods. They readily assented—took up their kettle and frying-pan (our kitchen furniture) and down we marched. When we arrived near to their head-quarters, they halted. One went to announce our arrival. Two or three came out, Gideon Dudley at their head when he put to me the original question, 'Will you intercede for Colonel Franklin's pardon?' 'I will answer no question till I am set at liberty,' was my return. They conducted me into Kilborn's house.

"It was now the 16th of July. Nineteen days had passed away, while I had been their prisoner. Having no razor, nor a second shirt, I had neither shaved nor changed my linen during that whole time. They had told me, if I desired clothing or anything else from home, and I would write for them, they should be brought to me. I accordingly wrote to your mother for clothing and for a book. She sent them up as directed, and they arrived at Zebulon Marcy's at Tunkhannock; and there I found them, after I was released. The shirt I wore from home, I repeatedly took off, and washed as well as I could, in cold water and without soap.

"As soon as I entered Kilborn's house, they brought me a razor and soap to shave, and a clean shirt, and a pair of stockings; and told me I was at liberty. They roasted some chickens, and gave me as good a dinner as the poor wretches could furnish.

"While dinner was preparing, they renewed their request, that I would intercede for Franklin's pardon. This I again peremptorily refused to do. Then they made the same request for themselves; and I again told them that I could venture to assure them of pardons, if they would give me the names of their 'Great Men' who had instigated them to commit the outrage I had endured at their hands. They consulted together for some time; and finally told me, they could not give up their names. 'This (I said to them) is a very unwise determination. Here are two-and-twenty of you (I had counted them) who may all obtain pardon, if you will give me the names of your employers; and among so many, some one at least, to save himself, will turn state's evidence; you had better therefore give me the names of the men who have engaged you in this wicked business.' 'Whoever does it,' said Gideon Dudley, 'ought to go to hell, and be damned everlastingly.'

"They then made a last request, that I would write a petition for them to the Executive Council praying for pardons, and carrying it with me to Wilkesbarre, take an opportunity to send it to Philadelphia. With this, undeserving as they were, I complied.

"It was now late in the afternoon; and unless I went to Tunkhannock (distant twelve miles) that night, I could not reach home the next day. They had a good boat in which they carried me down. It was dark when they landed. I had only set my foot on shore, when the two Earls came to me, aside, and offered to become evidences for the state upon an assurance of pardon. This I ventured to give them; but the rogues, when brought before the court, divulged none of the names of their 'Great men;' and reluctantly furnished any evidence against their companions.

"Walking from the landing place about a mile, across the Tunkhannock bottom land, we arrived at the house of Zebulon Marcy, to get supper and lodging. There I found the bundle of clothing which your mother had sent up for me; and there, also, I found an inhabitant of Pitts-town, going down the river as far as Lachawannock Creek. And Tuttle, one of the 'Boys,' said he would go down with us, and take his chance. The next morning, we three set off in a canoe.

Landing the man destined for Lachawannock, the other went on with me to Wilkesbarre. On the way, he told me that he had joined the 'boys' but two or three days before, in order to discover where I was, and get me rescued out of their hands.

"Stepping ashore at Wilkesbarre, I walked directly to our house. You were standing at the front door. As I drew near, you looked a moment—appeared frightened—and retired. Before I reached the door, your mother came with Edward in her arms. Consternation marked her countenance—as if I had been an apparition. My return so soon was wholly unexpected; and she looked at me as if to satisfy herself of the reality.

Colonel Pickering's letter to his wife plainly admits Pennsylvania's mistaken policy in the treatment of Colonel Franklin. Written during the period of his abduction, it contains various references to events affecting the Wyoming situation, not mentioned in his account written later. His plea that "we cannot expect the dignity and safety of the State should be sacrificed to the interests of an individual family," views the adventure in broad scope, and confirms the character of the writer as one worthy of more consideration than he has usually received at the hands of recorders of Wyoming history. The letter follows:

"My Dear Beckey,

"I hoped, ere this, to have relieved your anxiety in some degree, by informing you that I was alive and well. We marched all the night, and the next day, after I was taken; and, as one half of the time it was through pathless woods, you may suppose I was not a little fatigued. In this, I have since had no reason to complain. I have constantly lodged in the woods, sometimes in the open air, but generally under a shelter of bushes, at one time covered with bark which kept us from the rain. I know not how long I may be in such a situation, and shall therefore mention a few articles necessary to render it more tolerable; but send nothing else, as more would be burthensome in my movable condition. Though, excepting two days, when we had venison, my constant food has been fried salt pork and bread, with water for my drink, yet I am in perfect health; and as I eat this food with appetite, I desire you to send no article of diet, except one pound of chocolate and a pound of sugar.

"You must certainly understand that I was taken and am detained for the purpose of redeeming Franklin from jail. Had he been liberated lately on bail, they say this difficulty would not have arisen; some would be satisfied with less, some with more. While one would be contented if he were bailed, on condition of his residing in Connecticut or elsewhere, out of this State, another desires that he may be bailed at large. At the same time it is suggested that his leading friends here did not intend he should reside in this county, had he been liberated.

"What steps the government will take, I know not; but in considering the means of my redemption, they will doubtless consult the dignity and safety of the State. This may prolong my confinement, and consequently add to your distress and mine; but, my dear, we cannot expect that the dignity and safety of the State should be sacrificed to the interests of an individual family. I beg you, therefore, to resume that patience and fortitude which you have so often manifested, and trust to that kind and wise Providence, under which we have hitherto been preserved, for my deliverance from my present confinement. For my own part, I feel resigned to my fate, as it was undeserved from the hands of man, especially of the people of this county, whom, as a body, I have uniformly striven to serve, in every thing consistent with justice and with prudence. My captors and keepers have repeatedly said I should be well used; but used as Franklin has been. Accordingly, this day my fetters were put on. My keepers discovered some feeling on this occasion, and apologized for putting me in chains, by saying, *Such were their orders*. In other respects I live as they do. They are civil; and take pains to make me as comfortable as my situation will admit.

"The following articles I wish to have sent me, as early as may be, viz.: My old camlet cloak, two pairs of my strongest worsted stockings, one shirt, one coarse pocket-handkerchief, one coarse towel, half a pound of soap, half a quire of paper, two quills, my pen-knife, my leathern gloves, needle, thread, and worsted yarn (the thread to darn my fustian trowsers), one pound of chocolate and one pound of sugar. To these, add Dr. Price's sermons, which I was lately reading to you and Betsy. All these may be put into a strong bag, which will make a pack convenient to carry at the back; and to sling it, send me four yards of the strong yellow binding. I forgot shoes. Send my strongest pair. Send also a small-toothed comb.

"Our friend Mr. Hodgdon will be anxious to learn what is my condition. For his information, send him such extracts from this letter, as you think proper.

"If I had time, I should send some particular directions about my farming business; but I must wait another conveyance, lest I lose the present. God preserve you! Give my love to your sister, and kiss our dear boys for me. Ever yours,

"TIMOTHY PICKERING."

Third in the sequence of records of the Pickering abduction, is his diary, painstakingly recorded, in character so fine as to require subsequent deciphering at the hands of his son, Octavius. It is especially interesting as confirming Colonel Pickering's account, written from memory, years afterward. Rather

amusing it is, also, in the search disclosed for information as to agricultural subjects. No doubt, his captors were flattered and conciliated by his receiving and recording such information from them. Under the caption, *Jovis*, it was written, as the title implies, in the open air and while in the woods:

"*Jovis*, 26th of June, '88. Traveling all night, and Friday, late P. M., reached Earl's, above Tunkhannock. Friday night in the woods. Saturday, travelled two and a half hours, and pitched in the woods. Sunday, 29th, 30th, and July 1st., marched two or three hours; lay in the woods; open air. Wednesday 2nd, marched one hour, and pitched in woods; 3rd, *ibid.*, received pen, ink, paper, to write to my wife. Keepers said they had orders to supply me for that purpose, or to write to Philadelphia, if I chose. Wrote to my wife for camel cloak, two pairs worsted hose, one shirt, one pocket handkerchief, one towel, needle, thread, yarn, leather gloves, four yards yellow binding, a bag, half pound soap, one pound sugar, half quire paper, shoes, two quills, penknife, Doctor Price's Sermons, fine comb. 4th July, *ibid.*, the Anniversary of the Declaration of Independence! the birthday of American freedom! All America rejoicing, but I am in chains!!! It began to rain this morning, and is likely to continue all day. Covered our bush roof with bark, which kept dry. P. M., fair. B. Earl, about noon, went to get provisions, and returned without any. He informed that he called at E. Tyler's when Mrs. Tyler told him the High-Sheriff, with Doctor Hopkins, and about eighteen men, had met with three of the boys, and exchanged some shots, in which Gideon Dudley was wounded in the hand, and had his rifle stock split in pieces, and William Ross was shot through the body, and fell, and was carried into Wigton's. The engagement at Mishoppen Creek with Gideon Dudley, John Whitcomb, and William Phelps" (it was Noah Phelps). "Saturday, July 5th, fair morn. T. Kilborn returned from Tyler's, says Mr. Ross was taken down in a canoe for Wilkesbarre, but was not expected to live to reach that place.

"D. Taylor says, that sows should be very moderately fed after pigging the first week, or they will get cloyed, and not eat well, and their pigs will never get fat. Oxen continue to grow till six or seven years old,—often worked in Connecticut till twelve years old. They plough among corn with oxen, but with a long yoke, and the staple not in the middle, so as better to avoid hurting the corn with the chain. No driver necessary when oxen are well broken. Price of an ox-cart complete, in Connecticut, £5 lawful money. He says heifers often have their first calves at two years old—but then go farrow the next year.

"July 5th, P. M.—Small showers. Left our camp, and marched near Tyler's, across the river, and lay in the woods.

"Sunday, July 6.—This morning wrote to Mrs. Pickering, dating it July 3rd, the other of that date having been detained by the party, some of whom excepted to some expressions in it. Had plenty of milk brought me for my breakfast. Then marched into the woods four or five miles, and encamped by a fine spring near Little Mehoopenny Creek, and not far from the middle one of three wild meadows. A. M., fair; P. M., towards evening, thunder with considerable rain. Monday, July 7th, fair. Moved our camp a mile northerly. P. M., towards evening, thunder with showers. Tuesday, July 8th, fair; P. M., thunder with some rain. Shifted our quarters, and marched back near to the river, within a mile of Kilborn's; received thence milk for supper. Wednesday, July 9th, cloudy (sent a large wooden spoon and butter-spoon to Kilborn's to be sent thence to my wife), rain in the forenoon, P. M., fair, and then rain; milk for supper. No meat to-day.

"Thursday, July 10th, rain before daylight. Gave Woodward a letter, dated yesterday, to forward to my wife. Desired her to send me a small tin kettle with a cover. Woodward returned; says my things are at Marcy's, with a letter for me. After the morning, fair and pleasant, T. Kilborn showed me the twig of a tree, whose bark is a very agreeable bitter. He says there are many large trees of it on the flat by his father's, and that they have used it in timber for part of Sil's house-frame,—a soft wood; it is called winter bark. No meat; but butter to eat with bread; ginseng at our encampment, in the deep shades of hemlock woods. Query, if cultivated, whether it might not be under the shade of trees in an orchard or garden. The flowers come out of the stem at the centre of three branches, as the May apple does where the stem branches, the buds now just opening. Each branch has five leaves, three of them of a size, the other two not half so large. Woodward brought me a letter, dated the 8th, from Mr. Bowman, informing of the health of the family, and that the articles I requested are sent to Marcy's.

"Friday, July 11th, fair. Moved our camp about four miles from the river, west of Kilborn's, and about a mile over Mehoopenny Creek. Pork to-day, and what the guard call coffee, i. e., a crust of wheat bread toasted very brown, not burnt, and then boiled in water, which is then sweetened. 'Tis very tolerable drink. Woodward has been in Vermont and western parts of Massachusetts, where are beech and hemlock woods. He says they find the hemlock land, the strongest. That in Massachusetts, such land produces flax fifteen inches taller than any he has seen on the flats of Wyoming, but that the same land was too cold for Indian-corn, but excellent for grass and wheat. That in Vermont, the practice is, when you hire to get an acre cut down (except ten trees which, being largest, are only girdled), and cut into lengths, the biggest sixteen, the smaller ones, eighteen or twenty feet lengths, and the limbs all lopped off, for four or five dollars. That is done as soon as may be after planting. That the whole lies in this condition a year, and then, in time for sowing winter wheat, fire is put to it, which consumes all the limbs, and then the logs are hauled into heaps with one yoke of oxen, and burnt; then the wheat is sowed and harrowed in. The crop, twenty to twenty-five bushels an acre. Hemlock (he says), after laying

thus to dry one year, burns up much cleaner than beech and maple. Fences made with logs, or the young hemlock cut into lengths, and piled into a worm. (Query, if these round rails would not last much longer if stripped of their bark).

"Saturday, July 12th. Fair, with wind. Winter-green tea last evening with supper, and this morning with breakfast. P. M., thunder with rain, then fair. Two meals to-day.

"Sunday, July 13th. Cloudy, with intervening sunshine. P. M., rainy; no bread or meat, and, of course, eat nothing till bread arrived about one or two P. M. Learn that Mr. Kilborn stays at Wyoming, and the Sill's house-frame and timber are rafted down for him to finish there. Tim said, a day or two since, that he heard his dad had turned State's evidence."

"Monday, July 14th. Fair. Tuesday, July 15th. Fair."

Miner, in his history, does not consider the abduction of Colonel Pickering wholly unjustifiable.\* He objects to the words "ruffian," "crew," "diabolical outrage" and other terms, applied to the captors and their actions in the latter's narrative. Especially has the incident, suggestive of the treachery of Major John Jenkins, come in for a lengthy defense of character of that gentleman.

That Colonel Pickering was permitted to write to his wife, that he was carried upon one occasion on the back of a captor from a canoe, that another gave him the hunter's first cut of venison, and that other kindly acts were induced, are cited in extenuation of the conduct of his abductors. In fact, defenders of those who were in any wise concerned with the abduction, are prone to compare the merciless treatment of Colonel Franklin with the handling of Colonel Pickering—much to the discredit of Pennsylvania.

With a statement of views of the author of the "Life of Timothy Pickering," on the same subject, it is perhaps best, not to prolong the controversy.

"It is curious to note," says Upham in Vol. II, page 394, of the "Life" referred to, "the state of feeling which arose between him and his captors. When they first seized him, they were all, without doubt, filled with the bitterest hatred and prejudice towards him. Some were disposed to savage brutality. He had long been the object of their most violent animosity, as the representative of the government against which they were in rebellion, as their most formidable opponent, and especially for having personally aided in the apprehension of their leader, and sending him to prison where he still lay. Occasionally, during the first day or two, there were expressions of much feeling. \* \* \* But soon a change came over their sentiments. These rough and fierce outlaws became kind, respectful and tender in their treatment of him and their demeanor towards him. The uncomplaining readiness with which he met his condition, the hardihood with which he endured privation, his firmness, patience and all manly traits of character, insensibly but constantly wrought upon them. A similar change took place in him. At the time, all the while, and forever after, he expressed his abhorrence of their crime in breaking into the recesses of his dwelling at midnight—hurrying him into the woods and continuing for weeks, such an outrage upon his person and liberty.

"But he became convinced that they were victims of delusion and influence \* \* \* and therefore, to be regarded with pity and charity as misguided, rather than wicked men. He evidently took pleasure in recording their acts of civility and kindness towards him and was willing to pardon them and, if found consistent with the public good, to have them pardoned by the authorities."

Whatever view a perspective of events of the time may cause the reader to entertain of the whole incident, Colonel Pickering's abduction may now be regarded as an ill-starred adventure. But that it had a most potent influence in clearing the air at Wyoming, and of bringing many long deferred matters to a successful conclusion, may be gathered from further perusal.

That the abduction excited a wide interest among Colonel Pickering's friends and supporters throughout the country, may readily be inferred. There was universal relief experienced on hearing of his release and return to his family. However dilatory Pennsylvania had been in other respects as to Wyoming affairs, it was now prompt to act. Upon hearing of his seizure and captivity, the Supreme Executive Council of Pennsylvania ordered out the militia to rescue the prisoner.

At the same session, the Council ordered printed and circulated throughout the Commonwealth, the following offer of reward for the arrest of persons named

\*Miner's "History of Wyoming," see footnote page 431.

therein. It was printed in both the English and German languages and was widely distributed:

"PENNSYLVANIA, SS.

"By the Vice-President and the Supreme Executive Council of the Commonwealth of Pennsylvania,

"A PROCLAMATION.

"WHEREAS by depositions taken according to law, it appears that several evil-disposed persons have conspired to obstruct the execution of the laws in the County of Luzerne, and have violently seized and carried off the person of Timothy Pickering, Esquire, an officer of government, whom they still retain as a prisoner:—AND WHEREAS, it is of great importance to the good people of this Commonwealth that such heinous offenders should be brought to condign punishment:—WE have thought fit to offer, and do hereby offer, a Public Reward of THREE HUNDRED DOLLARS for apprehending and securing *John Jenkins*: THREE HUNDRED DOLLARS, for apprehending and securing *John Hyde*, and the sum of ONE HUNDRED DOLLARS, for apprehending and securing each and every of the following named persons, viz.:—*Daniel Earl, Benjamin Earl, ——— Cady, Wilkes Jenkins, Joseph Dudley, Gideon Dudley, David Woodward, John Whitcomb, Timothy Kilburne, and Thomas Kinney*; or for apprehending and securing any other persons who shall be convicted of aiding and assisting in taking off the said Timothy Pickering—the reward for apprehending and securing any of the above-named persons will be paid on their being delivered to the jail of the County of Northampton:—And all Judges, Justices, Sheriffs, and Constables are hereby strictly enjoined and required to make diligent search and enquiry after, and to use their utmost endeavors to apprehend and secure the said offenders, so that they may be dealt with according to law.

"GIVEN in Council, under the hand of the Honorable PETER MUHLENBERG, Esquire, Vice-President, and the Seal of the State, at Philadelphia, this eighth day of July, in the year of our Lord one thousand seven hundred and eighty-eight.

"PETER MUHLENBERG."

"ATTEST CHARLES BIDDLE, Secretary."

Another measure promptly followed which tended to give the whole affair great publicity throughout the country, and make of it an incident of national interest. On July 8, 1788, through its Vice President, who, under the existing Constitution of Pennsylvania, was its Chief Executive Magistrate, the Council addressed a letter to members of Congress representing the Commonwealth, then sitting in that body at New York. This letter, after reciting what facts were known of the abduction, concluded with a request for "troops of the regular establishment in aid of the militia."

Mr. David Redick of Philadelphia, was delegated a messenger by his fellow members of Council, to deliver the letter. In reporting upon his mission on July 17, 1788, to President Benjamin Franklin, he writes as follows:

"I arrived at this place on Saturday night. Gen. Irwin (a Delegate) took opportunity yesterday of conversing with members of Congress respecting the wishes of Council. \* \* \* This A. M., we waited on the Minister of War (Knox) who appears well disposed, but says Ziegler's Company\* has surely marched ere now; but that there are about 45 Jersey troops who will march in a few days to the westward via Easton and that a further number of troops from one of the eastern states will march by the same route from West Point where they are now stationed; all which troops he is disposed should be ordered to take directions from some General officer appointed by our Government to command them. \* \* \* A General officer may be thought necessary agreeably to Gen. Knox's ideas. It will in my opinion be necessary that an officer of reputation and military abilities be appointed. The name of an old officer and a great man at the head of the Continental troops will tend at once to discourage any ideas of success in the minds of the insurgents and at the same time they will crush those who may appear in rebellion. The Union will, by this means, appear as a principal party and not merely Pennsylvania."†

Congress, on July 25, 1788, took action on the disturbed Wyoming situation, when it was Resolved:—"That the Secretary of War direct the detachments of troops marching to the westward, to rendezvous at Easton, and thence march into Luzerne County and quell the disturbances in that County; provided, the Executive Council of Pennsylvania shall find the assistance of these troops necessary, and also that the troops shall not be delayed in their march to Ohio, more than two weeks."‡

\*Capt. David Ziegler's Company had been stationed at Easton, under orders to proceed to Ohio.

†See "Pennsylvania Archives," XI: 338.

‡Threatened uprisings of various tribes of Indians in Ohio, who complained bitterly of the encroachments of the whites, had induced Congress to order thither some Continental troops. The uprisings, after smouldering for some time, burst forth in 1789, when General Wayne finally overthrew the Indian power in the Western Reserve.





PENNSYLVANIA, ff.

By the Vice-President and the Supreme Executive  
Council of the Commonwealth of Pennsylvania,  
**A PROCLAMATION.**

WHEREAS by depositions taken according to law, it appears that several evil disposed persons have conspired to obstruct the execution of the laws in the county of Luzerne, and have violently seized and carried off the person of Timothy Pickering, Esquire, an officer of government, whom they still retain as a prisoner:—AND WHEREAS it is of great importance to the good people of this Commonwealth that such heinous offenders should be brought to condign punishment:—WE have thought fit so often, and do hereby offer, a Public Reward of **TWENTY HUNDRED DOLLARS** for apprehending and securing *John Jenkins*, **TWENTY HUNDRED DOLLARS** for apprehending and securing *John Hyde*, and the sum of **ONE HUNDRED DOLLARS** for apprehending and securing each and every of the following named persons, viz. *Daniel Earl*, *Benjamin Earl*, — *Cady*, *Wilkes Jenkins*, *Joseph Dudley*, *Gideon Dudley*, *David Woodward*, *John Whitcomb*, *Timothy Kilburne*, and *Thomas Kinney*, or for apprehending and securing any other persons who shall be convicted of aiding and assisting in taking off the said Timothy Pickering—the reward for apprehending and securing any of the above named persons will be paid on their being delivered to the jail of the county of Northampton:—And all Judges, Justices, Sheriffs, and Constables are hereby strictly enjoined and required to make diligent search and enquiry after, and to use their utmost endeavours to apprehend and secure the said offenders, so that they may be dealt with according to law.

GIVEN in Council, under the Hand of the Honorable **PETER MÜHLENBERG**, Esquire, Vice-President, and the Seal of the State, at Philadelphia, this eighth day of July, in the year of our Lord one thousand seven hundred and eighty-eight

**PETER MÜHLENBERG.**

ATTEST **CHARLES BIDDLE**, SECRETARY.

Pennsylvanica, ff.

Von dem Vice-Präsidenten und dem Hohen Rath der Republik  
Pennsylvanien,

**Eine Proclamation.**

Nachdem es aus denen geschnemäßig ausgehommenen Aussagen erhellet, daß verschiedene übelgesinnte Personen sich mit einander vereinigt, die Ausübung der Geseze in der Grausheit Luzerne zu verhindern, und sich auf eine gewaltsame Art der Person des Timotheo Pickering, Eid, eines Beamten der Regierung, bemächtigt, und mit sich selbst einverstanden, welches sie noch nicht als einen Gefangenen beschuldigen, und dases für die Würde dieser Republik von der größten Wichtigkeit ist, daß solche schändliche Uebelthäter zur verdienten Strafe gebracht werden, so haben wir für nöthig und billig erachtet, anzubieten, und bieten hiermit an, eine öffentliche Belohnung von **Zweyhundert Thalern** vor Ergreifung und Gefangennehmung des *John Hyde*, und die Summe von **Einhundert Thalern** vor Ergreifung und Gefangennehmung eines jeden der hier namentlich folgenden Personen, nämk. *Daniel Earl*, *Benjamin Earl*, — *Cady*, *Wilkes Jenkins*, *Joseph Dudley*, *Gideon Dudley*, *David Woodward*, *John Whitcomb*, *Timothy Kilburne*, und *Thomas Kinney*, oder vor Ergreifung und Gefangennehmung irgend einer andern Person, welche überführt werden kan, daß sie bey der Beschuldigung obenbenanntes Timotheo Pickering stante hilfliche Hand oder Beistand geleistet:—Die Belohnung vor Ergreifung und Gefangennehmung einer der vorbenannten Personen soll, bey Ablieferung derselben Leibes Gefangnis der Grausheit Northampton, ansgeliefert werden: desgleichen wird allen Gerichtsperionen, Friedensrichtern, Scheriffs, und Constables hiermit aufgegeben, und sie ersuchet fleißige Nachsuche und Nachtrage anzustellen, und sich alle Fleiß zu geben vorherbenannte Uebelthäter zu ergreifen und zur gesänglichen Haft zu bringen damit wider dieselbe nach denen Gesezen verfahren werden künne.

Gegeben im Rath, unter der Hand des Achtbaren **Peter Mühlenberg**, Esquire, Vice-Präsident, und dem Siegel des Staats, zu Philadelphia, den Achten Tag des Monats Julii, im Jahr unseers Herrn Ein Tausend Sieben Hundert und Acht und Achtzig.

**Peter Mühlenberg.**

Attestet **Charles Biddle**, Secretair.



Before any of the Continental troops were actually set in motion toward Wyoming, word was received by the Council of Colonel Pickering's release. Whereupon the Council imparted to Delegates in Congress the following information:

"In Council, Philadelphia, August 6th, 1788.

"Gentlemen:

"By direction of the board, I have the honor to inform you, that we have this morning, by express, received letters from Colonel Pickering and the other officers of Government in the County of Luzerne. From these it appears that matters have taken a more favorable turn than was at first apprehended. Colonel Pickering was liberated by the insurgents on the 16th of July, and the men who carried him off, are now by their petition, praying Council to grant them a pardon. The proclamation issued by the board has produced the desired effect. Two of the rioters are now confined in Easton jail, and some others in that of Luzerne. Several have been wounded, and Dudley, one of the most notorious, died in Luzerne jail of the wounds he received. Those of the rioters who still remain, are dispersed, and seeking refuge on the lakes.

"From this change of affairs, and the accounts from the western waters, which seem to indicate that the troops of the Union will be wanted in that quarter, as well as from the shortness of the time limited, for which the troops can possibly be spared, and the consideration that the chief end for which the application was made is already answered, the board are induced to request you will be pleased to inform the honorable the Congress of the United States, that we gratefully acknowledge the favor conferred on this State, by so readily granting the assistance requested. But as the emergency has ceased, and as the State will now have time to act deliberately, and as circumstances shall in future direct, we further request that the troops of the Union may now be directed to continue their route, agreeably to their first destination. The board have, in the mean time, directed a Commissary to proceed to Easton, to provide for the subsistence of the troops until further orders."

The Delegates at New York appear to have brought this reassuring news of the safe return of Colonel Pickering to the attention of Congress. An entry on the journal of that body seems to have finally disposed of the matter of sending Continental troops to Wyoming. The entry, under date of August 12, 1788, is as follows:—"ordered that the above letter be referred to the Secretary of War, to take orders."

While the Council at Philadelphia, and the Congress at New York, were taking such action as the circumstances at Wyoming appeared to warrant, there was no lack of prompt measures undertaken at Wilkes-Barré, looking to the same purpose. To the call of Council for militia, four local companies responded. Of the Wilkes-Barré company, William Ross had but recently been commissioned Captain. Hanover township furnished another Company under command of Capt. Rosewell Franklin. Major Lawrence Myers commanded the Kingston unit, and a troop of Light Dragoons, with Capt. John Paul Schott in command, had been recruited from various settlements of the Wyoming Valley. Lord Butler, High Sheriff of the County, promptly organized a *posse comitatus* and to his command was attached the militia units, in order that the whole rescuing force might serve under one directing head.

"What a change!" exclaims Miner in recording this expedition: "Captain Ross and Sheriff Butler, as violators of the law at Laurel (should be Locust) Hill, sent in irons to Easton, were now the effectual vindicators of the violated laws."

That New York was making common cause with Pennsylvania in apprehending the abductors, is manifest by a warrant issued by Chief Justice Richard Morris, of that State. It was dated July 17, 1788, directed to the Sheriffs of several counties of the State, and called for the arrest of the men named in the Pennsylvania Proclamation hereinbefore noted. It declared that the rioters "will probably attempt to pass into New York in order to elude justice." At the same time, Governor Clinton issued a circular letter to all civil and military

officers of the State, commanding them to aid and assist in the execution of the warrant.

While movements of the abductors are not difficult to trace, owing to the painstaking collection of records found among the "Pickering Papers", the plans, progress and attainments of the rescuing forces were never summed up in a single document, but must be gathered from various letters, and miscellaneous data, copies of which were preserved and later published in the "Pennsylvania Archives", from which those that follow were selected.\*

By ten o'clock on the morning of June 27, 1788, about one hundred and forty militia were assembled on the River common, at Wilkes-Barré. Captain Schott, with a detachment of eighteen mounted men of his troop of Light Dragoons, acting as scouts, immediately moved up the river in search of the abductors. At nine o'clock the next morning, June 28th, the Hanover Company, under Capt. Rosewell Franklin, set off. That evening, Captain Schott returned to Wilkes-Barré, with the horsemen, after advancing within six or seven miles of the party of captors. On June 29th, the first detachment of militia returned to Wilkes-Barré with two prisoners. July 1st., the Wilkes-Barré Company, under command of Captain Ross and accompanied by Maj. Lawrence Myers, moved up the east bank of the Susquehanna.

Commissioners Balliet and Armstrong, neither of whom were present at Wyoming at the time of the abduction of their fellow Commissioner, set out from Philadelphia, upon learning of the occurrence, in order to render any assistance within their power, to secure Colonel Pickering's release.†

On the 9th of July, they joined, in a letter from Wilkes-Barré to President Franklin, in the following account:

"We have the honor to inform you we arrived at this place on the 1st inst. and found the whole settlement in motion on account of Col. Pickering being carried off a few days before, by a banditti here called the "Half Share Men", or "Wild Boys." The detachment commanded by Captain Ross consisting of 18 men, who had six suspected persons under his care, fell in with the insurgents. Mrs. Pickering received a letter from the Colonel on the 3rd inst. informing her that he is well."

From a letter also dated at Wilkes-Barré, July 9th, addressed to the President of the Council, signed by Col. Zebulon Butler and William Hooker Smith, Justices of the Peace, and by Lord Butler, Sheriff, additional information is obtained of activities of the searchers:

"The militia under the command of the Sheriff repaired near the place where the rioters were posted, and after the scheme was agreed upon, Capt. Ross, with a party of 12 or 14, began his march and first after daylight the next A. M. met the rioters, gave them battle and obliged them to leave the ground. In the attack, Capt. Ross behaved with much intrepidity and calmness, but had the misfortune of receiving a wound through his arm and another through his body. They are not mortal. \* \* \* After this small engagement, the militia soon returned. The place of the rioters' resort is so situated that, after mature deliberation, it was concluded a smaller body of men would much better effect this reduction. Their number does not exceed 18, and it is generally thought that many of them are much dissatisfied with the impudence of their conduct and some of them have left the County. \* \* \* The fathers of most of the rioters we have in custody. Some or all of them have advised to the nefarious plan and afforded comfort to the rioters since their appearance in arms for which proceeding, we think their liberty ought to be restrained. They appear to be much affected by their confinement and seem willing to acknowledge that they have embarked in a most glaring enterprise. \* \* \* The militia have done their duty with cheerfulness and stand ready for the second tour."

It was brought out by testimony in the course of subsequent trials, that this action occurred at Meshoppen, and that Gideon Dudley, who was in command

\*See "Pennsylvania Archives," XI: 330-351.

†Commissioner Balliet had not been present for duty at Wyoming for several months prior to the abduction, having returned to his home shortly before the arrest of Col. John Franklin. Commissioner Montgomery, after having been openly insulted the day following Colonel Franklin's arrest, left quietly for Philadelphia, where he remained until recalled by the Pickering episode.

of the abducting party, was wounded in the hand. He, however, escaped at this time. The only other encounter between forces of the Sheriff and those commanded by Dudley, occurred on July 26th, ten days after Colonel Pickering had been released. Captain Franklin's command engaged the remnant of the band at Wysox creek. Joseph Dudley was again wounded—this time seriously. The severity of his wound being realized by his captors, they immediately placed him in a canoe and brought him to the jail at Wilkes-Barré where he died three days later.

A letter from Colonel Pickering, to President Franklin at Philadelphia, throws further light on the final incidents of the abduction. It is dated at Wilkes-Barré, July 29th, and reads as follows:\*

"This morning, Jos. Dudley† was brought hither badly wounded. This day, a woman whose son lives with John Jenkins, informed me that he had sent down to his wife to prepare to move with her family immediately to the Lakes. By the last acts, it appeared that Jenkins has engaged lands in that country for the York lessees.

"In the expedition in which Capt. Ross was wounded, divers elderly men, fathers of families, were made prisoners and brought down to Wilkesbarre on suspicion that they were abettors of the party who took me. Stephen Jenkins, brother of John, has been apprehended, and now is in jail at this place, in consequence of the evidence against him in B. Earl's deposition.

"Dan'l. Earl also told me that Stephen J. was as deeply concerned in the plot, as any one. Gideon Church has not been apprehended, because good policy seemed to require that a door should be left open for repenting sinners. He went out with the first three parties to apprehend the offenders and rescue me.

"By the last company of volunteers, he was chosen their Captain, and conducted with such spirit and judgment as pleased the whole of them. Old Benjamin Harvey (who lived at the lower end of the Shawnee flat) fled a few days after I was taken, and sd.(as I have heard) that some others wd. be obliged to follow him. Yet the hint in the examination of Wm. Carney (one of the arrested rioters) is the only evidence, wh. has yet appeared agt. him. His flying, joined with his former conduct, affords a strong presumption of his guilt.

"Eveg. 11 o'clk. This moment, the jailer here applies for a winding sheet, informing that Jos. Dudley is dead."

As soon as suspects in the abduction were brought to Wilkes-Barré by parties sent out by the Sheriff, or otherwise encouraged by the hope of reward for their efforts, they were arraigned before the most conveniently assembled Justices, who made proper disposition of their cases. The first to appear of record as thus arraigned, were Ira Manvil and Benedict Satterlee of Plymouth.

On July 19, 1788, they were brought before Justices Smith and Carpenter, charged with "aiding in the abduction," and plead guilty.

The same day, they were committed into the hands of Sheriff Butler to be conveyed to the jail at Easton, pursuant to a special Act of Assembly passed for the purpose.

Through various agencies, the hunt for participators in the abduction continued well into the month of August, and in all some forty alleged participants or their advisors were apprehended.

On July 23rd, the Council at Philadelphia seemed to have been placed in such a cheerful mood by the change in affairs at Wyoming, as to offer congratulations to County Lieutenant Zebulon Butler, in the following terms:

"The Council express their entire approbation of the officers of Government in Luzerne relative to the rioters. Council are so well assured that everything possible will be done by you that they have hitherto postponed the raising and marching of troops to your assistance until circumstances shall otherwise direct."

On July 29th, Colonel Butler responded to the overtures of the Council and addressed, what appears to be a final official report, dealing directly with the incident ‡

\*See "Pennsylvania Archives," XI : 359.

†Col. Pickering was in error in the first name of the wounded man. Subsequent court records disclose that it was his brother Gideon who died.

‡See "Pennsylvania Archives," XI : 356.

"The people at Tioga Point are mostly under arms, and are now in pursuit of the remainder of the rioters, and in all probability have before this, either drove them from the county or made them prisoners.

"A full determination seems to be in every one's mind to crush and disperse all those who have been active in the riot. It gives me singular satisfaction to find that an attachment to Govt. very universally prevails among the people. Any force necessary to the free circulation of law, or to quell similar disturbances to the one lately taken place, we can raise at any hour. Never before this, could I determine with much precision, what defense, for the support of law, would be made by the people of the Co. if necessary. But I may now assert that the advocates for Govt. are so numerous that we never shall again be disturbed with such tumults and dissension as we have been in times past. By the concession of all those whom we have now in custody, they have been most grossly deluded by a very few designing characters, in whom by woful experience they find no kind of confidence ought to be placed. Indeed, not only they, but others on whom we have ever looked with a jealous eye, are now of the same opinion."

Miner, in his "History of Wyoming", (p. 431) narrates a story in connection with the abduction which must have been current among the older generation in 1845, when the History was written. It is an interesting sideline of the incident, and seems worth recording here:

"At Osterhout's, a few miles above Keeler's ferry, they [the militia] made a halt to take refreshments; when a guard of two or three men, placed by the river side, observed a boat with three persons on board, to push out suddenly as in haste, from beneath a bunch of willows. Refusing to answer, a shot was fired, and they changed their course. Another bullet struck near, when two men threw themselves into the river, and swam to the opposite shore, while a boy hove the canoe about and surrendered. 'Who are you, and who were those in the canoe?' inquired Sheriff Butler, who had come down to the spot. 'None of your business,' said the boy, with great apparent indignation. 'Tell us who you are, and where you are going?' 'I wou— you are all a pack of rascals not to let honest men go to the mill in their own boat, but they must be shot at as if they were wolves.' Finding they could get no information from the fellow, amused with the spirit displayed, and respecting his faithfulness to his friends, Mr. Butler took him to the house, gave him a good dinner, and then told him to go tell 'the boys' the whole country was in arms against them, and they had better give up Col. Pickering. The story of young Hillman, for that was his name, may as well be concluded here. He was arraigned with others, and it was in proof that he was for some time one of Pickering's guard. When Chief Justice M'Kean was about to pass sentence, Col. P. with great magnanimity, rose and said: 'The boy had evidently been misled by older persons. That though in error, the spirit and faithfulness exhibited, in what he probably thought was right, showed that he was no ordinary character. He might yet under better advisement, become a useful member of the community, and it was his desire that the lad should receive as mild punishment as the law would admit.' Of course Hillman was permitted to escape under a very mitigated sentence. We have sought to learn his subsequent fate, but he is lost to us."<sup>8</sup>

Several incidents which indicated that even with almost the whole of the County arrayed against them, the Franklin cause still lived in the minds, and doubtless the hearts, of many of his followers, is recorded by Colonel Pickering in a letter to the Council, in part, as follows: "Wilkesbarre,† August 9, 1788.

"A few days after young Dudley was buried, some people were for digging up the body to expose it to a Coroner's inquest; for they said he was murdered by the party which took him. And I find, that in the beginning of this week while I was absent, attending my wife on her way to Phila., a number (8 or 10) of the old settlers from Nanticoke and Shawnee, came to Wilkesbarre warmed with the same zeal for digging up the body of Dudley; but the Shff. and some other gentlemen talked with them, and partly by reason and partly by threats, checked their zeal and sent them home cool.

"A disposition to murmur at every correcting measure of Govt. and act of the magistrate, necessary for the establishment of good order, and strictly legal, prevails among great numbers of the people. I beg leave to notice the late elections of militia officers in the upper battalion. John Jenkins and John Swift were chosen Lt. Col. and Major by a great majority, and Martin Dudley, Jos. Kilborn, and David Woodward (all names now familiar to Council) were chosen Capt., Lt., and Ensign of each of the Companies. Divers similar elections of disaffected characters took place in the same battalion. It would seem to have been an object with a majority of the electors to choose such men, not for the purpose of supporting, but, in proper times, of opposing the Govt. of Penna.

"I have to observe that the whole country is at present in peace; all the insurgents who have not surrendered themselves or have not been taken, having fled into the neighboring States.‡

At the September, 1788, session of the Court of Quarter Sessions, held at Wilkes-Barré, at which the name of Mathias Hollenback appeared for the first

<sup>8</sup>The name of this boy of fifteen, was not Hillman, but Aaron Kilborn. He was one of those tried in November, 1788, during the visit of the Supreme Court to Wilkes-Barre.

†This is the first occasion the writer can discover of where Colonel Pickering spelled the name Wilkesbarre. Heretofore, in all his correspondence, it has been referred to, as Wilkesborough.

‡See "Pensylvania Archives," XI : 367.

time on the list of Justices, sitting *en banc*,\* a special Grand Jury was impaneled to make inquiry into affairs concerned with the abduction.†

This Grand Jury was composed of Lawrence Myers, foreman; William Trucks, Benjamin Bailey, Jabez Fitch, Solomon Avery, Elisha Blackman, Daniel Downing, Jacob Partrick, Thomas Bennet, John Dorrance, Philip Myers, Samuel Dailey, Stephen Harding, Isaac Allen, Elijah Sillsby, Samuel Miller, John Scott, Benj. Jones, Joseph Wheeler, Leonard Westbrook, Justus Gaylord and Jos. Elliott.

The Court record discloses that: Ira Manvil, Benedict Satterlee, John Hyde, Jr., David Woodward, Daniel Earl, Gideon Dudley, Joseph Dudley, Solomon Earl, John Whitcomb, Daniel Taylor, Timothy Kilborn, Frederick Budd, Wilkes Jenkins, and Zebulon Cady were indicted as participating in "a riot, rout, unlawful assembly, assault and battery and false imprisonment of Timothy Pickering, for nineteen days."

Noah Phelps, Nathan Abbot, Jr., Benjamin D. Abbot, William Carney and Aaron Kilborn were not held for sharing in the actual abduction, but for afterward joining the captors. Martin Dudley, Joseph Kilborn, Thomas Kinney, Nathan Abbot, Jr., Ephraim Tyler, Stephen Jenkins, Darius Parks and John Jenkins were likewise indicted "for advising and assisting the rioters" of the two preceding indictments.

These, with the others, were bound over in various sums to "appear personally before the Justices of the Supreme Court of Pennsylvania, at their next session of Oyer and Terminer, to be holden at Wilkesbarre."

In addition to those indicted, the following important witnesses were placed under bonds to attend the same session: Anna Dudley, Garret Smith, Uriah Parsons, William Griffith, Benjamin Earl, Elizabeth Wigton, James Smith, and Joseph Wheeler. Among the latter, were several of the actual abductors who had turned state's evidence.

From his uncomfortable quarters in the jail at Philadelphia, Col. John Franklin must have followed with interest, the affairs of Wyoming. It was in retaliation for his treatment at the hands of Pennsylvania that the abduction of Colonel Pickering took place. With indictments standing against some of his followers and former associates, because of this retaliatory measure, with his own trial approaching at the same time that the cases of these would be heard, and with a conviction that further opposition to the authority of the Commonwealth was without purpose, Colonel Franklin addressed a letter to the House of Assembly. He had then been in prison almost a year. Being recognized as the leader of those who had consistently endeavored to maintain Connecticut jurisdiction over the disputed territory, even in face of the Decree of Trenton, and failing in this, being regarded as one, if not chief of those irreconcilable spirits who had endeavored to set up a new state, embracing such territory; his declaration "*that I was fully determined to return to*

\*The fall election of 1788, resulted in the election of the following Justices of the Peace:—Mathias Hollenback, William Hooker Smith, Benjamin Carpenter and Nathan Kingsley. Nathan Carey was elected Coroner. The following Constables were likewise elected: John Ryan, Nathan Beach, Thomas Park, Oliver Dodge, David Brown, Jesse Gardner, Tamas Dolson and Gideon Osterhout.

†Search, in 1922, for records of this, the third session of the Courts of the County of Luzerne, revealed a rather amusing lack of appreciation of their value. Docket No. 1 of the Court of Oyer and Terminer contains records of the Court only from the year 1800 to 1802. Even delving through the vault of the present Court House where many old records are kept, disclosed nothing earlier. At the suggestion of the assistant Clerk of Courts, the author then began a search through every volume on the back of which the figure *one* appeared.

About to give up the search, the back of ROAD DOCKET No. 1, was finally observed protruding through its accumulated dust. This proved to be the record desired. In Colonel Pickering's handwriting, as legible today as when made, and written on an exceptional quality of heavy paper are entered the records of this court and its predecessors. Presumably, when this old volume needed rebinding, some clerk opened to one of its pages containing an account of the early appointment of Road Supervisors and, guessing at its contents, labeled the collection "ROAD DOCKET No. 1" which name it still bears.

Wyoming, and use my influence in quelling the disturbances" was deemed by the Council an honorable surrender, as well as pledge for his future behavior.

Colonel Franklin's letter, fully setting forth various matters of his long confinement as well as his change in attitude toward conditions at Wyoming, is here published in essential part, as follows:

"Prison, Philadelphia, Sept. 17, 1788.

"Gentlemen:

"You will please to pardon me, while I address you upon a subject that most nearly concerns me—the subject to which I relate in my petition, lately presented to your Honourable House, and which is referred to you, to inquire into, and report thereon.

"The notice taken of me in this my unhappy situation, and the opportunity I had yesterday with Doctor Logan, who was pleased to honour me with a visit on the subject of my petition, demand my grateful acknowledgments. But, as some matters have since occurred more fully to my memory, you will permit me to lay before you a state of facts, which I would wish to do only for information.

"The Honourable Justices of the Supreme Court, on the 16th of April, agreed to admit me to bail, upon my entering into a recognizance with two good securities, in a sum therein required, as stated more fully in my petition. I obtained a certificate accordingly from the Clerk of the said Court, after which I addressed his Honour, the Chief Justice in a letter, stating the difficulty which would probably take place in procuring any two persons at Luzerne to be my bail, who would be adjudged equal to the sum required, and requested that four or more persons might be taken as security, and that some such person, within the said County, as his honour thought proper, might be directed to take the recognizance;—he was pleased to grant my request: however, not anything was done to effect until the 9th of May, when a friend of mine was permitted to see me, he being accompanied with an Honourable Member of Council, by whom I was informed that the Chief Justice agreed to direct the Prothonotary of Luzerne to take four persons as security for my appearance at court, &c." \* \* \* However, before the business was complete, the Chief Justice had set off on the western circuit. My friend went on as far as Chester, and returned on the 10th, when I was informed that he had a letter from the Chief Justice, to send forward to the Prothonotary of Luzerne, to take the security at that place, and that whenever the recognizance was sent, that Justice Bryan would take my own recognizance. This letter, together with a letter which I was permitted to write to my friends at Luzerne, on that subject, was immediately sent forward. May 31st, I had information that security was taken, and the recognizance came to hand by a young man [Perkins] sent for that purpose. I expected to be liberated the same day; but heard nothing further until the 4th of June, when the young man was permitted to see me, he being in company with a Member of Council. I was then informed that nothing could be done until the Chief Justice returned, who accordingly returned soon after.

"Application was made to him by my friends in my behalf, to obtain my discharge on the bail. I did all in my power to obtain my discharge from prison, or to know what prevented me from being liberated. I was informed that the Chief Justice gave for answer, that he had nothing to do with it, that it lay entirely in the breast of Council. Application was made to that Board in my behalf. It rested until about the 8th of June, when an Honourable Member of Council came to see me. \* \* \*

"After hearing the remarks of the visiting member, the young man who was present at that time, returned to Wyoming, after waiting nine days in this city at my expense. I was still kept in close confinement, deprived of the advantages of social society as I before had been, and could not be informed of any reason why I was not liberated, except as before represented, neither did I ever, by any authority, know what other reasons were assigned, until Doctor Logan informed me, yesterday, that the security was deemed insufficient—that some of those who were taken as security, had, at the same time, used threatening language, &c., which probably prevented me from being liberated. I have not heard the names of all those who are my security, but have been informed, that some of those nominated were absent, and others accepted by the Prothonotary on lieu, thereof,—ten persons being required to enter bail. If any person who has been accepted as security for me, has been so imprudent as to use threatening language on that subject, I hope that their misconduct will not prejudice those equitable rights which I may be judged entitled to. I wish, if the Honourable Commissioners think proper, that the matter may be fairly investigated whether the persons who entered bail for me are the identical persons who made use of threatening language, (I do not pretend to know to the contrary), but I have enemies, who would, perhaps, wish to injure me, and be fond to have me wear out the last remains of life in prison. I, therefore, only wish that such inquiries may be made, as to prevent any undue measures operating to my hurt, that equal justice, in that as well as in every other case, may be done me: I must confess, that I earnestly expected to be liberated on bail, conformably to the encouragement given me, and really thought that I had right so to expect, and I most solemnly declare, that in case I had been liberated, I was fully determined to return to Wyoming and to use my influence in quelling the disturbances at that place, if any there should be, and to prepare myself to take my trial when called therefor, before a jury of my country, as the constitution directs: but as I was not liberated, I made my appeal to the legislative body, the guardians of the people, from whose justice and humanity, I am induced to believe, I shall in some way obtain relief. As to the circumstances of my confinement, that is fully set forth in my petition. I have lately been very sick with a fever, but am now recovered from the disorder, though my sickness, together with a long confinement, has reduced me to a feeble state, which is hard to be recovered in a place



of confinement. I was destitute of money at the time of my commitment, but agreed with a friend to support me with provisions, and never knew that any provision was made for me by Government until I was liberated to the front of the gaol, the 24th of June, since which I learn that the person who supported me has had his bill allowed by Council, for my weekly subsistence, though paid in depreciated currency, which I shall be under obligation to make good, unless the sum he has received is made equal to my weekly subsistence, which I am not able to determine; my retired situation has prevented me from doing anything for myself to any advantage which I might otherwise have done.

"If after a full investigation, it should be thought proper to admit me to bail on the security already taken, it would prevent a pecuniary expense which would take place in procuring other security if required; but in case I am liberated in any other way, I shall make myself satisfied, and if continued in prison, I am resolved to be submissive to whatever Providence has assigned me. I have only wrote to give you information. I earnestly hope that whatever may be alleged against me, will not prejudice any equitable right to which your committee and the Honourable Assembly may adjudge me entitled, as equal justice is all that I demand. I am, gentlemen, with every sentiment of respect,

"Your Obedient Servant,  
"George Logan,  
"Peter Muhlenburgh, } Esquires.  
"and John P. Schott, }

"JOHN FRANKLIN."

After delivery of this letter to the Council, the attitude of that body toward the prisoner seemed to change almost overnight.

Although still confined in jail at Philadelphia, Colonel Franklin was then granted many liberties, was visited by various officers high in affairs of the Commonwealth, and otherwise treated with that courtesy due a prisoner of his station. "Knowing his great influence" says Miner, (p.437) "particular pains were taken to conciliate him, and to bring him into the scheme of compromise devised by Colonel Pickering. Without committing himself to that point, he satisfied those who were interested, that he would offer no further obstruction to the free introduction of the laws."

Through friends in Connecticut, Colonel Franklin appears to have interested Governor Huntington of that State in his behalf. On October 14, 1788, the Governor, accordingly, wrote to President Franklin of the Council, in part, as follows:

"\* \* \* I have now before me, a letter from the prisoner, wherein he acknowledgeth his situation hath been made as comfortable as close confinement could admit, except he is unable to procure comfortable clothing; but he complains grievously that he is still in close confinement without being admitted to bail, or the liberty of a trial for the offence wherewith he is accused. Let me suggest to your Excellency whether it be consistent with the free constitution of the Comwlth. of Pennsylvania to hold any person a close prisoner from year to year merely upon accusation, without admitting him to bail, or the liberty of a trial, when Government is in profound peace and full exercise?"

This letter being read in Council, David Redick, acting as its Vice President made answer as follows:\*

"In the case of the prisoner Franklin, the peace and tranquillity of Luzerne depended, in the opinion of Govt., in a great measure on the confinement of this man until he could be brought to trial, which will now take place within a very few days, and which is as early as the Supr. judges have had it in their power to go to Luzerne. We presume that the charge against Franklin, together with the well known spirit and uniform conduct of this person, and the disturbances which have subsisted in the settlement of Wyoming almost ever since his detection, will fully justify the measures pursued by the Govt."

Laying aside all reference to burdensome documents which serve to give authenticity to this narrative, it can be inferred from the tone of all of them that at this time, Wyoming was enjoying a period of peaceful occupation so seldom indicated by its history in almost a quarter century.

Colonel Pickering was, nevertheless, somewhat fearful of any softening in the attitude of the Council toward Colonel Franklin. This is manifested in a lengthy letter he addressed to that body on July 28, 1788, shortly after deliverance from his captors, and perhaps had something to do with postponing Colonel Franklin's trial until fall. The extracts quoted are not uncomplimentary to Colonel Franklin, indeed the reverse:

\*See "Pennsylvania Archives," XI : 414.

"Even among the old settlers there are few who do not anxiously wish for Franklin's release. This violent attachment I have often wondered at. It cannot be merely the effect of friendship, affection and gratitude. The consideration of *interest* will alone solve the problem—However, whether I have hit on the real cause of the peoples' attachment to Franklin or not—that it is strong to an astonishing degree and almost as general as it is strong, are serious truths."

If other evidences of this attachment were wanting, they could be found in the anxiety with which the whole community awaited the approaching trial of the imprisoned leader, at the hands of the Supreme Court.

Outwardly, all was calm. The settlers went about their harvest tasks unopposed by adverse claimants to their unquieted titles. Owing to the suspension of the Confirming Law, the other Commissioners had no further duties to perform at Wyoming in the hearing of disputed claims.

The unsettling influences of these hearings were, for the time at least, not to lend to a feeling of doubt and uncertainty which had made the Wyoming Valley the theater of the most extraordinary conflict, of individual suffering, of wrongs and outrages, recorded in the annals of America.

Elsewhere, preparations were slowly going forward for the trial. On October 21, 1788, David Redick, of the Council, wrote to Governor Clinton, of New York, to "send on letters written by Franklin to Joseph Hamilton\* and other papers relating to the business." Upon the Hamilton correspondence with Colonel Franklin, the case of the Commonwealth, if one existed, seems to have rested. Many letters relating to the Connecticut claims, as before mentioned, had been intercepted in their passage between the two men. Other documents had been taken when Dr. Hamilton was arrested. Yet, unless additional correspondence existed than has been made a part of the records of Pennsylvania and available in the "Archives," or is recorded elsewhere, undisclosed by diligent search, the charge of *high treason* could, by no stretch of the imagination, be predicated upon it. It is true that both of these men, in various parts of this correspondence, referred to the idea of a new State. But not a syllable in this interchange of letters between them breathed disloyalty to the general government, even if its tone was uncomplimentary to the dignity, if not to the integrity, of Pennsylvania.

There is no intent of presenting this lengthy and often extraneous correspondence in this volume, other than such parts of it as relate to proposed erection of the "State of Westmoreland."

That Historian Harvey intended to prepare a separate Chapter of this work, devoted to "The State of Westmoreland," was evident from an envelope designated by that title, found among his effects. The writer has before him all the data on this point collected in a lifetime search by Mr. Harvey. A limited quantity of additional data has followed an exhaustive investigation of the same subject.

What Mr. Harvey's conclusions were, are not apparent. The writer's own conclusions are based upon such documents as are quoted, in part, in preceding chapters. Briefly they follow:

First:—That, rather than endure further injustices, continued maladminis-

\*Shortly after Franklin's arrest at Wilkes-Barre, Dr. Joseph Hamilton was apprehended on a similar charge at his home in Hudson, N. Y. President Benjamin Franklin of the Council, in writing to the Pennsylvania Delegates in Congress on October 20, 1787, referred to the "news of Hamilton's arrest with all his papers which were conveyed to New York."

On the same day, President Franklin, in another letter, expressed the thanks of the Council to Governor Clinton of New York for Hamilton's arrest and "requested copies of the papers seized."

Colonel Pickering alludes to Hamilton in a letter to his wife dated at Philadelphia, October 27, 1787, as follows: "I have the pleasure to inform you that Dr. Hamilton has been taken with a budget of letters and papers, showing his own and Franklin's treasonable practices. Hamilton, you perhaps know, wrote three of the letters taken with Starkweather, and has been Franklin's principal correspondent in York State." See the "Life of Pickering," II: 327.

tration of laws and the promotion of a system of land jobbing, which, up to the year 1786, marked the weak and vacillating course of Pennsylvania toward Wyoming, Col. John Franklin, John Jenkins Jr., John Swift, Zera Beach, Benjamin Harvey, Elisha Satterlee and other reputable characters of the Franklin party, finding Connecticut impotent to help them, turned to the other alternative of desiring to establish a distinct government as an approved American method of securing their possessions and their liberties.

Second:—That the motives of these, and other original Connecticut settlers who shared them, were a natural product of the times, and were no more *reasonable* in their nature than were aspirations for self government on the part of the Colonies themselves.

Third:—That, never having taken an oath of allegiance to Pennsylvania, nor indeed, recognizing as more than a policy, the Decree of Trenton itself, their aspirations could not be classed as *disloyal*.

It remained for others to impart to the project a sinister aspect, which Pennsylvania has held to the mirror of opinion, in justification of harsh and unwarranted methods in dealing with a situation which at best never passed beyond a chimerical stage.

The year 1786, witnessed a disintegration of such government as the country possessed under the loosely drawn Articles of Confederation. A centralized Constitutional form of national government was then merely in the making. That mistrust of the future, intermingled with memories of the past, brought to the surface the discontented of all classes, events of the time disclose. What more natural than that some of these malcontents should interject themselves into the Wyoming situation? Here was an empire of available lands to incite their greed. Here was a just cause they might espouse, in name, the success of which would open the door to their every ambition. Right and policy were again in conflict. Members of the Susquehanna Company, and there were many among such in Connecticut who had never been to Wyoming, based their convictions on a question of right. Land speculators, disaffected persons in other communities, and uncontrollable spirits elsewhere, based their connection with the project usually on self interest and policy.

Between representatives of these two constituents of the plan, much correspondence had passed. Whatever of it had been intercepted became a basis in the case of the "Commonwealth of Pennsylvania vs. Col. John Franklin."

Whether a Constitution for the "State of Westmoreland" was actually drawn up, will never be positively known. Hearsay testimony alone is in its favor. There is no trace of it among original papers of the Franklin case preserved by Pennsylvania. For a century, the search for this missing link of local history has continued in every possible repository. But the document itself, has never come to light, nor was it ever *seen* by anyone who wrote of it at the time.

Below is given the collateral and necessarily conflicting testimony bearing on this much mooted question, which painstaking investigation has disclosed.

During his exile in Philadelphia, November 11, 1787, Colonel Pickering wrote his brother, John, at Salem, Massachusetts, what appears to have been his unbiased views on the subject of the "State of Westmoreland."\* Nowhere else in all his correspondence is the subject so fully alluded to. The letter is, therefore, quoted at length:

\*See the "Pickering Papers," XXXV : 26.

"You will have heard of the disturbances at Wyoming, whither I had moved my family. The prospect is now changed, and I expect peace will be shortly fully established in that country. The Government of Pennsylvania appears disposed to do everything requisite for that end. The troubles originated with a few villains of some ability, but chiefly of desperate fortunes, who had formed a plan to erect a new State in that, and the adjacent Country of New York; and taking advantage of the disaffection of a number of the Connecticut settlers at Wyoming, whose prejudices and resentments against Pennsylvania had been coeval with their settlement in this State, had really drawn into the plot a considerable number of men. But the capture of John Franklin, who was their leader to execute the plot, has disconcerted all their measures. The State have ordered in some militia for the present, and a Bill has had two readings; to authorize the Council to raise and post there a permanent military force. This will effectually overawe the insurgents (who are all dispersed) and effectually establish the authority of the State and peace of the County, I trust, without bloodshed.

"The principal conspirators lived in the States of Connecticut and New York. Their plot was so far advanced, that Major Judd, a Connecticut lawyer, had actually drawn up a constitution for their intended new State which was to be called "Westmoreland", the name of the Wyoming district when a County under the Connecticut jurisdiction.

"The pretense of the conspirators who were members of the Susquehanna Company, by which they deluded the people was, that this Company having made a fair purchase of the Indians of the soil, they had still a right to hold it, and that no act of Pennsylvania and Connecticut could divest them of it. (Then follow references to claims as to jurisdiction trial at Trenton, and the Decree.) This (the decree) gave a terrible shock to the Susquehanna Company and their settlers at Wyoming; and if Pennsylvania had then manifested any degree of generosity and magnanimity, if she had, indeed, consulted merely her own interest, she would have quieted the settlers in their old possessions, which they had derived by titles which they supposed to be good, from the Susquehanna Company. But instead of this, the conduct of the State has consisted of a series of impolitic measures, sometimes lenient, sometimes severe, and, through the abuse of power by the persons appointed to execute the orders of the State, sometimes cruel and oppressive."

Esquire Obadiah Gore likewise wrote of the matter by way of information to Colonel Pickering, then at Philadelphia. The letter is, perhaps, representative of what that faction of the settlers who were of the Pickering party, believed of the project. It follows:\*

"Col. Thos. Dyer and Ebenezer Gray† have been here some time. Dyer told me that the plan of Independence here originated in the circle of a few such as Judd, Hamilton, etc., and that the plan was not known by the Committee in Windham until since Franklin was taken. Col. Gray informs me that Judd about 2 months ago wrote to him desiring that copies of the Companies records might not be sent to Wyoming, as a bad use would be made of them; and that their quondam friends—such as Butler, Gore and others could not be trusted \* \* \* which was enjoined on him to keep secret from Col. Dyer. When they (Dyer and Gray) were on their journey to this place, they called on Judd, who told them that the devil and all was to pay at Wyoming; that they had not only taken Franklin and Hamilton; that he had but little before sent on a Constitution to the Government of that people, together with a number of letters which he concluded had fell into the hands of Government and he feared would prove fatal to Franklin as he had not received them."

Miner (412) in the year 1845, makes this observation on the subject:

"A constitution for a new state was actually drawn up, the purpose being to wrest Wyoming and the old county of Westmoreland from the jurisdiction of Pennsylvania and establish a new and independent government, as Vermont was established in despite of New York. General William Ross told the writer, that being at New Haven in 1803 or '4, a gentleman assured him that such was the fact, and that it was understood William Judd, Esq., of Farmington, was to be the first governor and John Franklin, Lieutenant Governor. The late Captain Richards, being a highly respected and worthy man, being from Farmington, it occurred to me to inquire of him. His reply was prompt and distinct, leaving no doubt of the matter. "Yes, perfectly familiar to me. Capt. Judd showed me the draft of the Constitution. It was drawn up by Oliver Wolcott. I well remember it commenced like the Declaration of Independence, by setting forth a series of wrongs or the declaration of rights justifying the deed, and then came the organization etc.'"

A memorandum in the handwriting of Colonel Pickering preserved among his papers, LVII : 226, adds some further hearsay testimony to the subject:

"At meeting of Susquehanna Company in June, 1787, Major Judd and Dr. Hosmer told John Allen of Plymouth that Judd had formed a plan of a Constitution for a new State to be erected in this country. That McKinstry came on to aid in setting it forward, and that they expected Gen. Allen from Vermont would also come in for the same purpose. That the constitution was sent on by Asa Starkweather‡ and William Allen told Judd he supposed was taken on him.

\*See the "Pickering Papers," LXII : 335.

†Both were men of high standing in Connecticut and members of the Susquehanna Company.

‡He was at Wyoming in August, 1787 and issued a notification as the Act of the Susquehanna Company at meeting held at Hartford, Dec. 26, 1786, relative to Commissioners of the Company authorized and empowered to ascertain claims of former grants, etc. Starkweather signs as "Seey."

as a packet had been found with him which had fallen into the hands of Government. Upon which Judd exclaimed: "Oh, hell, hell, hell! They have now got the whole of it!"

In the fall of 1787, Samuel Gordon, a surveyor, who had been securing data to support the claims of Pennsylvania in its boundary dispute with New York, returned to Wilkes-Barré from the upper Susquehanna region. He took occasion to write Colonel Denison, of the Council, the following information he had gathered on his trip:\*

"Wilkesbarry, 24th Nov'r, 1787.

"Sir,

"In my epistle to you whilst you were in Philadelphia I forgot to inform you of a certain Smith, a Scotchman, long visaged, much broke with the small-pox; who I take to be one of McKinstry Beach Livingston's & Co's., emissaries, who taking me to be of a like turn of mind with himself informed me their intention was not to ask the protection of any State, that they ment to govern themselves, and if molested protect themselves against any, or all the states. If they found themselves unable to stand against the States, call for the assistance of the British, being an independent people, should have a right to request & receive the Protection of any state or Power.

"In order to encourage Settlers to come into their country & settle, I see a writing in the hands of the above Smith signed by McKinstry & Allen signifying that Each settler should have a certain Quantity of Land gratis, &c., &c., Subtill arguments are made use of to persuade the people to repair to a new Country to avoid the heavy Taxes their new masters lay on them, that they would be much easier under their former yoke.

"I shall not trouble you with arguments I have made use of to deswade some, who I think have seen their error.

"I am Sir, your most obed't Serv't.

"SAML. GORDON."

It would prove too much a one-sided argument if nothing of denial to some of the documents in the hands of Pennsylvania were available. The defense of Colonel Franklin probably never was carefully prepared, owing to a fore-knowledge on the part of his counsel that the weakness of the prosecution, as well as expediency, would never permit the case to reach actual trial. Absence of documents relating to such defense is, therefore, not surprising. Zerah Beach was one of those named by Pennsylvania, as connected with the new State. He was well and favorably known in Wyoming, hence what he might have to say is worthy of attention. Shortly after Col. John Franklin's arrest, he declared himself fully. Moreover, he left to posterity, the terms of a document then known, and mentioned previously herein, as the "*Combination*." That this document was frequently confused with actual references to a new State, and sometimes confounded with an alleged Constitution itself, there can be no doubt.

The Hudson Weekly Gazette, published at Hudson, N. Y., under date of November 8, 1787, carried a defense of Colonel Franklin and his party over the signature of Zerah Beach which, in part, read as follows:

"Whereas, a torrent of odium is drawn on the people of Tioga, Wyoming, and the intervening settlements on the Susquehanna, occasioned by the malicious insinuations, and false representations of enemies lurking among the inhabitants of that country, who have industriously labored to brand them and their associates—to wit, the Susquehanna Company—with the opprobrious epithets of Disobedient, Refractory and Rebellious; insinuating at the same time that they were entering into an alliance with the British at Niagara, with the Tories, Indians, and others for the purpose of introducing British government within the limits of the United States; or that a new State was to be instituted—by which means the characters and properties of the settlers and their associates have sustained repeated injuries, and still are suffering unjustly. And whereas the above representations are entirely contrary to the ideas and intentions of the people on that ground, who have uniformly declared that they wanted nothing more than the peaceable possession of their properties; but was—as there is great reason to believe—done by the internal enemies of that Country, who have been bought by the land-jobbers of Pennsylvania; the latter of whom would willingly use every exertion in their power to root out the Connecticut settlers at Wyoming, and who, for the same reason are ready to catch at, and exaggerate every aspersion which has been or may hereafter be levied against the characters of those individuals, who have taken the lead in the affairs of that settlement.

"And whereas it further appears that the influence of those land-jobbers has furnished the State of Pennsylvania with a pretext to exclaim Treason, Rebellion, etc.—to quell which

\*See "Pennsylvania Archives," XI :361.

the settlement is now threatened with an armed force, the bottom of which machination looks like a design to add to the distresses of the people at Wyoming. Therefore, to prevent these evils in future, and that the public may be undeceived, and the real intentions and ideas of the settlers and their associates made known, I think it my duty to republish the following Combination, viz: (This "Combination" consists of a Preamble and the following):

"Therefore, we hereby jointly and severally pledge our honours and all our properties, real and personal, that we will use our utmost exertions for the protection and defence of each other in the possession of the aforesaid lands against all invaders; and also for the defence of all such as will join with us in this Combination; and that we will unequivocally adhere to everything comprized in the above declaration.

"We also hereby declare to the public that we will lay no claim to lands under any other title but that of the Susquehanna Company in the before-mentioned purchase.

"The foregoing Combination\* was drawn at Tioga sometime in the month of September last, and was readily signed by nearly all the people at and near that place; and from repeated conversation with Col. Franklin on the subject I was confident that it would meet his approbation. Therefore, by the advice of Col. McKinstry, Capt. Allen and others, I sent it on to him at Wyoming by Mr. Starkweather; but before it reached that place, Col. Pickering was taken prisoner to Philadelphia. I have since been at Wyoming, and upon exhibiting the Combination was happy to find that it was generally approved of by the people in that settlement. (Then follows statements and arguments as to the rights etc., of the Connecticut people and theirs.)

"Therefore we hope and believe that all friends to the distressed settlers in that disputed country will be excited to point out and publish whatever errors they may discover in the foregoing composition, and offer the reasons, if any there be, why the Susquehanna Company ought not to remain in the peaceable possession of the whole of their purchase; And if nothing shall appear against the sentiments herein contained, I shall consider the silence of the public as an acknowledgment of the rightness of our cause, and shall expect, the ensuing year, that, while we demean ourselves as good citizens of the State claiming jurisdiction over us, we shall receive no molestation in the prosecution of our lawful business in that country."

With the above presentation of the gist of evidence *pro* and *con* which seems available on the subject of the "State of Westmoreland", the reader is left to his own conclusions. While Pennsylvania never had possession of a draft of the Constitution itself, it was a well measured strategem to permit the Franklin Party and others to be left under the impression that it had such evidence ready for use in emergency. Were Colonel Franklin tried, there would be disclosed this lack of a most important link in a chain to incriminate him. Thus, through no effort of Pennsylvania, was the chain incomplete.

That whatever evidence was in the hands of New York authorities actually reached the Council, may be learned from a letter from Secretary Biddle, dated October 29, 1788, addressed to Attorney General Bradford of Pennsylvania, stating: "By the Sheriff of Luzerne County, we are forwarding the papers that have been transmitted by the Governor and Chief Justice of New York."

The Attorney General was then at Easton, from which point he advised the Council on November 2nd, that "The Judges set out for Luzerne tomorrow. John Franklin went forward this day under the custody of Sheriff Butler."

\*In the "Pennsylvania Archives," XI: 194, a list of the signatory list of names appended to the Combination is given. In the great majority, they were "Hall Share" men and other recent arrivals residing in the upper Susquehanna country. The list follows:

John McKinstry,  
Zarach Beach,  
Benjamin Allen,  
Thomas McClair,  
Eldad Kellog,  
Chester Bingham,  
Stephen Fuller,  
Lebbeus Hammond,  
Benjamin Clark,  
Jeremiah Skeer,  
Joseph Spalding,  
Joseph Kenney,  
Samuel Gore,  
Peter Douthon,  
Jacob Snelf,  
Christian Kress,  
Nathan Herrington,  
Chornelius McDaniel,  
Nicholas Dupui, Jr.,  
Peregrine Gardner,  
John Fuller,  
John McClure,

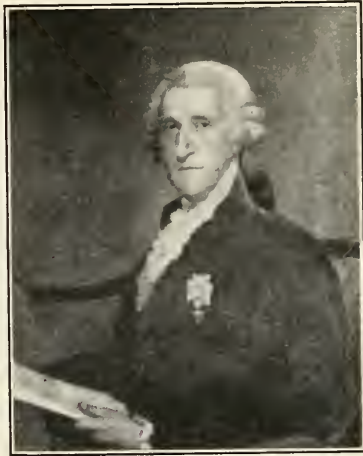
Waterman Baldwin,  
John Spalding,  
Joseph Marshall,  
Avery Grove,  
John Cole,  
Simon Spalding,  
Abel Maringer,  
Thomas Spalding,  
Abraham Brohaw,  
Samuel Southard,  
Othriel Campbell,  
Abraham Spalding,  
John Garey,  
Thomas Brown,  
Samuel Bewellman,  
Jon'h Harris,  
Jon'h Harris, Jr.,  
Martin Young,  
Walter Walrue,  
Abm. Minur,  
Alexr Simpson, Jr.,  
Joseph Tyler,

Simon Shepard,  
James Therinlon,  
Solom'a Bennett,  
Joel Thomas,  
Joseph Thomas,  
Joseph F. Thompson,  
James Fanning,  
John O'Neal,  
James Dolson,  
Stephen Dolson,  
Jno. Moorecraft,  
John Kortwright,  
Jacob Collins,  
James Witney,  
Jacob Kress,  
Nathan Herrington, Jr.,  
Moses Dupui,  
Jacob Herrington,  
Prince Bryant,  
John Simpson, Jr.,  
John Simpson.

Knowledge of the approach of the famous prisoner, no less than the impending arrival of the august Supreme Court, for its long expected first session, was a matter of great moment to the infant County.

It is narrated that, when the cavalcade of distinguished jurists neared the Wyoming valley, a delegation of citizens went forward to receive them. Reaching "Prospect Rock" on the western face of Wilkes-Barré mountain, the visitors (as are all others who catch the wonderful vista opening before them from that vantage point) were charmed into silence. Chief Justice McKean was first to break the spell by declaring "*It is indeed a lovely spot—I cease to wonder that it has so zealously been contended for.*"

The Court was opened in due form on the morning of November 4th, with the Chief Justice presiding. With him sat another distinguished member of the Court, Justice Jacob Rush. Edward Burd, Prothonotary of the Court, had accompanied the party and recorded its proceedings in a most matter of fact manner.



CHIEF JUSTICE THOMAS MCKEAN

Colonel Franklin was the first offender called.\* He had been previously indicted on a charge of *high treason* in endeavoring to "subvert the Government and to erect a new and independent State in the room and stead thereof." He had brought counsel with him from Philadelphia in the persons of the Hon. Charles Biddle and George Clymer, Esq., both of whom were distinguished at the bar of the Commonwealth, and each of whom had held office high in its councils. The procedure differed but little from the ordinary. Colonel Franklin's counsel moved a postponement of the case on the ground that important witnesses for their client were not present. This was granted, but Colonel Franklin was

\*A return of Grand Jurors summoned for the Supreme Court to attend on the 4th November, 1788.

Zebulon Butler,	Wilksborough,	Farmer
Matthias Hollenback,	"	Merchant
Wm. Hooker Smith,	"	Farmer
Benjamin Carpenter,	Kingston	"
Nathan Kingsley	Wyalusing,	"
Lawrence Myers,	Kingston.	Innkeeper
Abel Peirce	"	Farmer
John Hageman,	"	Innkeeper
Wm. Truicks,	"	Farmer
James Sutton,	"	Miller
Thos. Bennet,	"	Farmer
John Allen,	"	"
John Dorrance,	"	"
John Hollenback,	Wilksborough,	Innkeeper
Jesse Fell,	"	"
John Paul Schott,	"	"
Jabez Fish,	"	Farmer
John Staples,	"	"
Abraham Westbrook,	"	"
Benjamin Bailey,	"	Blacksmith
Christopher Hurlbart,	Hanover,	Farmer
Jonah Rodgers,	Plymouth,	"
Samuel Allen,	"	"
Robert Faulkner,	"	Miller

All of the foregoing were present except Kingsley and Rodgers; Sutton and Fell were affirmed, and the others were sworn, as Grand Jurors. The document is signed "A True return—Lord Butler, Sheriff."

again remanded to jail at *Easton* until the witnesses could be secured, or the case otherwise disposed of.

Of the twenty-seven indicted for direct participation in the abduction of Colonel Pickering, or concerned as accessories to, or advisers in, the abduction, nine had previously plead guilty at preliminary hearings and had been brought up from *Easton* for sentence.

In the "Pennsylvania Archives," pages 419, 420, 421 and 546, are printed the records of conviction of six abductors actually placed on trial during this session of the Court. The six were:—Joseph Kilborn, Darius Parks, Benjamin Abbott and Nathan Abbott, Jr. Zebulon Cady and young Aaron Kilborn who was the "Hillman" of the Miner story previously mentioned.\* The Abbotts were each fined twenty shillings, Cady was given a jail sentence at Wilkes-Barré for three months, and young Kilborn, perhaps due to the intercession of Colonel Pickering in his behalf, received sentence of one month in jail.

Records of the Supreme Court, in all these cases, read much alike. As a matter of interest, the entry made in the trial of Kilborn and Parks is given below:†

"I certify that at a Court of Oyer and Terminer and General Gaol Delivery held at Wilkesborough for the County of Luzerne the fourth day of November, in the year of our Lord one thousand seven hundred and eighty eight, before the Honorable Thomas McKean, Esquire, Doctor of Laws, Chief Justice, and the Honorable Jacob Rush Esquire, one of the Justices of the Supreme Court of the Commonwealth of Pennsylvania, Joseph Kilborne and Darius Parks of Luzerne County, Yeomen, were indicted tried and convicted by a Jury of the Country, for that they together with a number of others, on the twenty-sixth day of June, in the Year of our Lord one thousand seven hundred and eighty-eight, at Wilkesborough in the said County, with force and Arms, to wit, with Guns, Knives, and Tomahawks, unlawfully, riotously and routously did assemble and gather themselves together to disturb the peace of the said Commonwealth, and so being assembled and gathered in and upon Timothy Pickering, Esquire, (then and still being Prothonotary of the Court of common pleas, holden in and for the said County, Register for the probate of wills and granting Letters of Administration and Recorder of Deeds in and for the County aforesaid, and one of the Commissioners appointed by the Commonwealth for ascertaining the Claims of the Connecticut claimants to lands in the said County), and the peace of God and of the Commonwealth aforesaid then and there being unlawfully, riotously, & routously did make an Assault on him, the said Timothy, then and there unlawfully, riotously, & routously did beat & ill treat him the said Timothy Pickering Esquire, and then and there did unlawfully riotously & routously bind with cords, imprison & of his natural Liberty, deprive, and him the said Timothy Pickering, Esquire, so bound as aforesaid, with force and Arms, &c., unlawfully, riotously & routously and against the will of the said Timothy, did take and convey away into lone & desert places in the said County, and him the said Timothy Pickering, Esquire in the said lone and desert places from the day aforesaid until the fifteenth day of July in the same year, bound with Chains and exposed to the inclemency of the weather, unlawfully riotously and routously did keep, imprison & detain, with a seditious intention to compell and procure the discharge and Release from Gaol of one John Franklin, then lately before arrested, & committed to the Gaol & County of Philadelphia charged with High Treason against this Commonwealth & committed for the same—to the great damage of the said Timothy Pickering, Esquire, to the evil Example of all others in the like Case offending and against the peace and dignity of the Commonwealth of Pennsylvania. Whereupon it was considered by the said Justices, that the said Joseph Kilborn should pay a fine of one hundred Dollars to the Commonwealth and the Costs of Prosecution and be committed to the common Gaol of Luzerne County for the space of six calendar months, that is 'till the sixth day of May next, and that Darius Parks pay a fine of fifty dollars to the Commonwealth of Pennsylvania and the costs of Prosecution, and in the meantime remain in the Sheriff's Custody.

"EDW. BURD, prot. Supr. Court."

Not more than half of those indicted at the previous session of the Grand Jury seem to have been tried or sentenced at this time, unless records of the Court are incomplete.‡ That they are, is evidenced by a letter dated November 15, 1788, and now among the "Pickering Papers", which states that Stephen

\*A letter written subsequently to the trial by Colonel Pickering to President Muhlenburg, speaks of the lad as follows:

"Aaron Kilborn is a lad of about 15 years old. He joined the armed party after I was taken—has been indicted, & pleaded guilty. The manner of his being apprehended (which was about the 15th of August) is certified by Doctor Smith."

†See "Pennsylvania Archives," XI : 419.

‡What apparently were summaries of the testimony of various witnesses delivered at this session of the Supreme Court and were found among papers relating to the trial at Wilkes-Barre, are collected on page 358 of the "Pennsylvania



Jenkins and Thomas Kinney were convicted at the same time, the former receiving a sentence of six months in jail.

In Miner's account of the matter, (page 438) which he obtained from some of those concerned, is narrated that three were tried and acquitted.

"A fine of 20 shillings, and six months imprisonment was imposed on four of them' continues Miner, 'fifty dollars without imprisonment on another. Those who submitted to the Court [plead guilty] were fined each \$100.' Of the 'poor creatures' imprisoned, all escaped, that is went home without let or hindrance immediately after Court adjourned. Stephen Jenkins alone remained, who would not go. It cannot have escaped the sagacity of the reader that, with all the hardships of epithet used by Col. Pickering, he was at once too politic, too placable, far too noble minded, to desire that the rioters should suffer, and doubtless connived at their escape. We believe that none of the fines were ever collected. It is worthy of note that the Rev. Jacob Johnson, could not or would not suppress the ebullition of his Yankee ire, at the course of the proceedings. He made the pulpit echo with his soul stirring appeals.

'So open were the denunciations of the pious old man, that he was arrested, called before McKean and obliged to find security for his peaceable behavior."

Determining who should be paid the awards offered in the Proclamation issued by the Supreme Executive Council, seems to have given trouble, not alone to Colonel Pickering, who drew up his opinion on the subject and forwarded it, but to that body itself. The Council appointed a committee of its members to investigate many conflicting claims which had been presented, not only in the Pickering report, but from other sources. On November 25, 1788, this committee made the following recommendations to the Council as to these claims:

"The Committee to whom was referred the letter of Col. Pickering, Bearing Date, Novbr. 15th, 1788, relating to the reward for apprehending the rioters at Wyoming in pursuance of a proclamation of the eighth day of July last, Reports:

"Aaron Kilborn being taken by a Constable on a Justices Warrant on his way to give himself up to be tried for an Offence said to be committed in taking Col. Pickering. The person who apprehended him is entitled to no reward, only the fees due him for Executing the Magistrates' Warrant.

"Zebulon Cady taken by Squire Smith's two sons, is justly entitled to the reward named in the Proclamation.

"Stephen Jenkins, convicted, and the reward to be paid to the party who first took him; he being on parole when the second party apprehended him.

nia Archives." They are not dated, but are written in the hand of Prothonotary Burd, although not signed by him. They read as follows:

"The evidence of Joel Whitcomb.

"The s'd Joel testifies that one Aaron Kilbourn told him to tell Mr. Keeney (the Prisoner) that he must come down to Captain Dudley's, for the Troops were coming up, and if the Troops should not be at Mishoping to go down as far as Tankhannak. This same information, by special direction he gave to Garret Smith, who replied that he hurt his arm and could not very well go. The said Witcomb further testifies, that in the afternoon (on the same day) he was at Dudley's Mill and saw a Number of the Rioters there, among whom were Daniel Solomon & Benjamin Earle. Gideon & Joseph Dudley, David Woodward and some others whom he knew not. In general they observed that they must have s'd Keeney & said Smith along with them. He further says that a bag of flour was taken out of a Canoe and carried to Mr. Kilbourn (the Prisoner's house,) to be baked for the Rioters. He further heard them say after the Troops had come up the River that they had fired on them and would again when opportunity offer'd."

"Mr. Keeney, (Kinney) the Prisoner.

"Says that he has been seen under arms he supposes since the taking of Colo. Pickering, but his Reasons for it were these. Wanting some tobacco and Cabbage Plants and hearing of none nearer than Mr. Parke's he took his Canoe and arms went after the plants with an intention, (after getting them,) to hunt up Mahooper Creek. He saw the Rioters and says that those mentioned by the above witness were among them. He wholly denies of ever joining them or in the least countenancing their imprudent plan. Captain Dudley and Mr. Kilbourn, meaning the Prisoners did countenance the proceedings."

"Elijah Reynolds, Prisoner.

"Says that he saw some grain in bags carried to the Rioters from Mr. Tyler's house by one of Mr. Kilbourn's boys, but denies of ever having aided, or in the least assisted the Rioters. He knew nothing of the plan of taking Colo. P. until informed by Tyler's family. The Rioters informed of nothing what their designs were, but he imagined, altho they said, when they began their march that they were going a hunting, their designs were to take Colo. P."

"Joseph Earl, Prisoner.

"Says that he knew nothing of the plan of taking Colo. P., until it was accomplished; at the time his Sons and others went down the River he was returning from Wilkesbarre home. On his arrival he found his wife in tears, and upon requesting the cause, she said the Boys were gone to take Col. P. — and a little time afterwards, they returned to his house & Colo. P. a Prisoner with them. They all tarried a while at his house; and towards evening Colo. P. was taken across the River. His three Sons, two Dudleys and Hyd carried him over."

"Ephraim Tyler, Prisoner, issuing Commissary.

"Says that the Rioters had of him eighteen pounds of Pork, but denies that he ever was privy to the plan of taking Colo. P."

"Martin Dudley, Prisoner.

"Says that he was intirely ignorant of the design and plan of taking Colo. P. — until after it was accomplished. He has uniformly advised his Sons since and others concern'd, to release Colo. P. and submit themselves to law."

"Joseph Kilbourn, Prisoner.

"Says that he knew nothing of the plan of taking Colo. P. —, but advised his son not to be one of the Party. (Mark the contradiction.) He says that John Hyde was at his house last Sunday, going as he supposed to the Point upon business. He confesses that his family baked bread, which he supposed went to the use of the Rioters. On the whole he confessed himself to have been under a false delusion and privy to all that has taken place. Informed was he (as he confesses,) that a step of the kind would meet the approbation of the County at large, but finds now that he has been deceived, and he believes other Persons concern'd are not less sensible of it."

"Darius Parks, taken on a Justices Warrant on a Common suit at Law, it is the Committees Opinion, no reward should be paid for him.

"Joseph Killborn, tried and convicted, those who took him Intitled to the reward of 100 Dollars.

"Thomas Kinney, the reward for taking him, said to be paid.

"It appears to your Committee that £112/10 was paid to Captain Ross on the 25th of September last, and upon the 26th of Do., there was an order drawn for £75, to be paid by Capt. Ross to the several persons concerned in apprehending the Rioters, which is to be accounted for."

Stephen Jenkins, as related by Miner, seems to have had conscientious objections against leaving the rough log jail which adjoined a larger building, used as a Court House, on the Public Square of Wilkes-Barré. Remaining there until January 24, 1789, he sought to be released by due authority and to that end addressed the following letter, which shortly thereafter secured the desired pardon.\*

"To his Excellency the President and the Honorable the Supreme Executive Council, of the Commonwealth of Pennsylvania.

"The Petition of Steven Jenkins, a distressed languishing Prisoner in the Jaol of the County of Luzerne, most humbly sheweth,

"That your Petitioner since the month of November last, has been confined within the walls of this cold and uncomfortable Prison, conformably to a decree made, and passed by the Court of Oyer and Terminer and General Jaol delivery, in the month and County aforesaid on conviction of a Riot, assault and Battery, and false imprisonment of the Person of Timothy Pickering, Esquire.

"Soon after which sentence your Petitioner, (with others under like circumstances) presented his prayer to your consideration desiring the interposition of Council in remitting all or such part of your Petitioner's sentence as to your honorable Board should seem proper, But your Petitioner has found no relief.—He is still confined and wasting a constitution which he wishes to preserve for the use and support of a large and helpless family.

"These with other motives excite your Petitioner, however unsuccessful he was in his former Petition to address your honorable Board again for relief in the premises.

"Your Petitioner as he stated in his former Petition, was so early apprehended in the last season on suspicion of aiding the Riot, that he had no time in which he could make any provision for his familys subsistance, either for this winter or the ensuing summer, in consequence of which they are in uncomfortable circumstances.

"Your Petitioner would further suggest that should he be obliged to languish out the six months in confinement, in obedience to the sentence of Court, that the spring season will be so far elapsed as to preclude the possibility of his making any arrangements that might be conducive to his own or his familys convenience.

"Your Petitioner would beg leave further to observe, that before the date of the proclamation offering a reward to those who should secure any Person in the Riot concerned—he was in the custody of the authority and was assured by the same, on his pledging his honor that he would come any time at their desire, that he never should be harrassed with men under arms, or be brought from his family by the force of the same—Consequently he remained at home on his parole, until a party by the authority of the proclamation, brought him down and confined him in the Jaol aforesaid. Upon Councils conviction of the truth of this, your Petitioner thinks those who make pretensions to the reward are not entitled to it, nor are Council obliged to give it them. This being tried, your Petitioner most earnestly implores the mercy of Council in remitting the fine as also the confinement. Thoroughly convinced that the end of punishments is to reclaim, and that it is not the wishes of those in power, to continue severity when this end is answered—your Petitioner with humble confidence flatters himself after taking into consideration his truly deplorable condition and his sincere penitence of the crime for which he stands committed, that Council will rigidly extend relief to him in the premises.

"And as in duty bound,

your Petitioner will ever Pray,

"STEPHEN JENKINS."

"Wilkesbarre Jaol, Jany. 24th, 1789.

The business of the Supreme Court having been finished at Wilkes-Barré, the jurists and their retainers returned by leisurely stages to Philadelphia. Colonel Franklin appears to have been given nearly two weeks at his disposal in Wyoming, before his departure for Easton, pursuant to sentence of the Court. There was no jail worthy the name at the Luzerne County seat, hence Colonel Franklin, on parole, mingled with his friends and went about his affairs under nominal supervision. On November 15, 1788, Captain Ross had recovered sufficiently from his wound to be delegated the task of accompanying Colonel Franklin to his

\*See "Pennsylvania Archives," XI. 5

place of confinement, and then proceeding from Easton on to Philadelphia, where his friends hoped he was to merit something at the hands of the Council.

Colonel Pickering started them both off with the following letter to the President at Philadelphia.\*

"Wilkesbarre, Nov. 15, 1788."

"This will be presented to your Excellency by Capt. Ross. He takes with him, Jno. Franklin to deliver to the Shff. of Northampton County after which he proposes to go to Phila. Zebn. Cady, another of the rioters and a notorious villain, was seized by two sons of Esq. Smith and Mr. Oehmig during the sitting of the Ct. of O. & T. before which he was brought. His captors broke open his house in the night, and took him with his arms in his hands, standing upon his defense. The Atty. Genl. said he would write to Council to propose the revocation of the Proclamation. I wish that the revocation may be soon published here, for I am apprehensive of collusion between the remainder of the rioters and their friends for the purpose of getting the rewards. It would seem to me expedient to except John Jenkins from the revocation, but to reduce the reward to \$100. or even to \$50. This man was a prime instigator of the plot, and has gone hand in hand with Franklin, altho the County Jury did not find evidence to indict him of high treason. He has been indicted of the riot on the clearest evidence, and the continuance of the offer of a reward will either insure the taking him, or keep him in York State, where he now is, and where, for the good of this settlement, it might be well if he shd. ever remain."

In another letter, Colonel Pickering informs the Council that:

"Capt. Wm. Ross is in town [Philadelphia] and has been waiting since Friday for an opportunity of presenting orders for the rewards offered for apprehending the rioters. Ira Manvil and Benedict Satterlee were 2 of the 15 men present at the taking me off.

"Captain Ross, since the 1st introduction of the laws of this State into the County of Luzerne, has manifested a uniform zeal to support the Govt. of Penna., and a readiness to expose himself to any hazards which the welfare of the State could demand of a spirited and faithful citizen.

"Besides the loss of time occasioned by the wounds he recd. in pursuing the offenders, he has incurred an expense of upwards of £11, which his surgeons have chgd. for their attendance on him. He, by these wounds, is probably rendered an invalid for life. It would seem to merit the consideration of Council whether a reward should not be given him, not only as due for his exertions and consequent sufferings, but as an exemplary encouragement to other spirited and faithful citizens to engage in hazardous enterprises when the peace and welfare of the State shall demand it."

Captain Ross appears to have concluded his business with the Council satisfactorily. In fact, that body established a precedent in his favor, apparent from the following resolution:†

23rd. Sept., 1788.

"Resolved that Council entertain a just sense of the good conduct of Capt. Wm. Ross, and the officers and privates under his command, in opposing the late rioters in the County of Luzerne, and endeavoring to restore order and good government in the said County. Resolved, that the Secretary be directed to procure a sword, at the expense of the members now present [Peter Muhlenberg, V. Pres., and 12 members, including N. Denison, present] and present the same to Capt. Wm. Ross, as a mark of the favorable opinion this Council entertain of his merit, and that the following inscription be engraved on it:—'Captain William Ross, the Supreme Executive Council present this mark of their approbation, acquired July the fourth, 1788, by your laudable firmness in support of the Commonwealth.'"



GEN. WILLIAM ROSS

Moreover, two days later, the Council turned over to Captain Ross, who was about to return to Wilkes-Barré, the sum of One Hundred and Twelve

\*See "Pennsylvania Archives," XI:424.

†See "Colonial Records," XV: 543.

Pounds, twelve shillings, to be divided among the captors of the Pickering abductors as follows:

"\$100 to Capt. Church and his party for apprehending Benjamin Earl; \$100 to Capt. Ross and his party for Thomas Kinney; \$100 to Capt. Rosewell Franklin for Jos. Dudley. Seventy-five pounds was ordered also to be paid to Captain Ross for the apprehending Ira Manvil and Benedict Satterlee—Ross to pay same to the proper parties."

What remains to be told of the Pickering episode, may be summarized by a brief which, like the final rejoinder of counsel in an important cause, is left to command the mature and unhurried consideration of the jurist whose decision must follow. It is called "The Sequel" and concluded the narrative of events at Wyoming which Colonel Pickering wrote for his son in the year 1818. The bias that must have been his, in the narrow theatre of local affairs, has given place to a breadth of vision to be expected of a man who afterward successively served his country as Post Master General, Secretary of War, Secretary of State and Senator from Massachusetts.

No longer harrassed by that fate which led him to spend some of the stormiest years of his life at Wyoming, Col. Timothy Pickering throws the mantle of charity over events as he saw them in perspective. That it was an important era in the development of his character, no one may doubt. That he left an impress of this character upon his contemporaries at Wyoming, no less than he was moulded in appreciable measure by the sturdy, rugged calibre of the settlers with whom he came in contact, there can be no question. All of which may be gathered from a careful perusal of "The Sequel."

"Without waiting the result of their petition to the Executive Council, most of the actual perpetrators of the outrage upon me fled to the northward, to escape into the State of New York. On their way as they reached Wysock's Creek, they encountered a party of militia under the command of Captain Rosewell Franklin, and exchanged some shots. Joseph Dudley was very badly wounded. The others escaped. Dudley was put into a canoe, and brought down to Wilkesbarre, a distance of perhaps sixty or seventy miles. The doctor who was sent for had no medicine. I had a small box of medicines which had been put up under the care of my good friend Doctor Rush. Of these, upon the application of the physician, I furnished all he desired. But Dudley survived only two or three days. On his death, his friends sent to your mother to beg a winding sheet, which she gave them.

"In the autumn, a court of oyer and terminer was held at Wilkesbarre, by M'Kean, Chief Justice, and Judge Rush. A number of the villains had been arrested; were tried and convicted; fined and imprisoned in different sums, and for different lengths of time, according to the aggravations of their offence. The poor creatures had no money to pay their fines, and the new jail at Wilkesbarre was so insufficient, that all of them made their escape, excepting Stephen Jenkins, brother to Major John Jenkins. Stephen was not in arms with the party; but was concerned in the plot. He might have escaped from jail with the others, but chose to stay; and in consequence received a pardon, after about two months confinement.

"The fate of Captain Rosewell Franklin, a worthy man whom I have mentioned on the preceding page, I sincerely commiserated. Wearied with the disorders and uncertain state of things at Wyoming, he removed with his family into the State of New York and sat down on a piece of land to which he had no title. Others had done the same. The country was new, and without inhabitants. They cleared land and raised crops, to subsist their families and stock. In two or three years, when all their crops were harvested, their hay and grain in stack, and they anticipated passing the approaching winter comfortably, Governor George Clinton sent orders to the sheriff of the nearest county, to raise the militia, and to drive off the untitled occupants. These orders were as severely as promptly executed; and the houses and crops all burnt. Reduced to despair, Captain Franklin shot himself. This, as well as I recollect, was in the autumn of 1792.

"Governor Clinton was distinguished for energy of character. Had like prompt and decisive measures been taken at the beginning, with the Connecticut settlers at Wyoming, it would have been happy for them and for Pennsylvania; the actual sufferers would have been few in number; but the unstable, and generally feeble, measures of that government, instead of intimidating, rather encouraged hardy men, destitute of property, to become intruders; and thus, eventually, a great many families were involved in calamities.

"John Franklin, so often mentioned, having been indicted on the charge of treason, for which he had been arrested, remained a good while in jail. At length, he was liberated on giving bonds, with a large penalty. And, finally, all opposition to the government in Luzerne County ceasing, he was fully discharged. The people of the county afterwards chose him to represent them in the State legislature, where, in the House of Representatives, he sat, I believe, for several years. During this period, chance, once or twice, threw him in my way. He was very civil, and I returned his civilities."



### CHAPTER XXXIII.

THE FIRST COURT HOUSE OF LUZERNE COUNTY—SOME UNUSUAL CASES TRIED  
 —THE MILITIA PROBLEM—EARLY ROADS—INFANT INDUSTRIES—THE  
 NEW CONSTITUTION OF PENNSYLVANIA—COLONEL PICKERING'S  
 CONFERENCE WITH THE SIX NATIONS—HE BECOMES POST  
 MASTER GENERAL—EARLY AGRICULTURAL DIFFICUL-  
 TIES—PARDON OF COL. JOHN FRANKLIN—TWO  
 HEROIC FIGURES LEAVE WYOMING NEVER  
 TO RETURN.

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"No man e'er felt the halter draw  
 With good opinion of the law."  
*Trumbull.*

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"How calm, how beautiful comes on  
 The stilly hour, when storms are gone."  
*Moore.*

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"He loved the twilight that surrounds  
 The border land of old romance;  
 Where glitter hauberk, helm, and lance,  
 And banner waves, and trumpet sounds,  
 And ladies ride with hawk in wrist,  
 And mighty warriors sweep along,  
 Magnified by the purple mist,  
 The dust of centuries and of song."  
*Longfellow.*

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Events concerned with the fortunes of the two antagonistic leaders of the County of Luzerne held the stage and engaged the sentiments of residents of Wyoming, until the close of the year 1788. Other activities however, are evidenced then, and in years immediately ensuing, in meager records of the time still available to the historian.

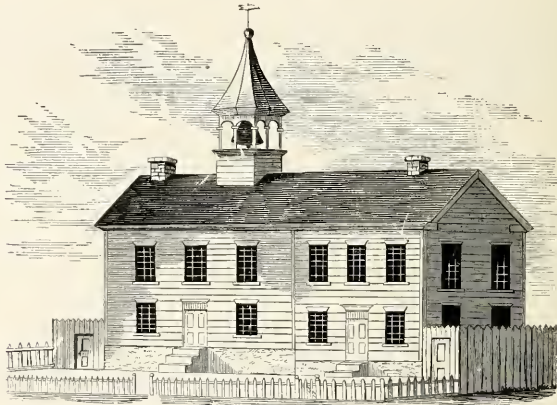
The first Court of the newly erected County of Luzerne, as has been noted, was held in the fall of 1787, in the home of Col. Zebulon Butler. The necessity of another and more suitable building for this, as well as other public purposes, then became apparent.

An Act of Assembly, erecting Luzerne County, named Zebulon Butler, Jonah Rogers, Simon Spalding, Nathaniel Landon and John Phillips, as trustees to locate and erect a Court House and Jail. The earliest record of activity shows

that the settlers were divided on the location of the necessary buildings. Among the "Butler Papers" now a part of the collection of the Wyoming Historical and Geological Society, is a letter to Colonel Butler, dated July 30, 1787, signed by Simon Spalding, as follows:

"I was appointed with you and some other gentlemen, a trustee to appoint some suitable place for a court house and goal in the District of Wilkesborough. Some persons are of the opinion that a most suitable place is in the District of Kingston. But I am of the opinion that by Act of Assembly we, the trustees, have no right to prefix any other place but Wilkesborough."

There stood on the Square, at the time of this letter, two log buildings, which were a part of Fort Wilkes-Barré, erected in 1778. Other evidences of the fort had largely disappeared, most of the buildings having been burned after the Battle of Wyoming, but the thrifty Connecticut people had maintained these in some repair and had used them as a Court House, Town Meeting place and Jail in the transitory period of Wyoming affairs. The same site having been selected as most suitable for the new structures, the old buildings were



THE FIRST LUZERNE COUNTY COURT HOUSE.

It was completed in 1791 and later became, in part, the Wilkes-Barré Academy.

demolished, the last traces of the fort removed and construction was begun in 1788, on a modest structure of hewn logs, the lower floor of which was intended for jail purposes and the upper chamber as a Court room. The building itself was about twenty-four by thirty feet in dimensions, as can be gathered from the appended drawing, made in 1804, when the building was moved to another part of the Square and devoted to the use of the Wilkes-Barré Academy.

Court houses, jails and other public structures, however, are not built in a day, as later generations can testify, and thus we find from the same "Butler Papers", that the process of actual construction occupied somewhat more than three years. First, in chronological arrangement is an order for labor, in the handwriting of Colonel Butler as follows:

"Sir: Please to pay or discount 12 shillings of the County taxes to Mr. Henry Harding for labor done at the Court House by Mr. Gideon Church.

"ZEBULON BUTLER, Trustee.

"Wilkes-Barre, 16 January, 1787.

"Mr. Abel Yarrington, Treasurer."

Secondly appears a bill of Colonel Butler for various interesting services in connection therewith, in which but little seems to have been overlooked:\*

Under a caption "Proposals for Building a Goal in this County" to which no date is affixed, (but undoubtedly 1788) is the following:  
 "Proposals for building the gaol in this County.

"Messrs. S. Allen and C. Hurlbut agree with the Trustees (no date mentioned) That they will become obligated to raise the body of the building, cover the roof, lay the floor under the prison part, lay all the sleepers and beams for the other floors, and cover the gabel ends, by the first day of May next, for the sum of £80, Pennsylvania Currency.

"And the building for breadth, length, and height shall be 24 by 30 feet from outside to outside, and 16 feet wall upwards, not less than 7 inches thick."

On October 24, 1788, Colonel Butler entered into an agreement with

"Ebenezer Farnham and Ebenezer Skinner for building a chimney at the Court House, \* \* \* to make three fire places below—two corner fire-places in the inside and one large one on the outside. The Court room fireplace to be built of brick. Said contractors to be paid twenty pounds and the Trustees to furnish stone and other articles for building the chimney, to be delivered at the Court House."

Evidently the building dragged discouragingly. The next record of its construction likewise appears among the "Butler Papers," in the following entry, which seems to have led to its completion:

\*"Col. Z. Butler's (Trustee) Bill against the Court House." (No dates) but evidently 1788.

	"To 1 day to meet the Trustees at Kingston	7/6
	" " " " " " Wilkesbarre	7/6
	" " " " " " to vendue the bldg. of the Court House	7/6
	" 1 day myself counting and preparing boards.	
	" 2 days myself attending taking out and measuring boards.	
	" 4 days myself collecting men and attending them at work at the jail.	
	" 3 days myself attending carpenters etc. at Court House.	
	" 2 days myself looking up masons and agreeing with them.	
	" 1 day of 4 oxen, man, and cart to draw stone 15	
	" my flatt to carry and fetch teams across the river to draw stone for the Court House.	
	" 3 days myself giving directions to masons and others at work at the Court House.	
	" 1 day purchasing brick and going to Buttonwood to see them.	
	" man and team to fetch plank for jail doors, stairs, etc.	
	" 1 day spent in appraising the work done.	
"April, 1789.	To going to Millers Mill to get boards and siding.	
"June, 1789.	" myself and one man attending and taking account of boards and siding for the Court House, and taking them out of the water—5000 feet.	
"6 August, 1789.	To fetching 5000 feet boards up the bank to keep them from going adrift—myself and 3 men.	
"Sept., 1789.	To 1 day spent going to Shawnee etc., to consult with the Trustees about going on with the work of the Court House.	
"Jan., 1790.	To 1 day spent with Trustees to have a consideration whether or not Mr. Hollenback would go on.	
	"To 4 days spent in attending the joiners, giving the directions, and attending masons, and getting brick for hearth.	
	"To 5 days spent in giving orders to pay for labor done in the Court House."	



MRS. PHOEBE (Haight) BUTLER

Wife of Col. Zebulon Butler.

"1790, January 21.\*

"Agreement between Zebulon Butler, Simon Spalding and Nathaniel Landon (Trustees appointed by Act of Assembly to build a Court House and Gaol in Wilkes-barre, Luzerne County) of the 1st part and John Hollenback of said Wilkesbarre of the other part. \* \* \* It is agreed that Hollenback shall finish and complete the Court House and gaol (already began in said County) that is, he shall lay two floors, the boards to be planed on one side, ploughed and groved, he shall weather board the whole building. The boards on the front and on the ends to be planed. He shall seal (*sic.*) the lower rooms and the Court room. Shall make seven windows and glaze them, complete—two in the lower room uniform, and 5 in the Court room, uniform, with plain shutters to each window, well hinged. Shall make a pair of good stairs leading to the 3rd loft, shall case the same, shall make a door and hang the same completely. Shall make two windows in the gaol, four panes of glass in each, and sufficient iron grates to the same. Shall make a partition equally dividing the gaol room, of good oak planks, 4 inches thick, and shall make a strong and sufficient floor of oak planks, six inches thick, over the gaol rooms. The trustees agree to furnish boards for the said Hollenback, sufficient to complete the above work, and to pay him £89/6."

As if in audit of accounts of the Trustees, up to the time of a final building award to John Hollenback, a solitary record is found in the handwriting of Rosewell Wells, undated, but evidently in 1789:

"The charges of expenditures described in the following are those which have accrued from the beginning of the Court House down to the day of contract with John Hollenback to finish said House.

"Hurlbut and Allin—as per their agreement—£82/0. Allin, for finding timber and building the stoop and stairs to said House £13/14/3.

"Farnam and Skinner for building chimney—

"Then follow several items for boards—Bates 5000 feet and 7 or 8000 more from different ones; M. Hollenback, for a stove £6 10; Benjamin Bailey £5, 19/11 for blacksmith work at different times; Jabez Sills for making the doors and casings windows, £3/15. July 7, 1788. John Hollenback for 6 gallons whiskey for the use of the Court House, £1/16; July 15, 1788 1 quart ditto (and other charges at other times); June 4, '88, Hugh Connor 3 days making benches £1/1.

"Total of the account is £196/12/6.

"This primitive temple of justice" says Pearce in his Annals, "was completed in 1791, and Stephen Tuttle, whose good wife placed her cake and beer sign over the door of the first story, was appointed first jailor."

While the new Court House was in process of construction, the various Justices of the Peace seem to have attended to such cases as the march of events brought before them. Not unlike similar hearings today, the Justices appear to have dealt with every variety of law violation. The high cost of swearing is manifest in an entry on the docket of Justice Smith:

"Be it remembered that on the 29th day of October, 1788, Joseph Sprague of the county of Luzerne, mason, is convicted before me, one of the Justices of the Peace, etc., of swearing seven profane oaths, by the name of God, and I do adjudge him to forfeit for the same and for each oath, the sum of 5 shillings.

"To the gaol keeper of the County of Luzerne: You are hereby required to take the body of Joseph Sprague and keep in close custody the time appointed by an Act of this State intitled an Act to prevent vice, immorality etc., dated in 1786, unless he the said Sprague shall pay the several sums, with the cost to wit—5 shillings for each oath."

"WM. HOOKER SMITH. [L. S.]  
"Justice of the Peace."

The services of the Coroner, then as now, were in demand. The pathetic case of Dingo is the first of record of the return of a Coroner's Jury:

"To any Constable of the County of Luzerne,—Greeting—Whereas an inquisition was held before me Nathan Cary, gentleman, Coroner of the County of Luzerne on the 29 day of February last by Lawrence Myers and others a jury of 13 good and lawful men of the said County on the view of the body of a certain negro man named Dingo, then and there found, and the said jury after viewing the said dead body and examining the witnesses produced did on their oaths declare that they were fully of the opinion that the said negro (who while alive was in the care of a certain Justus Jones, Yeoman)† came to his end by the neglect of the said J. Jones, by depriving said negro of the necessaries of life. You are therefore commanded \* \* \* forthwith to take the body of the said J. Jones and him commit to the common gaol of the County of Northampton; and the keeper of the said gaol is hereby alike commanded to receive and safely keep the said

\*21 January 1790. Hollenback receives £40 part of the consideration money. 15 June 1792, balance £49/2/6 paid.

†Justus Jones was a resident of Tunkhannock. The Return of Field and Company Officers of the Upper Battalion, made in 1788, by County Lieutenant Zebulon Butler (hereinafter published) names him as having been elected Captain of the Company in that place.



J. Jones until he shall be delivered by one course of law. Given under my hand and seal at Wilkesborough in the County aforesaid March 8, 1788.

[SIGNED] "NATHAN CARY, Coroner."

"Mar. 9, 1788, J. Ryan, Const. served the within mittimus by taking the body of the said J. Jones."

On the back of the document is a statement of the fees due the Court in which appears:

"To 2 keepers from 11 March till March 28, 17 pence day each or  $\frac{1}{2}$  dollar per day—£6, 7s. 6d."

That jurisdiction of civil magistrates was a problem and that animals were vagrant then as now, is recorded in the Macedonian cry of Rosewell Wells, to Lawrence Meyers, J. P. to the effect that "some turbulent person has broken open the pound used by the Proprietors of the Wilkesbarre Flats and has taken my creatures therefrom." The call is further accentuated by a plea to "come over to our side of the River this day and inflict the penalty of the Law on him because I (Welles) cannot carry a Statute Law out of the town, Colonel Pickering being absent."

At the time these "creatures" were in controversy, Jabez Fish, Anderson Dana and David Richards of Wilkes-Barré, were "the persons appointed by the Proprietors of the lower flats in Wilkesbarre to superintend the same."

The organization, as well as the conduct of the militia, in this period, was naturally a matter of chief concern to Col. Zebulon Butler, Lieutenant of the County, as it was to the Supreme Executive Council at Philadelphia. Neither the Commonwealth nor its military representative at Wilkes-Barré, could dictate who were to be recruited, as the enlisted personnel of such companies as were authorized. Nor could they control the Company's election of its officers. As a consequence, the Pickering-Franklin controversy found an echo in all such elections and was a constant source of strife within the companies themselves. The Battalion of Lieut. Col. Matthias Hollenback was relied upon as being fairly loyal to the Pickering mission and to Pennsylvania. This Battalion, as has been mentioned, went forth under Sheriff Lord Butler, in search of the Pickering abductors. But that many concerned were, at heart, of the Franklin party, and that Pennsylvania was aware of this fact, is disclosed by the "Archives."

On June 14, 1788, some two weeks before his abduction, Colonel Pickering wrote President Muhlenberg, of the Council, as follows:

"Sir,

"Just before I left Philadelphia in January last, a letter from Council dated the 31st of December, was put into my hands, desiring among other things, that I, in conjunction with the county lieutenant & others would make enquiry relative to the conduct of those elected militia officers whose commissions were withheld. The inquiry was for a good while omitted, but this Spring, the county Lieutenant, Col. Hollenback & myself, met together, and those persons attended. It did not appear that M Fitch Alden, & William Hyde, were concerned in the disorders consequent on Franklin's capture; particularly they were not in arms. Nesbitt owned he was in arms, and Prince Alden had early crossed the river, & was coming up the bank (alone I believe) with his musket, but was disarmed by Mr. Evans & Major McCormick, all of them, however, gave us positive assurances of their future good behaviour, and determinations to support the laws of Pennsylvania. Upon the whole, it was our joint opinion that it would be expedient to commissionate them. Prince Alden has since moved up the river to Tioga, & a commission for him would be useless. Since the above mentioned examination, this battalion has had a field day. The officers elect appeared under arms as privates; and the whole battalion behaved very well."

Those acquainted with military affairs might have surmised a certain lukewarmness of conduct on the part of troops attempting to intercept the abductors of Colonel Pickering, as disclosed by a narrative of the expedition in a preceding Chapter. That a mounted body of Light Dragoons was not able to come within "seven or eight miles" of a party on foot, leading a captive and

having only eight hours' start, is not indicative of that initiative which wins wars. Two affidavits, taken in Wilkes-Barré, shortly after the return of this expedition, may serve to enlighten the present day reader of an underlying sentiment of the time, which perhaps accounted for the fact that neither horse nor foot ever actually came in contact with the small band of Colonel Pickering's captors. The affidavits follow:

"Luzerne County, ss.

"September 13th, 1788.

"Personally appeared before me, Mathias Hollenback, one of the Justices of the Peace for the said County, The person of William Smith, and being duly Sworn, Depose and saith That he, this Deponant, on the 27th of June Last, that he, this Deponant, Being one of Capt. John Paul Schoots company of Light Dragoons\* on an Expedition up the River Susquehannah in order to retake Colo. Timothy Pickering from the Insurgents, He, this Deponant, often Urged said Capt. Schoots to be more Expeditious on his March, or else this deponant feared they would not come up with the Insurgents. Schoots replied to this Deponant that he had no inclination to be in too much of a hurry, for he feared the insurgents would be too Strong for them. He chose to delay his March until the Company of foot came forward. Captain Schoots went no further than Jones that night, which was about Sixteen miles from Wilkesborrough, and this Deponant further saith that they could have easy went 30 miles where the party lay that Night that took Col. Pickering. This Deponant and many others of the Company, urged said Schoots to push on to Tankhannock, where the insurgents lay that night, which he expressly refused to do; and this Deponant further saith that said Schoots delayeth the March untill nine or Ten o'Clock the next day, (which was the 28th of June) Then, on the said day Capt. Schoots delayed the March as before (the foot not Coming up) and this Deponant continued to urge Capt. Schoots to be more expeditious. Then Schoots reply'd to this Deponant that they must do something and make a bluster, in order to satisfy Government, if they went but few miles after them it would be sufficient, for Government would not know but they had done their endeavors to take them, and that they're turning out and making a Bluster would gain the Company a great name; and further this Deponant saith not."

"WM. SMITH."

"Sworn to and subscribed this 13th day of September, 1788.

"Before me,

"MATTHIAS HOLLENBACK."

"Luzerne County, ss.

"The 13th day of Sept., 1788, before me, the Subscriber, one of the Justices of the Peace for said County, Came John Hollenback, and was Duely sworn according to Law, Depose & Saith that he, the Deponant, ware in Company with Capt. John P. Schoot, whome at said time Commanded a Company of Light Dragoons and then had his Company on Parade, to pursue a Number of Royetous Persons whome Had taken and Conveyed away the Body of Timothy Pickering, Esq. I seeing, as I thought, Neglect in said Schoot as to the expedition, and also made Mention to Capt. Schoot that I thought by appearance that the Expedition would be of Small Event, Whereupon said Schoot Carelessly Cast his head about and Said it would answer for a show to the State, whereupon the Deponant Turned his Back and further Saith not."

"JOHN HOLLENBACK."

"Sworn & Subscribed the Day above Written, before me,

"WM. HOOKER SMITH,

"Justice of the Peace."

Colonel Butler, in the fall of 1788, proceeded to hold elections of officers of the Upper Battalion, pursuant to instructions from the Council. The scattered

\*A roster of the Light Dragoons as of May 5, 1788 and among the "Pennsylvania Archives," XI : 97, discloses some familiar names of both the Pickering and Franklin parties. The document reads, as follows:

"We, the Subscribers, Voluntarily Engage to serve in the Troops of Light Dragoons which is to be raised by Capt. John P. Schott, in the County of Luzerne aforesaid, and Promise to Obey all Lawful Orders which we shall from time to time receive from the Supreme Executive Council or our Superior Officers. In Witness whereof we have hereunto set our hands,

John Paul Schott,  
Moses Sill,  
Isaac D. Tripp,  
Benjamin Dorrance,  
Josua Pathrirk,  
John Gove,  
Rosewell Wells,  
Willi Gallup,  
Peter Geer,  
Jabez Sill,  
Lord Butler,  
Silas Jackson,  
Hallet Gallup,  
Ebenezer Slocum,  
Eleazer Bowman,  
John Downing,  
Christian Oehmig,  
Naphhtaly Hurlbut,  
Lemuel Gaylord  
Isaac Williams,  
Ichabod Blackman,

William Hyde,  
Eleazer Blackman,  
William Smith,  
William Jackson,  
John Stapel,  
Henry Stark,  
Jabez Fish,  
James Stewart,  
Jehoida P. Johnson,  
Jonathian Stevens,  
Asa Stevens,  
Ben. Brown,  
Moses Atherton,  
Benedict Satterle,  
Ira Manville,  
Ely Manvill,  
John Yaffe,  
Nathaniel Walker,  
Adm. Diller,  
Sim Chatduck."

settlements of the upper Susquehanna were dominated by "Half Share Men" and in these also, the newer settlers were adverse to the jurisdiction of Pennsylvania. The return of Colonel Butler of this election must have been a bitter blow to adherents of Colonel Pickering. The roster, as will be found, discloses no other than the implacable John Jenkins chosen as Lieutenant Colonel, the redoubtable John Swift as Major, and at least five other officers who had been indicted in connection with the abduction of Pennsylvania's Commissioner. The Commonwealth however, still held the whip hand. The Council itself must issue the actual *commissions*. These necessary documents were never forthcoming. The perverse return of the County Lieutenant follows:

"A Return of Field & Company Officers, elected in the upper Battalion in the County of Luzern, 1788.

John Jenkins,		Lieut. Col.
John Swift,		Major.
Tioga Compy.	{ Soloman Bennet,	Capt.
	{ Lucas Detrick,	Lieut.
	{ John Depew,	Ensn.
Sheshequena Compy.	{ John Spalding,	Capt.
	{ Samuel Gore,	Lieut.
	{ Samuel Southworth,	Ensn.
Wyasock Compy.	{ Rosewell Frankling,	Capt.
	{ Jehiel Frankling,	Lieut.
	{ Isaac Strobe,	Ensn.
Meshoping Compy.	{ Martin Dudley,	Capt.
	{ Joseph Kilburn,	Lieut.
	{ David Woodward,	Ensn.
Tunkhannuck Compy.	{ Justus Jones,	Capt.
	{ Ebenezer Stephens,	Lieut.
	{ Joseph Arthur,	Ensn.
Wylusink Compy.	{ Daniel Shaw,	Capt.
	{ Joseph Elliot,	Lieut.
	{ Stephen Durell,	Ensn.
Pitts Town Compy.	{ Jonathan Newman,	Capt.
	{ Henry Harding,	Lieut.
	{ Roger Searls,	Ensn.
Exeter Compy.	{ Peter Harris,	Capt.
	{ Thomas Harding,	Lieut.
	{ Oliver Harding,	Ensn.

"The foregoing is a true Return as made to me by the several Inspectors agreeable to Law.

"Wilks-Barre, August 25th, 1788.

"His Excellency the President in Council.

"ZEBN. BUTLER,

"County Lieut."

In explanation of the above Return and offering a loophole to the Council, Colonel Butler, the following day, wrote that body, as follows:\*

"This may inform your Excellency and Council, that agreeable to request, I held the election of officers for the upper Battalion, and the enclosed are the persons who were chosen to command the Battalion and the several Companies, which compose said Battalion. John Jenkins and John Swift, by Esquire Gore, I am informed are out of the State; and it is pretty generally known, that they are making all possible preparations to remove their families. This circumstance, I thought necessary to mention that Council might give further directions for a new election. I would likewise inform Council, that by the advice of authority, I held the last election in different places. The reasons why I adopted this method, were the inconveniency of the people's assembling at one place. This I suppose was not altogether conformable to the law regulating elections; but when I inform that the district is exceedingly lengthy; perhaps the method by Council, may not altogether be deem'd improper or ineligible. If it should be, your Excellency's and Council's pleasure will be, (I trust) signified in the directions for holding another election.

"In the meantime I have the honour to be, your Excellency's most obedient and very humble servant.

"ZEB'N. BUTLER."

In August, 1788, an echo of the Pickering abduction is found among the "Butler Papers," in a bill of Colonel Butler, "account of duty done as County Lieutenant up to August 26th." Items of the bill follow:

\*See "Pennsylvania Archives," XI : 384.

"5 days spent going to Wyalusing, attending election and returning—3 pounds, 2 shillings, 6 pence.

"9 days attending elections and going to and returning from the Upper Battalion.

"6 days in turning out parties to recover Colonel Pickering and detect the rioters and in delivering arms and ammunition, etc.—3 pounds, 15 shillings."

That other complications were arising in connection with his thankless task of properly recruiting a military force, required of the County, is evidenced by a later description of conditions penned by Colonel Butler to the Council, in October. It reads as follows:

"I received your Letter of the 22d August last, I am sorry to inform you that my best exertions have as yet failed to procure legal Returns of the Persons subject to militia Duty in this County, among the first elected Officers of the first Battalion. Capt. Ross, Capt. Alden, Lieut. Nezbit, Ensign Hyde, & Ensign Alden, were not immediately Commissioned. Since Capt. Ross has received his commission, Col. Pickering, with myself and others, were appointed to examine the others and report to Council. Col. Pickering informed me he made report, but I have not received their Commissions. Ensign Alden has left the State, Ensign Hyde has engaged in the Horse.

"The elected officers in the second Battalion I have been informed are not to be commissioned. As soon as I receive Orders from Council for holding a new Election, I shall proceed in the Business & use my best endeavours to organize the Militia and make Returns; I have no returns for the years 1785, 1786, and 1787."

The subject of roads within the County, as well as suitable highways to points outside, appears of record at an early date in the Pickering regime. On April 5, 1787, the Commissioner brought this matter to the attention of the Council, in a letter valuable for its explanation of the routes then most available to Philadelphia. The letter reads as follows:

"Dear Sir,

"The Assembly having granted £150 for the purpose of opening a road from the mouth of Nescopeck Creek to the Lehigh\* (a distance of about three & twenty miles,) two persons will undertake to perform the work, if that sum can be appropriated to that use. They proposed getting an additional sum by subscription, to be called for if the public grant proved inadequate. But this seemed a beginning at the wrong end; and after a full consideration of the matter, I proposed the following plan of procedure viz.

"That application should be made to Council to appoint Evan Owen a commissioner to explore, survey, & mark the best route for the road—and that Jacob Weiss should contract to open it, so as to render it fit for the passing of Waggon's carrying a ton weight.

"This proposal I made on this principle—That persons deeply interested in having the shortest and best road cut, would be the fittest to be employed to execute the work.

"Mr. Owen is an intelligent man, and (I find on enquiry) a man in whom the public may repose great confidence. He owns a tract of land opposite the mouth of Nescopeck, which he has laid out into lots for a town, and has no *intermediate* interest. He, therefore pursuing his own interest will seek the shortest & best route; and is so solicitous to have the work done, that he has consented to undertake the trust; and as the public grant will probably be insufficient for opening a good road, he will perform the duty of *Commissioner & Surveyor, gratis*: the public only furnishing, out of the £150 granted, provisions and paying the hands necessary to be employed as chain carriers and markers, this service of his to come in place of the sum he would otherwise subscribe to the work.

"Mr. Weiss has an interest near the *hither* end of the proposed road, and is equally anxious to have it opened. He will contract to do it, for the remainder of the £150, trusting to obtain by subscriptions what shall be requisite to complete the road, if that remainder should be insufficient.

"Mr. Owen will *explore & Survey* the road, & return a plan of it to Council, by the last of this month; and if the Council approve of it, Mr. Weiss will open it without delay; and he thinks he can complete it by midsummer; provided he can begin to work early in May and is furnished with a part of the money to lay in provisions &c.

"I confess that I cannot conceive of a more eligible mode of executing this business; and I hope it may be agreeable to Council 'Tis an object of great importance. At present the only way in which any necessary goods can be transported to the county of Luzerne, is by land from Philadelphia to Middletown, 98 miles, or to Harrisburg upwards of a hundred miles; and then by boats up the Susquehanna about 120 miles to Wyoming. This circuitous route is so expensive as to forbid the attempt to bring any produce from Wyoming to this city.

"I trust this matter will appear to you deserving of the immediate attention of Council; and that the necessity of the measure, and the ease and certainty with which, in the way above proposed, it may be executed, will be motives sufficient to induce Council to adopt it if it be possible to furnish the money, and I hope the circumstances of this case may warrant an extraordinary exertion.

"I feel the greater solicitude on this subject, because I fear a direct road to Wyoming, (for which the Assembly granted £300) cannot soon be opened. The sum being double what is granted

\*This road was completed and opened in 1789.

for the other road, cannot so conveniently be spared; and perhaps it will be proper to have another examination of the country before the route is fixed. When last at Wyoming I had good information that a road might be opened from thence to this city, without ascending or descending a single mountain; and that the part of it which would cross the Great Swamp would be easily made good; and yet the distance would not probably exceed 110 or 115 miles.

"I wished to have conversed with you on this business, & called this evening at your house, but you were not at home. If I could learn the opinion of Council upon it, before I set off for Wyoming, it would give me great pleasure & therefore I pray you to introduce it to-morrow morning.

"I am respectfully sir,

"Your most obedt. Servt.

"T. PICKERING."

"General Muhlenberg.

Of a road from the Water Gap to Wyoming, Colonel Pickering advises the Council of April 7, 1787, as follows:

"Since I saw you this afternoon I have consulted with Col'o Denison on the subject of a road to Wyoming, and we are clearly of opinion that it will not be expedient to open one until the country is farther explored. We have such information as to induce us to believe that a road may be cut from the Water Gap of Lehigh to Wilkesbarre, without ascending or descending a single mountain; there being very practicable gaps in all the mountains which intervene; and the taking the advantage of those gaps, it appears to us, will not materially increase the length of the road; or whatever that increase may be, the greater facility of making & travelling the road, will more than counter-balance the greater length. On Mr. Balliots route several bad mountains appear; & he passes them by many *detours*, or zigzag directions; and the making in such places a tolerable waggon road, will occasion a great expense; and tis an expense which will never have an end; for such steep roads are generally in bad condition, because every great rain will destroy what much labour has effected; and however well repaired, still the toil of horses & cattle in passing them is severe and perpetual. Whereas a road thro' a swamp or morass, when once well made, will last an age, and is passed with loaded teams with perfect ease. But what is called the Great Swamp is generally *hard ground*; and all the miry parts on the present route, (being what is called Sullivan's road,) which is by no means deemed an eligible one would not together exceed two miles. This is the opinion of a man who has passed it a hundred times. \* \* \*

Two years later, in referring to the Wind Gap route to Easton, thus inferring that no better then existed, Colonel Pickering, in a letter to his wife, dated April 1, 1789, gives the following discouraging information:

"We got to Tobyhanna last night with difficulty and slept, with our horses, in Luce's old hut. It was very well we brought provisions with us, as there was nothing to eat in the house. This morning we came to Learn's for breakfast. \* \* \* It began to snow the day before and snowed all the way to Learn's."

Of the existing roads in the Valley at this time, the Kingston road, 6 rods, or 99 feet in width, was surveyed in 1770. It was then, as now, the widest of the Community's thoroughfares. Its trace is followed today by Wyoming Avenue from Kingston to West Pittston, leading past the Wyoming monument. An extension of this road across the lower Kingston flats was later opened to connect with the ferry to the County Seat. Another road had been laid out along the east bank of the Susquehanna to Pittston, connecting with a ferry at that point. It was this road and its extension to the upper Susquehanna country, that Gen. Sullivan followed in 1779, and is now a part of the survey for the proposed "Sullivan Trail." Still another road ran along the Wilkes-Barré flats to Hanover and Newport Townships.

The pressing need for the further extension of this nucleus of a road system, was emphasized by the action of the Court, upon various occasions, in early appointing viewers and supervisors. In 1788, as appears in the first Record Book of the Courts of Luzerne County, incorrectly labeled "Road Docket No. 1," Benjamin Carpenter, Abel Pierce, Lawrence Meyers, James Sutton, Benjamin Smith and John Dorrance were appointed "to view and lay out additional roads in Kingston township." The viewers for Hanover township, appointed at the same term, were: Christopher Hurlburt, Shubal Bidlack, Richard Inman, Conrad Lyon, John Hurlburt, Elisha Decker and Nathan Nartrop. For Plymouth township, Samuel Allen, Rufus Lawrence, William Reynolds, Luke Swetland, Hezekiah Roberts and Cornelius Atherton were appointed. In Salem township, the Court

avored Nathan Beach, George R. Taylor, George Smithers, Amos Park, Jacob Shower and Giles Parman with a similar appointment.

In 1789, the Court's attention was again occupied by road matters. At this term, John Jenkins, Stephen Harding, Peter Harris, David Smith, S. Dailey and J. Phillips were appointed viewers for Exeter and for Wilkes-Barré township, Zebulon Butler, J. P. Schott, John Hollenback, Nathan Waller, Abraham Westbrook and John Carey were named.

Roads being few, and distances between the settlements great, occasioned considerably difficulty in co-ordinating the services of the County's Justices of the Peace upon such occasions as they were expected to sit in concert. Wilkes-Barré was beginning to feel itself of sufficient importance to ask for a second Justice, as a co-jurist with Justice Matthias Hollenback. Colonel Pickering's advice was sought on the subject, whereupon he wrote to President Mifflin, on January 29, 1789, explaining in detail, the size of the County, its difficulties of travel and, in order to inform the Council as to the customs prevailing, the letter sets forth clearly the difference between the use of the word "town" in a Connecticut and in a Pennsylvania sense. Interesting, also, is a discussion of the name of the County Seat and its first correct spelling in all the correspondence of the period. The letter follows:

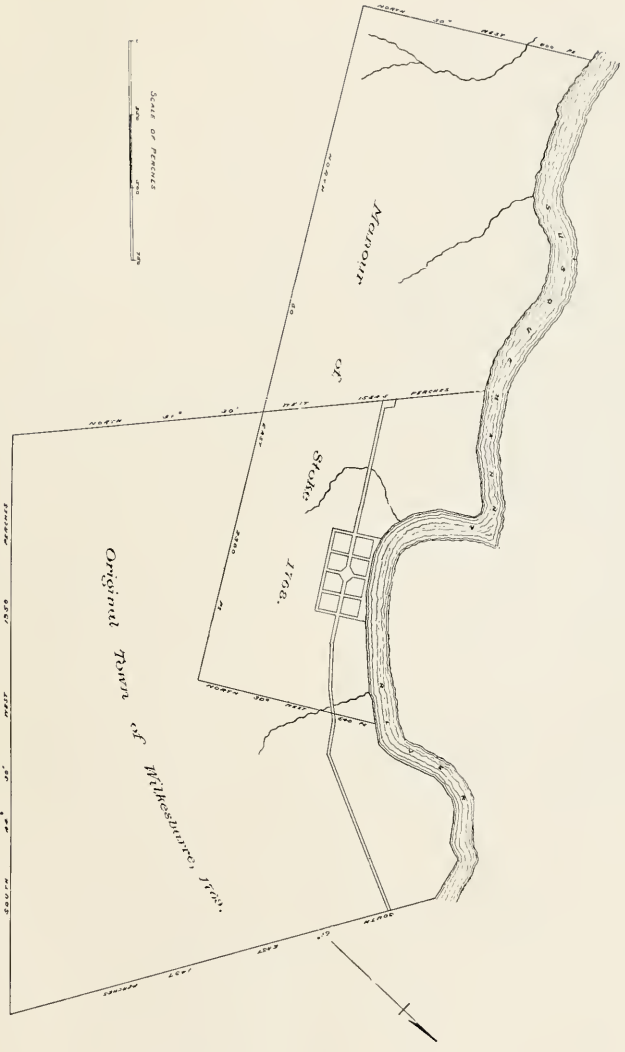
"Matthias Hollenback Esquire has just informed me that application has been made to him about appointing an election of a justice of the peace in this town. I observed to him that Council must previously grant permission for it. I therefore now beg leave to suggest the matter for the consideration of Council. I had some time since thought of doing it, on account of the difficulty which had repeatedly occurred in assembling justices enough to hold an Orphans' court, but on reading the last law on the subject, passed the 20th of February 1788, it appeared uncertain whether the difficulty would be removed, for this district in which Wilkesborough, the county town, is situate, is upwards of 50 miles long; and the additional justice might be elected 30 miles from it. But on examining the preceding law, passed the 4th of March 1786, I find the *county town* may have *two* justices within it, whenever the president in Council shall think proper to grant the same. And that you may be possessed of the necessary data in the present case, I beg leave to remark—That this county is about 120 miles in length—that 'tis divided only into *three* districts, in each of which there have been two justices of the peace commissioned, altho at this time there are but *four* in the county, two having resigned: That in the first district, (extending from Tagues creek to Nescopeck, a length of 50 miles, or more) the two justices dwell in the township of Wilkesborough, tho' *one* only lives in the *town*, in the *Pennsylvania* sense of the word, that is, in that part of the township which was laid out in lots for the site of a town; in which there is a public square, where the new England people formerly erected their court house & jail, & where the present court house & jail of the county have lately been built: That in the second district (of like extent with the first) the only justice in commission lives in Kingston township, and about 4 or 5 miles from Wilkesboro,' on the opposite side of the river; and that of the two candidates for the vacant office of justice in the district, one lives in Kingston, and about a mile from Wilkesborough, and the other in Plymouth, & about four miles from Wilkesboro': That the nearest justice in the 3d district lives 50 miles from hence; and the candidates for the vacant office in the district live, one about 80, the other about 84 miles from Wilkesboro'.

"From this statement it appears that there may be four justices of the peace, of whose residences the most distant will be but four or five miles from the county town: but as Mr. Hollenback (the justice residing here in the town) has observed, his business frequently obliges him to be absent several weeks together, & sometimes three or four months; and at such times the inability to attend of a single justice suspends the business of the Orphans' court, and of any special Sessions of the peace.

"Should it be thought proper to grant another justice for the county-town, it will be very necessary for Council to define in the grant, the meaning of the word county-town, to prevent disputes among the electors. What in Pennsylvania are called townships, in new England are commonly called towns; & possessing these ideas, some people in Kingston supposed the present court-house & jail might have been built there, because by the law, it was to be erected in some convenient place 'in or near Wilkesburg,' under which name they imagined the entire township was comprehended. In the law for erecting the county of Luzerne (passed Sept'r 25, 1786) this town is called Wilkesburg, & in the first supplement to that law Wilkesborough, but I find the name originally given to it by the new England people, and which appears in their records, is Wilkes-Barre, by which name they designated not only the town, but the township of five miles square."

That Justice Kingsley from his up-river home, at Wyalusing, suffered from all the inconveniences of travel related in the Pickering letter, to an extent of

TOWNSHIP OF WILKES-BARRE IN 1789







seeking relief from his arduous duties, is indicated, the following year, by his letter of resignation:

"To his Excellency the President, and the Supreme Executive Council of the Commonwealth of Pennsylvania.

"Nathan Kingsley, of the County of Luzerne, commissioned one of the judges of the Courts of Quarter Sessions & Common Pleas for the County aforesaid, finding it impracticable many times, by reason of high water, to attend Courts, and living sixty miles from the County Town, joined to the smallness of the fees allowed him in this behalf, is obliged, from necessity, to inform Council that he cannot in future serve in his aforementioned capacity. Were his abode nearer than what it is at present to the County Town, he would not think of resigning his office, but would continue in it with pleasure and satisfaction. The Fall and Spring sessions happen at a time in which the Waters are high, and of consequence make his traveling not only expensive, but very difficult & dangerous. The time of attending, coming to and returning from Courts, takes up so considerable a part of the seasons of the Summer and Fall, that he is obliged to neglect his agricultural pursuits, to the singular injury of his intrist. From these considerations, he desires Council to accept his resignation and take such other Order in directing the choice of another Judge in his District as to them shall seem meet.

"NATHAN KINGSLEY."

"Wilksbarre, Jan'y 14, 1790.

Aside from the industry of agriculture and its accompanying side line of milling and weaving, there seems but little thought given to the manufacture of any products in the infant County at this period. The Gores and others, as will appear in a later Chapter devoted to the coal industry, were undoubtedly



HOMINY BLOCK OR CORN POUNDER,

Used at Wyoming before 1789.

From "Pearce's Annals of Luzerne County."

using for forge purposes, the "stone coal" so readily obtained from outcroppings in the Wyoming Valley. Strange as it may seem at the present, the earliest efforts of promoters of the time appear to have favored the iron industry.

In 1778, John and Mason F. Alden erected a forge on Nanticoke creek, in Newport township. It contained a single "fire" and one hammer. The hammer itself had been brought from Philadelphia to Harrisburg by wagon, thence by boat up the Susquehanna. The iron ore which supplied it was manufactured into bar iron, affording an available supply for the smithies of the day. It was

to this forge or "bloomery" that Colonel Pickering drew attention in an effort to interest outside capital.

To William Bingham, a distinguished citizen of Philadelphia, Colonel Pickering wrote on April 9, 1789, while in Philadelphia:

"You desired me to give you in writing what I had communicated relative to the manufacture of iron in Luzerne County. The ore is about 8 miles below Wilkesbarre, and within a short distance of the Susquehanna—perhaps half a mile from it. It is close by a creek where a bloomery has just been erected and set to work. The adjacent lands have a sufficiency of wood for charcoal; and if there should fail in time, the river will enable the proprietors to obtain, for ages, a full supply of wood or coal. \* \* \* It is not improbable that the stone coal, with which the county abounds, may be applied to the same use, according to the late invention we have heard of in England. \* \* \* The ore, I am assured, is in great abundance. 'Tis bog ore, which is continually renewing. 'Tis of rich quality, and the iron made of it at the bloomery is equal to almost any refined iron."

Mr. Bingham gave the matter serious consideration, we may infer, months later, and following what seems to have been a careful inquiry as to titles to the iron deposit in question, he reached a conclusion which, for more than a decade in future, was to detract from the settlement of the County by new comers, and to interfere with whatever development was then in prospect. In October, 1789, he wrote Colonel Pickering that "no claimant was willing to sell for less than he thought the *whole land* was worth." In other words, as indicated by the above letter, if title to lands in Wyoming were to be obtained without a possibility of légal complications, those who held under Pennsylvania as well as those who claimed a prior title under Connecticut, must both be consulted, with a result that neither admitted his claim was rendered less valuable by reason of the other.

Sir, Wilkesbarre August 14. 1789.  
 Be pleased to pay <sup>me</sup> John Ryan seven shillings & six pence  
 for the fine incurred by me (by an unreasonable and  
 absurd *melitè* law) for not appearing in the ranks at  
 the militia muster in May 1788.  
 I am, Sir, your humble servant  
 Timothy Pickering  
 Some time Adjutant General  
 & during four years  
 Quarter Master General of the  
 Army of the United States, in  
 the late War.

To Col. Lebanon Butler

AN ORDER IN THE HANDWRITING OF COLONEL PICKERING.

The scarcity of money as a medium of exchange may be remarked as one of the characteristics of the times. The Federal government had not yet assumed that control over general finances which Alexander Hamilton was later to work out. The pound and its denominations were still current. In various states the pound was quoted at different amounts, as measured by the oncoming dollar. With these uncertainties existing as to the actual value of the small amount of currency in circulation, the usual method of trade was in actual barter; so many bushels of grain for so many pounds of necessities, or so many yards of cloth. Illustrative of this is a complaint from Colonel Pickering to his brother-in-law, George Williams, at Salem, Massachusetts, dated November 24, 1789, as related to Luzerne County:

"The fees in these offices would *now* yield me 200 pounds per year, but *cash* cannot be obtained; *produce* is the currency of this county and I have received as yet very little of this. \* \* \* At our last September term of court, I was employed from Monday morning til Saturday night in my *five* offices and yet, during the whole week, I received but *one quarter of a dollar*, and that from a man coming from another county."

Outside the County, events were slowly shaping themselves toward a wider statesmanship.

The new national government having become a reality, and the steps taken to put it in motion, the people of Pennsylvania turned their attention to a change in their own State Constitution. A general conviction existed that such change had become necessary. The want of energy and of an intelligent comprehension of the interests of the State, was shown in the instance of the imbecile and stupid course of the Assembly, in reference to a settlement of land titles in Luzerne County.

The State was substantially without an Executive under the old Constitution of 1776.

The President of a Council of twenty members was substantially the Governor, and was frequently spoken of as such.

Appointments were made by the Council by secret ballot. Such a body grew to be called, in time, a mere "excrecence" of government. Citizens generally were clamorous for a change. But before any alteration could be made, the first indispensable step was a law to be passed, calling a convention of the people for that purpose.

To meet the case, petitions were put in circulation in every county and Chief Justice McKean warmly espoused the popular cause.

Finally the Assembly yielded to an overwhelming sentiment and passed the required law. Dr. Rush, upon hearing the news immediately wrote Colonel Pickering, at Wilkes-Barré, under date of September 21, 1789, as follows:

"I take the liberty of concurring with your other Philadelphia friends in urging you to accept a *seat in the Convention.*"

Colonel Pickering was elected a Delegate from Luzerne County, at the fall elections of 1789, although absent from the County at the time, just as he had before been absent, when elected to a seat in the convention which passed favorably upon the Commonwealth's adoption of the Federal Constitution, in 1787. All of which tends to bring us back again to the chief figure of the County in this stage of its development. Try as he might, the historian cannot escape Colonel Pickering. As long as he remained at Wyoming, he dominated the situation. To follow his course until circumstances removed him seems, therefore, the logic of the situation.

He accepted the call of a majority of Wyoming residents as the County's representative at the Philadelphia Convention. This met late in the fall of 1789. His sessions dragged unmercifully. On December 5th of that year, he wrote his wife at Wilkes-Barré, as follows:

"I fear, with you, my dear, that my absence has injured my farming business. This I hope, will be the last sacrifice I shall make in this way. If finally, an excellent Constitution for this State should be formed, of which I have sanguine hopes, I shall not regret my loss of time. For, though I can have but little hand in its formation, yet I shall reflect with pleasure that I was a *contributor*, according to my ability, and that my endeavours were pointed singly to the public good. The debates are a daily source of information and satisfaction. The three foundation principles have been substantially agreed on,—that is, two branches to the legislature, a single Executive, with a qualified negative in the legislature acts, and an independent judiciary. There appears so good a disposition in most of the members of the Convention. I hope we shall get happily through the formation of the Constitution; but it will take more time than I expected, probably till New Years Day at least. Have patience, my dear Beckey, this once. God forbid I should ever again leave you so long, and so burthened with business, even for considerations more weighty than those which occasion my present absence."

On January 15, 1790, he again wrote: "I am yet to lament that I can give you no kind of assurance when the Convention will rise." On February 15, 1790, he again wrote: "The Convention still sitting; and probably will not rise before the close of the week. The Wyoming business being before the Assembly, and Pennsylvania claimants pushing hard to repeal the Confirming Law, may occasion my staying here the best part of next week."

The Convention did not "rise" the next week. Indeed on April 6, 1790 it took a recess. "Six months I have been absent" he wrote on that date to his wife. "To crown all, the Confirming Law repealed! You will be surprised to see me with Mr. Gore and Mr. Butler. *I shall wait for one more disappointment.\**

*The one more disappointment* Colonel Pickering referred to in the previous letter actually followed. The annoyances he met with in public life, his burdensome and unremunerative duties at Wyoming and this, the loss of an appointment as Surveyor General of the State, led him to write to his wife in a somewhat pessimistic strain. "There is nothing that I could more earnestly pray for in respect to my sons, than that they might engage in such private pursuits as to preclude even the wish for a public employment." In this pessimistic mood his friend Andrew Ellicott found him, then about ready to start back to Wyoming, on April 5, 1790. The outcome of the visit was that Colonel Pickering applied for the office of Assistant Secretary of the Treasury, made vacant by a resignation. Alexander Hamilton, to whom the application was addressed, advised friends of the Commissioner that he had already promised the place to another.

That General Washington knew of the application and had other things in view for his former Quartermaster General is of record. In the meanwhile, Colonel Pickering returned to Wilkes-Barré, after an absence of nearly seven months. Scarcely had the induction of Washington into the office of first President of the United States become a fact, before the affairs of Colonel Pickering changed for the better.

The Convention for framing a new Constitution for Pennsylvania came to an end on September 2, 1790. It adjourned with an understanding that the members would come together as a body, the next day, to meet President Washington. Colonel Pickering was again in Philadelphia for the final sessions. The President upon meeting him proposed that his former companion in arms accept a commission in connection with an impending conference with the tribe of Senecas. Colonel Pickering accepted this mark of esteem in the part of his chief. Next day, September 4th, the President issued the following:

"Colonel Timothy Pickering,

"You are hereby authorized and required forthwith to proceed to the Painted Post,—or to such other place or places as may seem proper, there to meet, in behalf of the United States, the sachems, chiefs, and warriors of the Seneca Nation of Indians, or any person or persons deputed by them: to assure them that the murders committed at Pine Creek† on some of their tribe are causes of great displeasure to the United States; to explain to them what measures have been taken, and are still proposed to be taken, to apprehend and bring the offenders to justice; to communicate to them in a plain and fair manner the late act of Congress respecting the trade and intercourse with the Indian tribes; to declare to them the friendly disposition of the Federal government towards them, and its readiness to extend protection and support to them on all needful occasions; and in general to do such matters and things as may be necessary for the more complete execution of the foregoing powers.

"Given under my hand and seal, this 4th day of September, 1790.

"Philadelphia, September 4th, 1790.

"G. WASHINGTON."

\*Among his friends a movement was started in 1788 to have Colonel Pickering appointed Surveyor General of Pennsylvania. A petition to this effect was signed by a number of influential residents of Philadelphia and presented to the Council but nothing seems to have come of it.

†"The Pine Creek Murders" as they were known in a considerable correspondence between President Washington and Chiefs of the Senecas, occurred along a tributary of the West Branch of the Susquehanna. Two Indians of that tribe, on a peaceful mission, were wantonly murdered by drunken traders. The murderers were later brought to justice and, with considerable difficulty owing to the prejudice of the times, were convicted of the crime.

On October 17, 1790, Colonel Pickering left Wilkes-Barré, as the head of the Indian Commission.

Many interesting documents connected with the treaty which was finally concluded with the Senecas and others of the Six Nations, are preserved among the "Pickering Papers." A reference to one of them, will indicate their trend.

On November 15, 1790, some twenty or thirty chiefs had assembled at Tioga Point, including representatives of all the Six Nations who considered the grievance of the Senecas their own. The eloquent Red Jacket was present, as were Farmer's Brother, Good Peter, Captain Hendrick Aupaumut, Fish Carrier and Big Tree.

After passing the pipe, according to Indian customs, Colonel Pickering opened the conference and recorded its speeches in his own handwriting. The usual ceremonious language was used:

"Brothers, Sachems, Chiefs, and Warriors of the Six Nations:

"I bid you a hearty welcome to this council fire, and thank the Great Spirit who has brought us together in safety, though I sincerely lament the cause of our meeting,—I mean the murder of our two brothers of your nation at Pine Creek.

"Brothers: I have already informed you by letter that I was appointed by our Great Chief, General Washington, to meet you on this occasion. You must well know that he is the President or Great Chief of the United States. What I shall say to you will be in his name, by the authority of the United States, pursuant to the powers vested in me by this Commission under his hand and seal."

"The President's commission to me was then read and interpreted.

"Brothers: I desire you to look on my commission, and observe the seal of our Great Chief, and his name, written with his own hand."

"My commission was then handed round among the chiefs.

"Brothers: As this is the first time that I have held a treaty with you, it cannot be expected that I am well acquainted with your customs. I therefore desire you to excuse any defect in point of form. But what I speak to you shall be the truth; which I am sure you will think more important than a strict observance of ceremonious forms.

"Brothers: You now see my commission, which has been read and interpreted, that, according to my letter to you, I was appointed to wash off the blood of our murdered brothers, and wipe away the tears from the eyes of their friends; and that this occasion was to be improved to brighten the chain of friendship between you and the United States.

"Brothers: You said the hatchet was yet sticking in your head. I now pull it out. I have now met you to wash off the blood of the slain, and wipe away the tears from the eyes of their friends. And, as a token of friendship and peace, and of the perfect security with which we may confer together, I now present to you these strings."

"I then delivered to the principal chief, usually called 'The Farmer's Brother', strings of wampum. After some consultation with the chiefs near him, he rose and addressed me to the following effect:

"Brother: We thank the Great Spirit who has appointed this day, in which we sit side by side, and look with earnestness on each other. We know you have been long waiting for us, and suppose you have often stretched up your neck, to see if we were coming. Brother: We sent your letter to the Grand River by the Fish Carrier, and we have been waiting for its return; but it has not yet come to hand; and therefore we cannot yet properly enter upon business. We must wait two days for the arrival of the Fish Carrier, or to hear from him. But, in the mean time, as the letter is not come back, we desire you to accept this belt as a pledge."

"He then delivered the belt.

"After a pause, the chief, called Red Jacket, rose, and spoke to this effect:

"Brother: We are happy to see you here, for which we thank the Great Spirit.

"Brother: You say you are not acquainted with our customs. Brother: We are young, but we will describe the ancient practices of our fathers. The roads we now travel were cleared by them. When they used to meet our brothers of Pennsylvania, at Philadelphia, our brothers not only pulled the hatchet out of their heads, but buried it. You say you have now pulled the hatchet out of our heads; but you have only cast it behind you; and you may take it up again. Brother: While the hatchet lies unburied, we cannot sit easy on our seats."

"Brother: From the time we made peace with the United States, we have experienced troubles, even more than before. The United States have also had their troubles. Brother: We now hear General Washington, the Great Chief of the United States, speaking to us by you; and hope our troubles will now have an end. But our eyes are not yet washed, that we may see, nor our throats cleared, that we may speak."

"As soon as Red Jacket sat down, I rose, and spoke to the following effect:

"Brothers: You say that I have only pulled the hatchet out of your heads, and have not buried it; and that, while it remains unburied, you cannot sit easy on your seats."

"Brothers: In declaring that I pulled the hatchet out of your heads, I meant to comply with your own demand, in your letter to the President and Council of Pennsylvania; which was,

that he should come and pull the hatchet out of your heads. However, to give you entire satisfaction in this point, as the hatchet is already pulled out of your heads, I now bury it, and pray God that it may remain buried; that its edge may never more be seen. Brothers: The United States have no wish but to live with you as brothers in perpetual peace.'

"I now wash off the blood of your murdered brothers, and the tears from the eyes of their friends.'

"I then drank to their healths.

"After they had been served round with a glass of rum, the Farmer's Brother rose, and spoke to this effect:

"'Brother: You have now taken us by the hand, and washed our eyes. Our women expect you will show them equal attention. They are here waiting your invitation, to receive the same tokens of your friendship, which, the last evening, you gave to us. Perhaps, in taking them by the hand, you may see one who may please you.' (A general laugh at the speaker's humor.)

"I rose, and addressed the women:

"'Sisters: I am very glad to meet you here. I have seen agreeable women of various complexions, and doubt not such are to be found among you. I invite you to my quarters, where we may eat and drink together in friendship. I now take you by the hand as my sisters.'

"I then went round and shook hands with every woman present."\*

Colonel Pickering's conference with the Indians at Tioga Point was the beginning of long service in this connection. He was singularly adapted to it.

There were many elements of his aspect, character and deportment that gave him great influence over Indians, and won both their confidence and good will. He stood six feet, of broad muscular frame, his carriage and gestures together with the initiative, courage and firmness stamped on his face were what they admired.

The Six Nations made him a Chief and at the Council fire addressed him as "Conni-Santi," "The Sunny Side of a Hill."

On April 10, 1791, Major Hodgden was approached by the War Department in order that Colonel Pickering might be felt out as to accepting another important Indian Commission. He measured up to this task as he did others, by accepting the call. In a letter to his brother John, acknowledging acceptance of the Commission, he brings out what is fixed in his mind, as to the education of his children:

"Dear Brother,

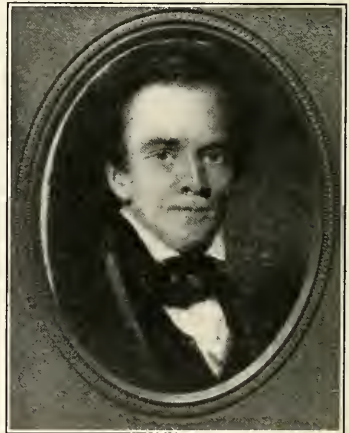
"An unexpected call to this city, to prepare for holding another treaty with the Indians of the Six Nations, gives me the pleasure of this opportunity of writing by Mr. Dalton.†

*Colonel Pickering's bill of accounts for services rendered in connection with the Seneca conference follows:	
"THE UNITED STATES.	To TIMOTHY PICKERING, Dr.
"For my time and trouble in Philadelphia two days, in various matters preparatory to the intended conference, at eight dollars a day.....	\$ 16.00
"For my time and trouble in procuring provisions for the Indians, and holding a conference with them from October 17th (when I set off from my house in Wilkesbarre to Philadelphia) until November 29th, at night (when I reached home), both days, included, at eight dollars a day.....	\$352.00
"For my travelling expenses from Wilkesbarre to Tioga and back.....	\$ 3.37
"For my time, trouble, and expenses, after my return, in transcribing the rough minutes of the proceedings, to report to the president, in making a journey from Wilkesbarre to Philadelphia for that purpose and to get the account of expenses settled; and in completing the payments yet to be made to sundry persons in Luzerne County and York State, equal to twelve days, at eight dollars..	\$ 96.00

"Philadelphia, January 8th, 1791."

\$467.37

†See the "Life of Pickering" 111-486.



GEORGE CATLIN

Indian Student and Painter, who sketched "Colonel Pickering at Tioga Point," illustrated page 1128, Vol. II.

"Philadelphia, April 23, 1791-

"I have felt much concern for the education of my children, who have suffered since my removal to Wyoming. At present they are provided for by an ingenious young lawyer,\* who formerly kept school, who now boards at my house, assists in my office, and who has undertaken the daily task of instructing the children in reading and writing, and Tim in geography. My son John, I am informed, is a good scholar; and now, I suppose, is fit for entering a college. I have had no communications with you on this subject, nor do I know your kind intentions concerning him. I earnestly wish you to write me. He is yet young enough, Fifteen, I think, is early enough for a youth to make the best improvement of college advantages. \* \* \*

To Alexander Hamilton, the statesman of his time, belongs the honor of initiating a movement which was later to result in the creation of the Department of Agriculture which has merited its worth at the hands of the present government.

In 1791, while in the capacity of Secretary of the Treasury, Hamilton wrote many letters to those whom he knew were informed of agricultural developments in their sections.

Among his correspondents of that period was Colonel Pickering, who answered him in terms that indicate what the Wilkes-Barré district raised in such agricultural pursuits as were followed:

"Dear Sir,

"Philadelphia, October 13th, 1791.

"When I received your letter of the 13th of August, I did not consider it with that attention which would have been necessary if at that time I had attempted to answer the questions you propose. Now it appears to me impossible to do it with any degree of precision. It then struck me that certain communications to the Society of Agriculture, of this city, would have furnished the principal documents required on the subject at large. But upon review of them (after a lapse of several years) I find I was mistaken.

"In my late absence from the city I meant to have made inquiries in the counties through which I travelled in this State; but here also I was disappointed, not meeting with any farmers sufficiently informed.

"From the farms in my neighborhood (from which you naturally expected me to collect accurate information) no conclusions can be drawn; their peculiar situation, in respect to title, and their quality rendering them exceptions to most of the farms in the United States. Their title, being in suspense between the claimants under Connecticut and Pennsylvania, prevents their due cultivation and improvement; and the parts under cultivation are almost exclusively the bottom (or interval) lands, adjacent to the River Susquehanna and its branches. The residue of the country is without enclosures, where the cattle range at large, and where, till within four years past, the people cut wood for timber and fuel at discretion, without regarding their own lines of property. This singular state of the Wyoming farms precludes the idea of fixing their value. Their contents, generally, are three hundred acres, of which, upon an average, not thirty acres are reclaimed from a state of nature. The average produce of their cultivated grounds I estimate as follows:†

Wheat.....	.15	Bushels per acre.	} Without Manure.
Rye.....	.12	" " "	
Oats.....	.25	" " "	
Buckwheat.....	.15	" " "	
Indian Corn.....	.25	" " "	
Hay.....	1½	Tons " "	

Late in June, 1791, Colonel Pickering left Wilkes-Barré for his second conference with the Six Nations. This led him to Newtown, New York, as evidenced by the following letter to his family from that point:

"Newtown, July 5th, 1791.

"Yesterday we began the real business of the treaty; and, from what at present appears, I suspect it will not be finished under ten days. We have now about nine hundred Indians on the ground, about a hundred and thirty more will be here today or to-morrow. They are all in good temper, and I expect the treaty will close in a very satisfactory manner. The bearer is Mr. Rutherford, a member of Congress, who is on his way home to New Jersey; should he call with the letter himself, you will ask him to breakfast or to tea, if it happens to be convenient."

\*The gentleman spoken of as the teacher of the children in the family has been frequently mentioned. Ebenezer Bowman was a graduate of Harvard College, Class of 1782. After teaching school at Cambridge, he left Massachusetts and settled at Wyoming. As has been stated, when Colonel Pickering opened the first Court in Luzerne County, Mr. Bowman was one of four applicants admitted to the bar. They were the only lawyers in the county for several years. In 1794 Mr. Bowman retired from practice, but continued in active business. He represented Luzerne in the Pennsylvania House of Assembly in 1793. For a long period he boarded in Colonel Pickering's family, and was a faithful and zealous friend. They died in the same year, 1829.

†See the "Life of Pickering," III : 491.

Having accomplished the object of his mission, in concluding a treaty with the Six Nations, which proved of vital importance in cementing their friendship to the United States, Colonel Pickering immediately set off for Wilkes-Barré, and thence to Philadelphia, to report to Secretary of War Knox, his accomplishments.

While in Philadelphia, under date of August 12, 1791, he wrote the following to his wife:

"As I left you, these words dropped from your lips, 'I do not think we shall live here always,'—nor will you. This day the President appointed me *Postmaster-General*. Mr. Osgood has resigned. Next Monday or Tuesday I go to New York to see him, on the business of the department.

"I pray God to preserve you and my dear family, that you may see good after so many evil days; for, if the office should not add to my little fortune, at least I trust we shall live more comfortably, and get our children well educated.

"The troubles, cares and trials to which his family had been exposed at Wyoming, undoubtedly made the prospect of a removal an inexpressible relief to them, writes Colonel Pickering's biographer, in Upham's "Life of Pickering."

Thus it happened, after years of service in a position which brought him into intimate touch with Wilkes-Barré and the Wyoming Valley, during a critical state of its peculiar affairs, Colonel Pickering was called, by his old Commander in Chief, to the higher service of his countrymen, in affairs of the national government. How he succeeded to the offices of Secretary of War, Secretary of State, and upon his return to Massachusetts, to a dignified closing period of his life as Senator from that Commonwealth, is for his biographer, rather than a writer of local history to record. That Wilkes-Barré has never honored him in the slightest degree, as the most distinguished man who was ever, actually as well as in name, one of its citizens, seems almost incredible. Even the house he built and from which he was abducted does not now bear his name. It, with all his other property and lands in Wilkes-Barré (now assessed at over \$18,000,000) was sold as purchasers offered. Gen. William Ross acquired the homestead from Colonel Pickering in 1796.\*

In the fall of 1791, Colonel Pickering entered upon his duties as Postmaster General, at Philadelphia. Finding a great scarcity of houses there, it was decided to leave his family at their comfortable Wilkes-Barre home until Spring. That the hospitality of this house was boundless, may be gathered from a knowledge that a teacher, a preacher, and a sister of Mrs. Pickering were all guests there during this particular winter.

A fund had been raised to secure a minister at Wyoming, to which fund, the Pickering's and other New Englanders were subscribers. That a young

\*The deed from Timothy Pickering to William Ross for lands in Wilkes-Barre was filed on January 9, 1796 in the Recorder of Deeds office, and recorded on March 25, 1796. The cash consideration amounted to 2600 pounds.



JOSEPH BRANT  
By Romney.

Painted in England during Brant's visit there in 1776.

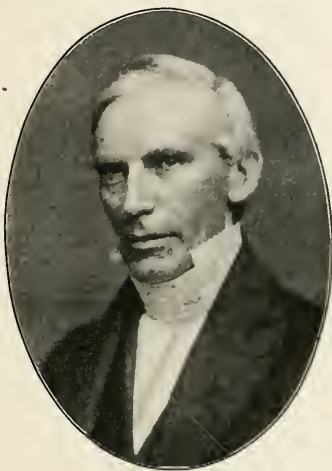


preacher had been found to accept the position is disclosed by a letter from Colonel Pickering, to his wife dated November 8, 1791:

"Mr. Bowman called on me to-day," runs the letter, "bringing with him an agreeable young man, who is going to Wyoming to commence a preacher. \* \* \* Warm testimonials you will find enclosed. These testimonials of Mr. Thayer's\* worth will be sufficient to induce you to embrace every opportunity of contributing to make his residence agreeable to him."

On the same subject, and indicative of how schooling of that period was accomplished, Colonel Pickering, the same day wrote the Rev. John Clark of Philadelphia, the following:

"Mr. Thayer handed me your letter of introduction. I am glad he is gone to Wyoming. \* \* \* There is at my house, where he will also stay, an ingenious young man, Mr. Bradley,† of some reading and a taste for literature. The ensuing winter he will school mine, and some of the neighbor's children."



ABRAHAM BRADLEY

Appointed Assistant Postmaster General in 1790.

In the spring of 1792, Colonel Pickering found a suitable house at his new place of residence. He wrote of it on March 16th, as follows:

"I have engaged a house in Second Street. 'Tis a large house, with two rooms in front. I shall keep my office in them and by that, and other means, stand myself at \$300 rent."

On May 10, 1792, Colonel Pickering made his last visit to Wilkes-Barré to escort his family to this new home. By way of concluding his official business at Wyoming, he penned the following report to Governor Mifflin:

"Philadelphia, August 16th, 1791.

"Sir,

"It is proper for me to inform you that the President of the United States has been pleased to appoint me to the office of Postmaster-General. This, or course, vacates the offices which I held under Pennsylvania; and, though I do not feel myself under any obligations to the county of Luzerne, yet I shall be pleased to see its welfare promoted. I shall be pleased to see that part of Pennsylvania prosper; and I shall also be pleased, Sir, to see your administration approved and applauded.

"In the first place, give me leave to assure you that the business in all these offices together is of but small extent, and consequently of small emolument, too small to admit of a division.

"In the Register's office, during a space of more than four years, but about half a dozen wills have been presented. Letters of administration have been more numerous. I think between eighty and ninety have been issued; but these have been chiefly on the estates of persons who were dead before the change of jurisdiction in 1782; and of these the greater part fell victims to the Indians in 1778. The run of these is over, and scarcely half a dozen letters are now issued in a year.

"In the Orphan's Court, all the proceedings do not fill a quire of paper.

"In the Court of General Quarter-Sessions of the Peace, as little business has occurred as in the Orphan's Court.

\*Nathaniel Thayer D.D. was a native of Hampton, New Hampshire, and a graduate of Harvard, in the class of 1789. In 1793, he settled at Lancaster, Massachusetts and continued in his ministry there until his death, in 1840.

†Abraham Bradley, mentioned above, later became a resident of Hanover township. In 1800 he was appointed Assistant Postmaster General of the United States at Colonel Pickering's suggestion. In 1802 he published "A New Theory of the Earth," copies of which hook are still found among old libraries of Wilkes-Barre.

"In the Recorder's office, the deeds and mortgages are recorded in separate books; and, if united, would fill about three-fourths of one folio volume of demi, or about five quires of paper.

"The Prothonotary's office furnished most business; but this arose from the like cause with the letters of administration; the business had been damned up during several years; the law, introduced, opened the gates, and, during three years, there was a run of from twenty to forty actions at a term. But the sources have failed, and the stream is greatly reduced. At the last term, the number of actions was about eighteen; and when I left home, ten days ago, there stood on the docket but a solitary action for the ensuing term, commencing this day two weeks.

"These facts I state from my memory (which, however, I believe is pretty correct) not expecting such occasion to use them; for, till I reached Bethlehem, I knew not that any office under the United States was vacant.

"Permit me now, Sir, to mention a gentleman there who can well execute, and who well deserves all those offices. I mean Abraham Bradley, Esquire, whose prudence, steadiness, and sobriety are exemplary—whose integrity is unblemished, whose industry has no rival, and whose judgment and law knowledge have there no superior; I should speak more accurately if I should say no equal. In pleadings and the necessary forms, he is decidedly superior to all. But he came later into the practice than the other attorneys, was younger, somewhat diffident, and has not formed a habit of speaking. He has therefore had few cases to manage, and his fees have been trifling. He studied law and wrote in the office of Tapping Reeve, Esquire, an eminent lawyer at Litchfield, in Connecticut. He writes a fair, strong, legible hand, perfectly adapted to records. During my frequent absences in the last two years, he has done the business in the Court and in my office with great propriety. 'Tis a business in which he takes pleasure. His law knowledge renders him peculiarly fit to hold all the offices before mentioned and will give great facility in the execution. And his law knowledge will not be stationary; it will advance. For he has an inquisitive mind, and a taste for literature in general.

"This, Sir, is not the language of hyperbole. 'I speak the words of truth and soberness,' from an intimate personal acquaintance with Mr. Bradley. I think he was, last spring, admitted an attorney in the Supreme Court; but Mr. Burd can inform you.

"Give me leave, Sir, to close this long letter with a few words relative to the county Judges. Mr. Joseph Kinney was pretty early appointed a Judge of the Common Pleas; but, fully expecting to remove to the State of New York, he sent to the Court a letter of resignation; but I do not know whether his resignation was ever declared to the late Executive Council. I believe it was not. He lived near Tioga, where Esquire Hollenback was sometimes present, and to which neighborhood Esquire Murray moved up from Shawnee. Mr. Kinney was disappointed in respect to the lands in York State to which he meant to go, and has remained in Luzerne. Christopher Hurlbut, Esquire, is now a Justice of the Peace, and of the Court of Common Pleas for that county. These two gentlemen I name before all others who can have any pretensions to the office of Judge of the Common Pleas under the new Constitution; because they are decidedly men of superior discernment, of minds more improved and still improving; because they are inquisitive, have a taste for reading, and a thirst for knowledge. I do not know that the other Judges can be better chosen than from among the gentlemen who have held seats in the legislature and Executive Council, whom you personally know. The characters of the gentlemen I have described, I think, are drawn with truth. If I were never to see you again, if I were going to quit this country or world, I should freely write what I have here written.

"Should you honor me with any questions relative to the County of Luzerne, I shall answer them with pleasure, and with the same candor that I should have given you information at any period of my life.

"I have the honor to be respectfully, Sir, your most obedient and humble servant,  
"Thomas Mifflin, Esq., Governor of Pennsylvania."

"T. PICKERING.

To conclude a reference to the closing days of Colonel Pickering's administration without further record of the career of his chief antagonist, Col. John Franklin, might seem neglectful. Miner, in his History, page 438, makes an incorrect assumption that Colonel Franklin was released from confinement after the session of the Supreme Court in Wilkes-Barré, in 1788. As a matter of fact, he was to suffer nearly a year's further confinement at the hands of Pennsylvania. We have seen in the preceding Chapter how and when he was removed from Wilkes-Barré to the jail at Easton. In the collection of "Franklin Papers," of the Tioga Point Museum, it appears that he was, for some reason not apparent to Wyoming, in December, 1788, returned to the Philadelphia jail, January 8, 1799, and sent to Easton again, May 24, 1799. Documents in the Archives of Pennsylvania, were not arranged for publication when Miner wrote (1845) or he might have found two letters therein written by Franklin, in 1789, while still a prisoner at Philadelphia. One of these follows:

"May it please your Excellency,

"Philadelphia Gaol, March the 5th, 1789.

"In my address the 17th ult., I stated to your Excellency that I was unable to provide myself with fuel and Clothing necessary to guard me against the Inclemency of the season, (the

Clothing then alluded to was bedding,) I was at the same time in want of Sundry articles of wearing apparel, but it was at that time, and still is my wish to be patient under all my afflictions, and to avoid as much as possible all complaints. I, at that time had a hope that I should shortly be Liberated from Prison. I still entertain the same hope, but at what period that will take place is to me unknown.

"A long Confinement, remote from my friends, and the expence I have been put to together with the loss of my property wasted and Dispoiled at Wyoming since, and in consequence of my Imprisonment has reduced me to Indigent Circumstances, and rendered me wholly unable to make any provision for my own subsistence.

"If it had been my fortune to have been imprisoned near my own home, where my friends and Connections were around me, I might have take care of my subsistence, and Probably been provided with the necessaries of Life, without any expence to the Public, but being confined in a place strange to me, and a large proportion of my confinement being severe and retired, has prevented.

"I shall not attempt to enumerate the articles of Cloathing that I stand in need of to make my life Comfortable, as well as to appear Decent, but say in a word, I am almost Destitute of Cloathing of all kinds.

"I feel myself unhappy that I am unable to provide myself with such things as I stand in need of. But from the Circumstances before related it is not in my power, I have therefore thought fit to state my case to your Excellency (that If Proper) it may be represented to your Honble Council, that such measures may be taken for my relief as to your Excellency and Honble Body shall be thought expedient.

"I am may it please your Excellency,

with Due respect, your Excellency's  
most obedient and humble servant,

JOHN FRANKLIN."

"Directed,

"His Excellency, Thomas Mifflin, Esq., President in Council.

Colonel Franklin seems to have been given his liberty in September, 1789, and to have made his way back to Wilkes-Barré. Broken in health and spirits, he appears, from what few references of that period are available, to have devoted several months to settling up his affairs in Huntington Township, and preparing to remove to Athens, which had been the scene of many of his activities, and which was to become his future home. He left Wyoming for Athens, April 26, 1790, walking the entire distance in a five days' journey. From an address prepared for delivery at the 139th anniversary of the Battle of Wyoming, in 1917, by Mrs. Louise Welles Murray, and published by the Wyoming Commemorative Association, many facts of the later life of the "Hero of Wyoming," may be gleaned. An account of his second marriage is narrated therein, as follows:\*

"The wary politician and military commander was not only holding himself true to his promises to Pennsylvania, but he became an ardent farmer, not only for himself, but for many of his friends. It is quite possible that at this time Franklin had no available funds; at any rate he was a veritable whirlpool of activity, proving that his imprisonment by no means depleted his strength. At the close of the busy season, he repaired to Wilkes-Barre in November. He records that he made this trip in a canoe, carrying five passengers, that he sold it on his arrival for three dollars to pay a debt. After visiting among all his old friends for a week he thus records his Thanksgiving celebration: 'This day I was about the town of Wilkesbarre, and at evening followed the example of good old Jacob, I took me a wife, and may the Lord send Jacob's blessing.' His permanent house, still standing, was not erected until 1798, but there was on his property a little log house built by the first settler in this locality, and here he soon installed his new bride and their two groups of children, and his life with them proved him to be as devoted a father to one group as to the other."

It was not until 1792, that a pardon† for Colonel Franklin was forthcoming. In the "Pennsylvania Archives," Vol. XI : 105, is found the following draft of the document issued by Governor Mifflin, January 9, 1792:

"Pen'a, ss.

"In the name and by the authority of the Com'th of Penn'a.

"Thomas Mifflin, Governor of the said Comm'th.

"To all to whom these Presents, shall come, sends greeting:

"Whereas, it appears that 'At a Court of Oyer and Terminer, &c., held at Wilkesbarre, for the County of Luzerne, the fourth day of November, 1788, Before the Honorable Thomas M'Kean, Esquire, LL.D., Chief Justice, and the Honorable Jacob Rush, Esq., Justice of the

\*A further sketch of Colonel Franklin appears on page 1227, Vol. II of this History.

†Colonel Franklin's copy of his pardon is now among the "Franklin Papers," in the Tioga Point Museum.

Supreme Court, &c., John Franklin, late of Wilkesborough, in the County aforesaid, Yeoman, was duly and legally indicted for High Treason, and upon such Indictment arraigned, and pleaded not Guilty.

"From the Records.

"GEO. DAVIS, for

"EDW. BURD, Cl. Cur. Oyer."

"*And Whereas*, the expediency of granting a Pardon to the said John Franklin, under the peculiar circumstances attending his case, has been suggested to me by all the Judges of the Supreme Court of the Commonwealth aforesaid, for that, in their unanimous opinion, a trial of the offence aforesaid, after so considerable an interval of time has elapsed, will not contribute to the general interests of the Commonwealth. Now, Know Ye, that in consideration of the Premises, and in full confidence that the said John Franklin, having repented of any unlawful acts which he may heretofore have committed, is resolved to be and remain a good and faithful Citizen of the Commonwealth, I Have granted, and by these Presents I Do grant unto the said John Franklin, a full and free Pardon, for and on account of the said offence of High Treason, whereof he was Indicted as aforesaid, and for and on account of any other act or acts of High Treason, or misprison of Treason, by him in anywise heretofore committed. Given, &c.,

"*Indorsed*,

"By the Governor."

The difference in treatment of Colonel Franklin by the new Constitutional government of Pennsylvania\* as distinguished from the regime of the Council, was sharply defined in the same year, when Governor Mifflin commissioned Col. John Franklin "High Sheriff of Luzerne County," following his choice for that office at the fall election of 1792.\*

\*The first general elections in Luzerne County, conducted under the new Constitution, occurred in the fall of 1790. Those elected and the surprisingly small total vote for each are named below:

GOVERNOR.

Thomas Mifflin, ninety-one.

Arthur Sinclair, twenty-nine.

SENATOR.

William Montgomery, one hundred and twenty.

REPRESENTATIVES.

Obadiah Gore, forty-six.

Nathan Denison, thirty-four.

Rosewell Welles, thirty-two.

John Paul Schott, seven.

SHERIFF.

Jessie Fell, one hundred and fifteen.

Arnold Colt, fifty-six.

Lord Butler, three.

Nathan Carey, forty-eight.

John P. Schott, two.

Abraham Westbrook, one.

Dwyer Plant, one.

Peter Crubb, one.

John Ryoo, four.

Abraham Bradley, one.

CORONER.

Abel Yarrington, one hundred and thirteen.

Abel Price, one hundred and seven.

Jabez Fish, seven.

Nathan Carey, one.

COUNTY COMMISSIONERS.

John Hageman, one hundred and fifteen.

John Hollenback, one.

(Signed)

Timothy Pickering,

William Hooker Smith,

John Hurlbut,

Judges, &c."

The five election districts in Luzerne County at that period were Wilkes-Barre, Kingston, Tioga, Tunkhannock and Salem. The total vote polled in those districts is recorded as follows:

GOVERNOR.

Mifflin..... 249

St. Clair..... 62

SENATOR.

Montgomery..... 264

Smith..... 43

REPRESENTATIVE

Gore..... 129

Welles..... 99

Denison..... 66

Schott..... 12

CORONER

Yarrington..... 289

Pierce..... 271

SHERIFF.

Fell..... 267

Colt..... 144

Butler..... 56

Carey..... 52

Denison..... 7

COMMISSIONERS.

Hageman..... 284

Hollenback..... 1

In 1793, he was named as a Lieutenant Colonel of Militia by the same appointive agency. In the following Chapter, devoted to the quieting of titles of lands of the County, it will be found that Colonel Franklin's activities in reviving the Susquehanna Company's claims led him again into direct conflict with Pennsylvania. But neither then, nor until his death, was the popularity of Col. John Franklin impaired among the settlers of the Susquehanna basin. From 1794 to 1804, he was intermittently a member of the legislature from the upper District, with but few dissenting votes, whenever he stood for office. Opposing at every turn, various laws, as will later appear, which adversely affected the Claim of Connecticut, he was a thorn in the flesh of Pennsylvania. In desperation, the Commonwealth finally adopted the expedient of setting off that part of Luzerne County, containing his residence, to Lycoming County; but in ignorance of the exact location, they set off the part *west* of the river. The bill being read in his presence, Colonel Franklin realized its intent, rose in his seat and calmly informed the chair that he lived *east* of the Susquehanna, doubtless affording merriment as well as chagrin. The bill was then altered to include his residence in the dismembered portion. This caused great indignation among his home folks, and it was written "though Yankees are wild, they will not *thus* be tamed." In this movement even the legislature thought only of the Wyoming region. But Tioga Point was heard from. Franklins' constituents were *not* in lower Luzerne. They had influence in all Lycoming, and once more he was elected by a triumphant majority, taking his seat at Lancaster to the chagrin and mortification of his enemies. This was called his crowning and closing victory. But it should be recorded again and again, that the general features of the compromising law passed in 1799, were mostly the result of his labors with the pen and in the legislative halls. He had at last the proud satisfaction of seeing his theory of the right of soil prevail."\*

With the passing of these two characters, at practically the same time, from the scene of their antagonistic activities, there ends much of the glamor of romance which envelops the early history of Wilkes-Barré and the Wyoming Valley. A single Chapter will serve to conclude what echoes remain of the unique struggle between Connecticut and Pennsylvania, for the political mastery of a district whose history was made *unique* in the annals of America, by reason of this controversy. For a subsequent Chapter of this volume has been reserved a discussion of hesitating yet successful processes of law, Court interpretation and common sense, which finally quieted the titles to individual rights of soil of the Susquehanna Purchase.

\*From Mrs. Murray's Paper (*ante*).





#### CHAPTER XXXIV.

AGGRESSIVE LEADERSHIP AT WYOMING IS MISSING—FAILURE OF THE "CONFIRMING LAW" AND ITS REPEAL—THE "INTRUSION ACT" A MOCKERY—REVIVAL OF THE SUSQUEHANNA COMPANY WITH ATHENS AS A HUB OF RESTLESS ACTIVITIES—THE "COMPROMISE ACT OF 1799"—ADVERSE COURT DECISIONS—ABILITY AND SINCERITY OF THE "COMPROMISE COMMISSION"—INSPIRE PUBLIC CONFIDENCE—RIGHTS OF SOIL FINALLY DETERMINED.

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"'Tis distance lends enchantment to the view  
And robes the mountain in its azure hue."  
*Campbell.*

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"Midnight! the outpost of advancing day!  
The frontier town and citadel of night!  
The watershed of Time, from which the streams  
Of yesterday and tomorrow take their way,  
One to the land of promise and of light,  
One to the land of darkness and of dreams."  
*Longfellow.*

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When Colonel Pickering and Colonel Franklin took their several ways from Luzerne County, there was lacking an aggressive leadership of the two factions of settlers whose animosities, for a period of over thirty years, had caused turmoil, strife and bloodshed throughout the wide domain of the Susquehanna Purchase. The Decree of Trenton, in 1782, had settled, for all time, the question of political jurisdiction of the contending states, over a then huge wilderness of nearly five million acres, dotted by infrequent settlements, among which Wilkes-Barré stood first in population and importance. In view of a refusal of Congress to further consider the case, or of Connecticut to actively interest itself in its lost province, there had remained but one course open to that faction of settlers who refused to accept either the Decree itself, or the laws of Pennsylvania, as binding upon them. The independent state idea offered a seemingly plausible way out of the difficulty. But this idea, as preceding Chapters have disclosed, was not to reach fruition. Nor was a later revival of the plan, as will be seen, to be more successful in accomplishment.

Had the *right of soil*, or in other words, the individual title to the lands, been settled by the same Decree, or had it been justly determined by Pennsylvania, within a reasonable time after the Decree was promulgated, hundreds of lives might have been spared, the ruin of thousands averted and the loss of millions to that Commonwealth saved. In the end, after wearing out a generation, the whole business was settled—and satisfactorily in the main.

To reach an understanding of this final adjustment of an unparalleled case in the nation's history, a brief review seems required of legislation, incompetent

and conflicting at the start, but eventually so clarified by subsequent amendment as to meet the situation.\*

The first step taken by Pennsylvania to quiet these troublesome titles at Wyoming, was the passage of the Confirming Law, March 28, 1787. The purport of the act, as has already been seen, was to confirm a title, recognized as inherent in such Connecticut claimants as were actual settlers upon their claims prior to the Decree of Trenton. To those deriving title to the same lands from Pennsylvania, a just compensation *in other lands*† was to be deemed a sufficient consideration for surrendering the disputed title to the state. Pennsylvania kept an anchor to windward, however, in one of the conditions of the measure. Section nine of the act provided, in brief, that within eight months from its passage, the Connecticut claimants were to produce their claims before commissioners appointed to hear them, "clearly describing their lands and describing the grounds of their claims, and also adducing the proper proofs, not only of their titles, but of their situations, qualities and values of the lands so claimed, to enable the Board to judge the validity of such claims and of the quantities of vacant lands proper to be granted as equivalents (to Pennsylvania claimants.)"

How impossible it was for the settlers to avail themselves of the requirements and privileges of the act within the time limit, was expressed in a letter of protest from Colonel Pickering, to the Council, dated at Wilkes-Barré, February 27, 1790. In substance the protest contended:

"That the conditions expressed in the Act were complied with, on the part of the Connecticut claimants, as far as it was practicable, and they were not bound to perform impossibilities, that eight months 'rom the time of passing the act were allowed them to get information of it, and to present their claims; that the commissioners appointed to receive and examine these claims were required to meet, for that purpose, in Luzerne county, in two months next after the passing of the Act; that owing to successive resignations of General Muhlenberg, General Heister, and Joseph Montgomery, Esquire, those examinations did not commence till some time in August; that the seizure of John Franklin, on the 2nd of October, for his questionable practices and designs, occasioned a sudden insurrection of his adherents, of whom a very small number had any pretensions to land under the Confirming Law; that a few days before this arrest, Colonel Balliot, one of the commissioners, had gone home to his family; That Colonel Pickering, himself another of the commissioners, having personally, in sight of the people, and with arms in his hands, assisted in securing Franklin, and preventing any attempts to rescue him, and thus rendered himself obnoxious to the resentment and sudden vengeance of his partisans, was advised to retire to some secure place until their heat should subside; That Colonel William Montgomery, the other commissioner, seeing the storm gathering, immediately after Franklin was taken, had left the county to go home; That the commissioners having thus separated, never again assembled, the time limited for the presentation of the Connecticut claims expiring so soon after as the 28th of November, following: That since this event, (referring to his own abduction,) the county has remained in perfect quiet, the laws having as free and complete operation as in any other county."

Then arguing against the repeal of the Act, he added:

"That the people rely on the magnanimity and good faith of the State, for the execution of the grants made to them by the Confirming Law; That in this expectation, their industry is manifestly increased, they have begun to build more comfortable houses, to erect barns, and to extend the improvements on their lands; That a repeal of the law would check this rising industry, stop further improvements, revive ancient jealousies and animosities, and perhaps, destroy the peace of the country."

Colonel Pickering's connection with Wyoming's affairs was directly attributable to this law. To exercise political jurisdiction over the territory covered by the Decree, without permitting its citizens a voice in government to the same extent, at least, as they had enjoyed under Connecticut, was not consonant with

\*To the student of this phase of the County's history, "A Brief of Title in the Seventeen Townships in the County of Luzerne", a pamphlet published in 1879 by Hon. Henry M. Hoyt, and containing in full, his scholarly address before the Historical Society of Pennsylvania, is recommended.

†The main ground stated by the United States Circuit Court, in 1795, for declaring this Act unconstitutional, was that compensation was required in terms of *land*, rather than in terms of *money* for the surrender of Pennsylvania titles. This was the celebrated case of Vanhorne's Lessee vs. Dorrance, referred to at length in this Chapter.

American ideals nor to be tolerated by the settlers. With the erection of Luzerne, as a County of Pennsylvania, came Colonel Pickering, holding five offices from the County itself, and a still more important post as the head of the Board to put into effect the terms of the Confirming Law. As has been seen, the Law itself was *suspended* after a year and a day of operation and *repealed* April 1, 1790.

Two weeks prior to the actual repeal, Colonel Pickering, at Philadelphia, was in touch with the situation, but powerless to stay its trend. On March 16, 1790, he wrote as follows:\*

"The Committee made their report to the House yesterday that it was now proper and necessary that the Confirming Law should be repealed. Six of the Committee out of 9 agreed to this report. \* \* \* The decision will so materially affect the settlers I shall stay here to see the issue. I feel an interest beyond any other person to prevent a repeal; for I am a claimant under the Connecticut title equal perhaps to any other but in the value of my land; and it was by my persuasions that the people were induced to submit to the Government of Pennsylvania in confident expectation that their lands would be confirmed, and that once being confirmed, the law would never be repealed. I assured them they might rely on the good faith of the State; and it was to convince them of my firm belief in that good faith, that I first became a purchaser of lands under the Connecticut title—thus placing myself on the same footing with themselves. If the law should now be repealed, their jealousy will lead them to suspect that I was the willing instrument of deception. My situation therefore is a cruel one. If the State had not passed the Confirming Law, I should never have moved with my family to that Country, but have renounced that and my offices together. I should then have lost but five or six months in the measures preparatory to their submitting to this Government. I have now wasted three precious years of my life in this business, attended with great loss of property, and many perils and sufferings. But a Federal Court (and I trust, even a State Court) will eventually do right to the people, agreeably to the tenour of the Confirming Law."

Exaggerated statements of conditions at Wyoming, cross purposes of different interests, petitions for repeal, ill defined views of the real scope of the act, activities of the land jobbing lobby and bad faith, contributed to the sentiment apparent in the Assembly. That the stiff necked conduct of the settlers themselves was seized upon as the mainspring of repeal, is evident from the preamble to the repealing measure:

"*Whereas*", so runs the preamble, "By an act entitled 'An act for ascertaining and confirming to certain persons, called Connecticut claimants, the lands by them claimed, within the county of Luzerne, and for other purposes therein mentioned,' It is, among other things, enacted, that certain commissioners therein named, or thereafter to be appointed, should, within a limited time, meet together within the said county, for the purpose of receiving and examining the claims of the said claimants, and ascertaining and confirming the same. *And Whereas*, When these commissioners had met, in pursuance of the said law, they were interrupted in their proceedings by the combinations, threatenings, and outrageous violence of certain lawless people in the said county of Luzerne, and obliged to fly for the preservation of their lives. *And Whereas*, Doubts have also arisen concerning the construction, true intent, and meaning of said law, for which, and other causes, it hath become very difficult to determine the same, and to adjust the compensation to be made to those persons who will be divested of their property by the operation of the said law, if the same shall be carried into effect. *And Whereas*, The time in which these commissioners were to receive claims has expired, but their other powers still remain, which, if immediately executed, without further provisions and regulations being previously made, will tend to embarrassment and confusion." *Be it Enacted, &c.*

The Act itself is as follows:

"*Section 1. Whereas*, An act of Assembly, enacted the twenty-eighth day of March, one thousand seven hundred and eighty-seven, entitled 'An act for ascertaining and confirming to certain persons, called Connecticut Claimants, the lands by them claimed within the county of Luzerne, and for other purposes therein mentioned,' hath been found, in its principles and operations, to be unjust and oppressive, inasmuch as it divested many citizens of this State of their lands without their consent, and without making them any just compensation; *And Whereas*, Depriving individuals of their property in such a summary way is unconstitutional, and of the most dangerous consequence; *And Whereas*, Said act was enacted by the Legislature hastily, without due consideration had, and proper information of the magnitude of the grant; *And Whereas*, Carrying said act into effect would impose a grievous burden on the good citizens of this State, to make compensation to those who would thereby be divested of their property; *And Whereas*, The reasons set forth in the preamble of said act do not appear sufficient to warrant any legislative interference or departure from the established rules of justice, in respect to private property, nor hath had the effect proposed:

\*This letter appears among the unpublished correspondence of William Samuel Johnson, sometime President of Columbia College, the original being on file in the Massachusetts Historical Society.



"Section II. *Be it Enacted, &c.*, That the act, entitled 'An act for ascertaining and confirming to certain persons called Connecticut claimants, &c.,' \* \* \* be and the same is hereby repealed, and all proceedings had under said act are hereby rendered void, and declared to be null and of no effect; and all titles and claims which might be supposed to be affected by said act are hereby re-vested in the former owners, in as full and ample a manner as if the said act had never been enacted, anything in the same to the contrary notwithstanding.

"Section III. *And Whereas*, It hath been represented to this House, that judgment has been obtained in sundry actions of ejectment brought in the Court of Common Pleas for the county of Northumberland, for sundry tracts of land now lying within the county of Luzerne, at the suit of persons claiming under titles derived from the late Proprietaries of Pennsylvania, in which judgment by default has been recovered against persons holding such lands by virtue of rights, or titles derived from or under the State of Connecticut, and it is right and just that the defendants in such actions should not be dispossessed without a trial by jury: Be it therefore enacted by the authority aforesaid, That no writ or writs of *Scire Facias*, or *Habere Facias Possessionem*, shall issue from the said court to revive such judgments, or to carry them into effect; but original suits in ejectment, for recovery of any such tracts of land within the said county, may be brought at the suit of such Pennsylvania claimants or any of them."

The third section of the repeal seemed to recognize an undetermined right in the Connecticut settlers to their possessions. The unusual power is therein assumed of reversing judgments in ejectment obtained against them by Pennsylvania claimants, and of compelling the latter to institute new suits to try their rights.

This recognition, intangible and inferential as it may seem, served to hold Wyoming in check. There were those who remembered the anxious question of John Jenkins, at the stormy meeting at Forty Fort, two years before, as to a possibility of this very repeal. Colonel Pickering evidently remembered the incident for, on April 8, 1790, he wrote from Philadelphia, to his wife, the following:

"I hope the people will not be disheartened about the repeal of the Confirming Law. Every disinterested man of sound judgment condemns the repeal, and says it will avail nothing to the Pennsylvania claimants. Many members of the Assembly, who voted for the repeal, have since said openly that they suppose the Connecticut claimants will hold the lands; but, the Pennsylvania claimants having generally desired the repeal, they were willing to gratify them, and thus rid the State of the burthen of the compensation. The people ought not to blame me. I have done everything in my power to prevent the repeal, and am determined to stand by them to the last. How great and laborious have been my exertions in this affair, I expect Mr. Gore and Mr. Butler will inform the people. \* \* \* No doubt Franklin and Jenkins, and a few others, may triumph. But they have no cause; it is owing to their unwarranted schemes and measures that the Commissioners were interrupted in the examination of the claims, which alone gave a handle first to suspend and then to repeal the law. Mr. Lewis (the ablest lawyer in the State) and Mr. Rawle, (another lawyer), both members of the General Assembly, have protested against the repeal. Mr. Peters joins them in the opinion that the repeal will avail nothing. The opinions of these three gentlemen will have more weight with men of sense, than the opinions of as many hundreds of such men as those who voted for the repeal. Mr. Morris, Mr. Clymer, and Mr. Fitzsimons, all celebrated characters, are entirely and warmly on our side. Doctor Johnson, of Connecticut (whom the People of Wyoming know), is of the same opinion,—that the confirming laws cannot be made void. My letter to him on the subject, and his answer, I also enclose, as well as a letter from Judge Brearly, who was one of the Commissioners of the Federal Court at Trenton. I enclose also a copy of a second letter from Doctor Johnson. Be careful of all these papers; and if Mr. Bowman lends them to others to be read, desire him to take the necessary caution against their being lost. I wish them to be read by all who are honestly desirous of obtaining information on the subject."

Interesting also, in this same defence of the settlers against an arbitrary repeal of the Law, whose terms, if extended to meet the situation at Wyoming, might have promptly solved a question as peculiar as it was important, is a Dissentient, filed at the time, by a minority of the members of the Assembly, who stated their objections to the repeal in no uncertain terms:\*

The following is a copy of the minority report:

"*Dissentient* from the vote adopting the report of the committee in favour of repealing the act entitled 'An act for ascertaining and confirming to certain persons called Connecticut claimants, the lands by them claimed within the county of Luzerne, and for other purposes therein mentioned.'

"1st. Because we consider the act which the resolution adopted by the House, proposes to repeal, to be either in the nature of an absolute, or a conditional grant to the Connecticut settlers

\*See, "Pennsylvania Archives," XII : 325.

If the latter, it has not yet been proved to our satisfaction, that the insurrection at Wyoming, which occasioned the commissioners to fly, proceeded from a general determination to resist the authority, and reject the bounties of this State, or from the turbulent dispositions of some of the adherents of John Franklin, who were incensed at his sudden and secret arrest; few of whom could derive any benefit from the law which the commissioners were then carrying into execution, and consequently, it has not appeared with that clearness which the importance of the subject requires, that there has been any breach of the implied condition of the law, viz: that the Connecticut settlers would submit to the authority of the State.

"2nd. Because if the grant is absolute, it is obligatory upon the State, and can only be revoked upon the terms mentioned hereafter. We conceive that a law vesting an interest conveys the most (authentic) and (solemn) title that can be annexed to property, after which the State has not the same power over the law which it most unquestionably possesses over its own acts of another nature. But in no instance can the power of repealing laws affect their obligations while in force, and consequently, if the effect of the law while in force is permanent and perpetual upon the subject to which it relates, a repeal, although it may destroy the law, cannot diminish the effect it has already produced.

"3rd. Because, although it is universally conceded that private property may at any time be taken for public uses, yet it can only be so taken on condition of making full and adequate compensation to the private proprietor; and hence it may follow that the State, from whatever motives, having conveyed the title to the lands in dispute, under certain terms and modifications to the Connecticut settlers, will at a future day be liable to make a more expensive compensation to those settlers, than the whole amount of the demands of the Pennsylvania claimants.

"4th. Because it is introducing a most dangerous principle to repeal a law of any kind from an impression, however strong, that the Legislature was deceived at the time of passing the law. A law contrary to the constitution, may and ought to be repealed; for in that instance there is a certain guide, which although it may be disobeyed, cannot be misunderstood. But to pass our own judgment in a legislative manner, upon the sufficiency of the motives which induced a former Assembly to enact a law of the nature of that which it is now proposed to repeal, and to collect those motives from other sources than the law itself, appears to us to endanger the authority even of our own proceedings, by rendering them liable at a future day, to be subverted in the same manner, with perhaps still less evidence, than we have to proceed upon. And it will directly tend to destroy the order, safety and happiness, derived from civil society; for as the obligation of the laws is rendered less solemn and conclusive, the Legislature will naturally become less impressed with their importance, and the people will gradually learn to disregard their authority.

Signed,	"William Rawle,	"Jacob Hiltzheimer,
	"Richard Thomas,	"Henry Denney,
	"Richard Downing, Jr.,	"Samuel Ashmead.
	"Lawrence Sickle,	"Obadiah Gore,
	"Jonathan Roberts,	"Herman Hershard."

"The 'reflections' that occur to me on the events since the Decree of Trenton would be something like these," says Hoyt, in his "Brief of Title," previously mentioned:

1. "The decision was most unexpected, and came upon the settlers without any organized sentiment among them. They, plain men, looked forward to, and had reason to expect, a re-hearing, or the formation of a new tribunal.
2. "Pennsylvania authorities meant to deal equitably with those who actually resided on the lands at Wyoming before the decree" and the families of those who fell fighting the savages; but were perplexed how it could be done without a violation of the rights of property; in a multitude of instances, those lands having been granted by Pennsylvania to many individuals who insisted on their titles, and pleaded the sanction of laws. (President Dickinson to Governor of Connecticut, March, 1784.) She had not yet reached the manifest equity, and plain duty, of giving the 'Yankees' the very lands they had improved and defended, She sought instantly to have quieted them in their farms and improvements.
3. "The Commissioners in their first act in 1783, against the spirit of their instructions, alarmed the settlers and closed the door to 'conciliation' by the declaration 'that Pennsylvania would not and could not deprive her citizens of their property.'
4. "The landholders reached the climax when they put forward their unfeeling 'compromise' that 'the settlers might remain one year, the widows of those who had fallen by the savages, a year longer.'
5. "The Connecticut settlers placed themselves in a position of contending for other claims than their own when they refused the offer (ungenerous as it was) on the ground that 'we cannot, as we are joint tenants, with in dispute.' The impediments, all the way through, arose from blending the case of those who settled before the Decree with non-residents, and others who came afterwards, under the Susquehanna Company. In point of justice, the cases were absolutely different.
6. "Connecticut officials and laws no longer ruled the settlers. They waited, sullenly, for Pennsylvania to act. They justly considered themselves in possession, as they were, and had been since the year 1770.
7. "When Pennsylvania did act, she sent two companies of soldiers to uphold her flag, and Alexander Patterson as her civil magistrate. He was, in fact and in truth, the agent of the Landholders, and his zeal for his 'constituents' absorbed his functions as an officer of the State. He was insolent, unreasoning, and cruel. This line of action necessarily inspired first alarm, then contempt, and finally retaliation.
8. "The proceedings of the Assembly were so indecisive as to inspire neither confidence nor terror! They adopted a variety of measures, some pacific to conciliate and some hostile to reduce the settlers. With all schemes of adjustment thus 'in the air,' it was inevitable that the two classes of claimants must come into collision.
9. "The action of the Susquehanna Company, after 1782, was inexcessively mischievous and wholly unjustifiable. The power and pride of Pennsylvania were sure to be successfully arrayed against them, and it was certain and to measure out to the parties severe judgments.
10. "During the years 1785-1786, the conduct of some of the leaders of the Connecticut people, under the reckless proceedings of the Susquehanna Company, was simply insurrectionary. Pennsylvania was then pursuing no hostile measures towards them, but, on the contrary, able advocates were springing up in Pennsylvania in their behalf and had already made a deep impression in the councils of the State.
11. "The repeal of 'the Confirming Act' in 1790, was a bad breach of the public faith; the conduct of the settlers thereafter, and under this provocation, is worthy of all praise."

While that portion of the settlers, located in districts adjacent to Wilkes-Barré, seem to have accepted the repeal as an undisturbing influence in their affairs and to have affected an assurance that sometime, somehow, their titles would be secured, two forces were at work to bring the troublesome question to a focus. First, was an inability of new settlers to gain an undisputed title to land



HON. HENRY M. HOYT.

in the original territory once under the jurisdiction of Connecticut. This stopped the flow of immigration to the Wyoming district. Since states were bidding against each other for the rush of new comers, who were reaching American shores after the Revolution, Pennsylvania felt itself handicapped in being thus unable to induce the permanent settlement of its vast northeastern acreage because of the uncertainties that its own laws, or rather lack of them, entailed. A second, and still more impelling factor, was the revived activity of the Susquehanna Company, which was making the most of that Commonwealth's indecision. This Company heralded the repeal as merely another link in the chain of injustices to be expected at Pennsylvania's hands. A well advertised meeting of the Company was called at "Athens on Tioga Point," February 18, 1795. This was attended, so chroniclers of the time inform us, by "up-

wards of 1000 shareholders." The activities of the Company were no longer concerned with lands of the Seventeen Townships, but with Athens, instead of Wilkes-Barré, as a hub, related to a vast territory in the upper Susquehanna basin from which the counties of Susquehanna, Bradford, and Wyoming were subsequently carved. Colonel Franklin, although at the time serving Luzerne County as Sheriff, was again displaying the same restless energy which had distinguished him as the "Hero of Wyoming." John Jenkins, Elisha Satterlee, Simon Spalding and other former residents of Wyoming were joined with him in open defiance of the authority of Pennsylvania.

In reporting this meeting to his superiors, under date of February 26, 1795, Jesse Fell, then Brigade Inspector of the County of Luzerne, stated in part:

"The meeting of the Franklinites (for so I think we ought to call them) is now over, and their resolutions are here. \* \* \* They have appointed their land officers, the keeper of seal etc., and resolved in favor of the peaceably settling their lands, similar to the Governor's proclamation in favor of the State; they have added 1400 acres to each right, which will make them 2000 each. The object, I have not the least doubt, is a new state, whatever are the pretences held out—the same old company that were lessees in York State a few years ago—the same that were engaged with Franklin in this State about eight years ago. I know your good intentions will not allow you to make any use of my scribbling which may prove disadvantageous to me." This communication is endorsed: 'The above letter was received by me yesterday, and is confidentially communicated to the Governor.'

[Signed] "G. Eddy."

"March 3, 1795.\*"

From various other sources, Pennsylvania learned of the Susquehanna Company's activities. An examination of affidavits and other documents, preserved in the files of the Historical Society of Pennsylvania, discloses that much the same program of intrigue and ingenious defiance of law was being prosecuted at Athens which had culminated in the Pickering abduction at Wilkes-Barré, seven years before. The independent state idea was again supported. Expression of opposition views invited violence in the direction of the pacifist. With but few exceptions, the share-holders of the Company represented at its later meetings, were not the same stock which had clung so tenaciously to the lands at Wyoming. There were, in addition to a nucleus of worthy claimants, holders of speculative half share rights, adventurers of high degree and low, all willing to take desperate chances in the game of colonization, which then engrossed the country generally.

Alarmed at the threatening state of affairs to which its repeal of the Confirming Law had led, the Pennsylvania Assembly hastily wrote upon the statute books another law, too weak to inspire terror, and yet so drastic in aim as to accomplish little more than create further disrespect for all its measures. This was the Intrusion Act of April 11, 1795, the material sections of which provided as follows:

"That if any person shall, after the passing of this act, take possession of, enter, intrude, or settle on any lands, within the limits of the counties of Northampton, Northumberland or Luzerne, by virtue or under color of any conveyance of half share, right, or any other pretended title, not derived from the authority of this Commonwealth, or of the late proprietaries of Pennsylvania before the revolution, such person, upon being duly convicted thereof, upon indictment in any court of oyer and terminer, or court of general quarter sessions, to be held in the proper county, shall forfeit and pay the sum of two hundred dollars, one half to the use of the county, and the other half to the use of the informer; and shall, also, be subject to such imprisonment, not exceeding twelve months, as the court, before whom such conviction is had, may, in their discretion, direct.

"And be it further enacted by the authority aforesaid, That every person who shall combine or conspire for the purpose of conveying, possessing, or settling on any lands within the limits aforesaid, under any half share right, or pretended title, as aforesaid, or for the purpose of laying out townships, by persons not appointed or acknowledged by the laws of this Commonwealth, and every person that shall be accessory thereto, before or after the fact, shall, for every such offense, forfeit and pay a sum not less than five hundred nor more than one thousand dollars,

\*The original of this letter is a part of the Collection of the Historical Society of Pennsylvania.

one half to the use the county, and the other half to the use of the informer, and shall, also, be subject to such imprisonment, at hard labor, not exceeding eighteen months, as the court, in their discretion, may direct."

Section 6 of the Act exempted any claims of persons claiming under the Confirming Law of 1787, thus removing the Seventeen Townships from the effect of the measure.

Instead of deterring the Susquehanna Company, the passage of this measure seemed rather to spur it to more feverish activities. The whole of Bradford County was surveyed. Some of the townships laid out after the Intrusion Act was enacted, were: Wethersfield, Alba, Turenne, Armenia, Pompay, Caesar and Apollo. Shares and half shares of the Company, entitling the holders to lands in these surveys, were issued by its duly appointed Commissioners. Pennsylvania was scarcely less busy. It patented the same lands, and by the same metes and bounds, to a sort of absentee landlordism. As was the case at Wyoming, the whole district was soon overspread by two undetermined blankets of title.

It was under this Act, that Colonel Franklin, John Jenkins and others, were indicted by a grand jury, impaneled in Luzerne County, at the August session, 1801. Being found guilty, their cases were appealed to the Supreme Court. There the Act was held unconstitutional and the defendants subsequently discharged.\*

From a vantage point of access to documents in the Tioga Point Museum, as well as from a painstaking study of the subject, Mrs. Louise Welles Murray, in an address prepared for the Wyoming Commemorative Association, July 3, 1917, hereinbefore mentioned, gives the following account of further activities of the Franklin party until, as at Wyoming, time and subsequent legislation blotted out their grievances:

"A regular land office was maintained at Athens, with David Paine as clerk, and there are many private letters still existing that are very enlightening at this period. Paine writes that February, 1796, Connecticut was again disposed to favor the cause, and that Colonel Franklin expected to attend the Assembly of Connecticut in May, especially to prove that papers of importance were withheld at the Trenton trial. It was doubtless to report from this effort that a meeting of the company was called in June, 1796. As many as fifteen surveying parties were out at this time, doubtless every effort was being made, and indeed openly avowed to erect an independent government. The half-share men (according to depositions given at Philadelphia) were advised by Connecticut to submit quietly or to demean themselves, claiming only *possessio pedis*, thus evading the law until by numbers they were strong enough to act for themselves. At this time a certain prominent Philadelphian, writing to Mr. Paine, said: 'The landholders are in troubles profound, their influence lost or declining. The Committee are for submitting the whole controversy to Congress. There is now in my religious opinion the best prospect there has ever been, wanting only firmness and resolution, to win the day.'"

"Sept. 13, [1796] another meeting of Susquehanna Company was held, and Colonel Franklin made chairman of committee on resolutions, which were submitted to adjourned meeting on the following day. The first and most important was that this 'Compy. will, in every legal and Constitutional way, support their claim and title to the land included in purchase made of the Natives July, 1754.' The report before the next legislature of the committee respecting the Connecticut intrusion, told of the activity of the company, said the civil authority of the State was laid prostrate, and that 'the names of John Franklin, John Jenkins and Simon Spalding stand conspicuous as principal promoters of enormities.' The committee were decidedly of the opinion that 'nothing short of military force could introduce order, support justice and afford protection to grantees under Pennsylvania.' They therefore recommended that a large force of State militia be posted at Tioga Point and such other places as deemed expedient, accompanied by magistrates authorized to enforce the laws, even to the destruction of the settlement and ejection of the 'Intruders,' etc., etc.

"Now it was reported from Athens that there had been many new purchases by persons of respectability, property and influence in New England, with full knowledge of all the circumstances and a firm belief in the equity of the Connecticut title. The Government of Connecticut, having been visited by Franklin and Paine, were taking measures to obtain a rehearing on the Trenton decision.

"In March, 1797, the House of Representatives passed a resolution authorizing the Governor of Pennsylvania to station troops as recommended, but Athens reported that there were no less than twelve or fifteen thousand Connecticut Claimants on the ground. It seemed to be the policy

\*Commonwealth vs. Franklin, et al., 4 Dallas 255, 316.

of Pennsylvania to pass violent laws and spread terrifying reports. What was done? Money was collected to send messengers to the highest power, the President of the United States, the suggestion having been made that he could legally interfere in this exigency. Secretary Paine, writing to Colonel Franklin, says: 'It is not reasonable, very improbable and hardly possible that the U. S. will allow ten or fifteen thousand staunch supporters of good government to be driven from their homes by a few overbearing land jobbers' (wish we might quote all this letter of a bright, far-seeing man). He continues: 'It is suggested that the principals in Susqu'a, Compy, be taken and put under bonds, Franklin, Jenkins, Satterlee and Paine. I am willing to rise and fall with you. As the Lord liveth and suffers me to live, I will hold on and hold out until the end—and persevere in just methods to obtain our just rights' etc.

"The bill being rejected by the Senate and apprehensions subsided for a time, again Colonel Franklin 'journeyed to Connecticut to aid the cause in the legislature,' but this time he was disappointed, especially as he found their capitalists neglected 'the money part of the business' and some had even sold Connecticut rights to Pennsylvania claimants. At this period there was a great stagnation of business everywhere—the settlers became dispirited and gloomy. No new enterprises were pursued. Franklin was not re-elected, (to the Legislature) the Intrusion Law was not enforced. Pennsylvania was compared to a farmer exhibiting scarecrows to terrify the birds feeding on his fields, yet not succeeding in driving them entirely away. The next two years were comparatively quiet ones, times were hard, and finally in 1799, judicial courts in several of the Eastern states declared null and void all notes given for Susquehanna lands."

Colonel Franklin was a member of the Legislature, when on April 4, 1799, the beginning of the end of dispute and disquiet within the Susquehanna Purchase was in sight. "The Compromise Act of 1799", by which this measure was subsequently to be known, was passed on that date. In general purport, its provisions were much the same as those of the ill fated Confirming Law, avoiding however, its unconstitutional mandates. But the times were ripe for a settlement of the long drawn controversy. While the terms of the Act specifically included only the Seventeen Townships, these terms, by sufferance as well as by subsequent amendment, were eventually applied to the upper Susquehanna territory as well.

The Act was entitled, "An act for offering compensation to the Pennsylvania claimants of certain lands within *the seventeen townships, in the county of Luzerne,* and for other purposes therein mentioned." Its material sections are as follows (the others refer to details of execution), the first section fixing the status of the Pennsylvania claimants, the fifth, that of the Connecticut claimants:

SECTION 1. That Isaac Whelen, of Chester county; Thomas Boude, of Lancaster county; and General William Irvine,\* of Cumberland county, he, and they are hereby appointed commissioners, whose duty it shall be carefully to examine and ascertain quantity, quality, and situation of all lands lying within what have been commonly called and known BY THE NAME OF THE SEVENTEEN TOWNSHIPS IN THE COUNTY OF LUZERNE, held or claimed under a Pennsylvania title, under a patent, or a location, or warrant, *before the decree of Trenton*, by which the right of jurisdiction was declared to be in Pennsylvania, on which a survey has been executed and returned agreeably to law, and to divide the same, according to their value, into four classes, distinguished by the name of the first, second, third, and fourth class, the first class to contain the lands of the greatest value, and the second, third, and fourth classes those of inferior value, preserving a due proportion between each, and shall adjudge what sum per acre each Pennsylvania claimant shall receive, not exceeding the rates hereinafter mentioned: *Provided, always*, That nothing herein contained shall authorize the said commissioners to proceed to the performance of the duties enjoined upon them by this act, until persons claiming land to the extent of forty thousand acres under grants made by Pennsylvania, shall have conveyed and released the same to the State by deeds, duly executed, and filed in the land office, for the purpose and for the considerations expressed in this act, and until persons commonly called Connecticut settlers, claiming land to the extent aforesaid, shall have signified in writing, under their hands and seals, duly executed in the presence of two witnesses, and filed in the land office, that they will submit to and abide by the determination of the said commissioners; *And provided*, That if part of the said land, but not to the extent aforesaid, shall have been released, or if the Connecticut claimants, to the extent aforesaid, should not make their submissions according to the provisions herein contained, then such releases as shall have been made by Pennsylvania claimants, as aforesaid, shall be null and void, and the property which shall have been so, as aforesaid, released, shall vest and be held in

\*GEN. WM. IRVINE of the American Revolution. Born near Enniskillen, Ireland, in 1741. Graduated at Dublin University. Studied medicine and was Surgeon in British-French War of 1756-64. Came to America in 1764. Member of Provincial Congress in Philadelphia in 1774. Colonel in invasion of Canada in 1776. Brigadier General in expedition against Staten Island. Commanded troops on Western Frontier in 1782. Agent of Public Lands in 1785 and suggested purchase of 'triangle' that gave Pennsylvania an outlet on Lake Erie. Represented Pennsylvania in Continental Congress, in 1786, and was one of commission to settle account of United States with the individual states. Member of Congress 1793-1795. Superintendent of military stores in Philadelphia, in 1801. President of Society of Cincinnati at the time of his death, in Philadelphia, in 1804.

the same manner as if this act had not been passed: *Provided, also*, That the lines of the respective tracts of lands, so, as aforesaid, submitted to the examination of the commissioners, shall be the same as those bounding the original grants, and that the said commissioners shall not examine any lands but those which the Pennsylvania claimants shall have agreed, as aforesaid, to submit to their examination. \* \* \*

"SECTION 5. *And be it further enacted by the authority aforesaid*, That it shall be the duty of the said commissioners also to ascertain all the rights or lots within THE SAID SEVENTEEN TOWNSHIPS, which were occupied or required by *Connecticut claimants, who were actually settlers there at or before the time of the said decree of Trenton, and which rights or lots were particularly assigned to the said settlers prior to the said decree*, agreeably to the regulations then in force among them, and to divide the said rights or lots into four classes, to be distinguished in the manner herein before mentioned, according to their respective value, taking into consideration both the quality and situation, and make out certificates therefor, with a draft of the survey thereto annexed; and in case the said original settlers, their heirs or assigns, shall make application to the Land Office at any time before the first day of January, in the year of our Lord one thousand eight hundred and one, and agree to pay to the Commonwealth, by eight equal annual installments, *at the rate of two dollars per acre for lands of the first class; at the rate of one dollar and twenty cents per acre for lands of the second class; at the rate of fifty cents per acre for lands of the third class; and at the rate of eight and one-third cents per acre for lands of the fourth class*; with interest upon each installment till the same is paid; whereupon patents for lands so certified shall be issued from the proper office, paying the legal fees for such patents, and also the surveying fees: *Provided nevertheless, and it is hereby expressly ordered*, That no patents shall issue to affect any lands, the titles whereof shall be in any person or persons claiming under Pennsylvania until such person or persons have conveyed their title to the Commonwealth: *And provided also*, That the lands to be granted to any Connecticut claimants by virtue of this act, shall be mortgaged by such claimant or claimants, for the payment of the principal and interest of the aforesaid instalments due to the Commonwealth as aforesaid."

The Pennsylvania claimants refused or neglected to execute their releases. They were to be paid in land or money. The Connecticut claimants, with the memory of the repeal of the "Confirming Act," still fresh, exhibited little inclination at first to take the benefit of the law.

This was remedied by the Act of 6th April, 1802, which required the Commissioners to survey, value, and certify the whole of each tract claimed by a Connecticut claimant, and turned the Pennsylvania claimant, not releasing, over to a jury to award compensation.

By the Act of 4th April, 1805, "Westmoreland Records," were authorized to be deposited with the Recorder of Deeds in Luzerne County, and certified copies made in evidence.

By Act of 9th April, 1807, Pennsylvania claimants of lands under title previous to the "Confirming Act" of 28th March, 1787, were permitted to release, and the Commissioners in examining Connecticut claims, submitted and to be submitted, "Shall not require the same lands to have been occupied prior to the Decree of Trenton, but the same lands to the several applicants certify, if under the rules and regulations of the Susquehanna Company, at any time they should otherwise thereto be entitled."

By Act 28th March, 1808, all powers of the Commissioners were suspended, and they were required to deposit their books, records, papers, &c., with the Secretary of the Land Office.

Thus, in the year 1808, nearly forty years from the time that the first blood was shed on the fertile soil of Luzerne County, in a struggle for the ownership of this soil, was the word *finis* written to legislation which forever settled the controversy.

Interesting as are the various statutory measures finally adopted by Pennsylvania to unravel the most perplexing tangle of titles in American jurisprudence, the decisions and interpretations of courts, State and Federal, offer further enlightenment to the student who seeks to trace through, to a logical conclusion, the unique processes by which titles in Luzerne and other counties erected from it were eventually quieted.

The most celebrated case to reach the United States Supreme Court, in connection with the controversy, was the case of [Cornelius] Vanhorne's Lessee vs. [John] Dorrance, 2 Dallas, 304. It was a test case, pure and simple, the lands involved being an inconsiderable tract of 12 acres. It came on to be tried April 21, 1795, in the Circuit Court of Pennsylvania, Eastern District. The plaintiff, a non-resident of Luzerne County, was financed by subscriptions from other claimants, under Pennsylvania titles, who naturally selected the best test case at their disposal.

Jared Ingersoll, Jonathan D. Sergeant, and William Tilghman appeared for the plaintiffs. William Rawle, William Lewis, and Joseph Thomas appeared for the defendants. There was the fullest latitude in the testimony.\* All the charters and deeds, hereinbefore referred to, were put in evidence. The surveys and possession of the tract in controversy were given. *Colonel Denison*, for the defendant, detailed his entry upon the lot in 1770, and the incidents of the first Pennamite war. *William Gallop* gave in evidence an account of "the massacre." *Colonel Pickering* narrated the events of the second Pennamite war, and of the reception of the *Confirming Act*. *Robert Morris* stated how, while a member of the Assembly in 1786-7, he, at first, was in favor of calling out the militia to expel the Yankees, but became an advocate for the Act. The resolves of Connecticut—the records of the Susquehanna Company—Smollett's History—acts of Congress—the conduct of Patterson and Armstrong's troops—Colonel John Henry Lydius' deposition as to the execution of the famous Indian deed of 11th July, 1754 (Mr. Tilghman handed this deed to Court and Jury, to show its suspicious face), were all put in evidence.†

It was such a case as had never been tried in Europe or America. It sufficiently appeared that the defendant had the earliest and a continued possession. The plaintiff claimed under a "warrant of survey" executed 15th March, 1771.

Judge William Paterson gave the jury binding instructions, and made short work of the Connecticut title, in brief, as follows:

1. "The title under Connecticut is of no avail, because the land in controversy is territorial; it does not lie within the charter bounds of Connecticut, but within the charter bounds of Pennsylvania. The charter of Connecticut does not cover or spread over the lands in question. Of course, no title can be derived from Connecticut."

2. The "Indian deed" was summarily dismissed as one "under which the Connecticut settlers derive no title."

"It has been observed," said the Court, "that this deed is radically defective and faulty; that fraud is apparent on the face of it, and particularly that the specification or description of the land is written on a razor. \* \* \* Besides, this deed appears to have been executed at different times, and not in that open, public, national manner in which the Indians sell and transfer their lands. But, if the deed was fairly obtained—if it has legal existence—then what is its legal operation? \* \* \* The Penn family had exclusively the right of purchasing the land of the Indians; and indeed the Indians entered into a stipulation of that kind. Again, this deed is invalid by the laws of Pennsylvania. The Legislature, by an Act passed Feb. 7, 1705, declare, 'That if any person presume to buy any land of the natives, within the limits of this Province and Territories, without leave from the Proprietary thereof, every such bargain or purchase shall be void and of no effect.' \* \* \* The land in controversy being within the limits of Pennsylvania, the Connecticut settlers were in legal estimation, trespassers and intruders. They purchased the land without leave, and entered upon it without right. They purchased and entered upon the land without the consent of the Legislature of Connecticut. True it is that the Legislature of Connecticut gave a subsequent approbation, but this was posterior to the deed executed by the Six Nations to Penn at Fort Stanwix, and the principle of relation does not retroact so as to affect three persons."

\*The "notes of testimony" and "briefs" of some of the attorneys are in the hands of the heirs of Steuben Jenkins.

†The original deed of 11 July, 1754, is now in the custody of the Pennsylvania Historical Society, Philadelphia (See photograph of the deed, page 276, Vol. 1.) To it is attached the *ex parte* deposition of Lydius, made in 1760, and some other depositions.



3. As to the title under the Confirming Act of 1787, the Court declared:

"An act calling upon an individual to surrender or sacrifice his whole property for the good of community, without receiving a recompense in value, would be a 'monster in legislation, and shock all mankind.' The Legislature, therefore, had no authority to make an act divesting one citizen of his freehold, and vesting it in another, *without a just compensation*. \* \* \*

"The next step in the line of progression is whether the Legislature had authority to make an act divesting one citizen of his freehold and vesting it in another, *even with compensation*."

"The existence of such power is necessary. \* \* \* and if this be the case, it cannot be lodged anywhere with so much safety as with the Legislature."

"Such a case of necessity, and judging too of the compensation, can never occur in any nation, \* \* \* even upon full indemnification, unless that *indemnification be ascertained in the manner* which I shall mention. \* \* \* Here the legislation must stop, \* \* \* they cannot constitutionally determine upon the amount of compensation, or the value of the land."

"That can only be done—'by the parties'—by commissioners mutually chosen by the parties'—or, 'by the intervention of a jury.'"

"By the act, the Pennsylvania claimants are to present their claims to the 'Board of Property,' who are—

"1. To judge of the validity of their claims.

"2. To ascertain, by the aid of commissioners, *appointed by the Legislature*, the quality and value of the land.

"3. To judge of the *quantity of vacant land* to be granted as an equivalent.

"This is not the constitutional line of procedure. \* \* \* By the act, the equivalent is to be land. No just compensation can be made, *except in money*. \* \* \*

"In short, gentlemen, the Confirming Act is void; it never had constitutional existence; it is a dead letter, and of no more virtue or avail, than if it had never been made."

Judge Paterson closed briefly:\*

"1. The confirming act is unconstitutional and void. It was invalid from the beginning, had no life or operation, and is in precisely the same state as if it had not been made. If so, the plaintiff's title remains in full force.

"2. If the confirming act is constitutional, the conditions of it have not been performed, and, therefore, the estate continues in the plaintiff.

"3. The confirming act has been suspended, and

"4. Repealed."

It was said Vanhorne fled the country so that service could never be made upon him, and that Thomas, the attorney for Dorrance, soon after trial disappeared mysteriously, with all the papers of his clients.†

Other cases, too numerous and too technical in their details to mention here, were heard by various courts, interpretive of the Compromise Act and its amendments.‡

In a few sentences, a Judge on the bench of Luzerne County seems to have interpreted the purposes and intent of the measure more profoundly, and certainly more satisfactorily, than will be disclosed by a painstaking study of all the other decisions involved.

In *Barney vs. Sutton (2 Watts)* David Scott,§ President Judge of the Court of Common Pleas of Luzerne County, sums the matter up concisely, thus:

"At last the Legislature adopted the expedient of acting as mediator between the Connecticut and the Pennsylvania claimants for the purpose of

\*The case was appealed to the Supreme Court of the United States. The docket entries there are as follows:

August Term, 1796.

"John Dorrance vs. Cornelius Vanhorne's lessees, error from the Circuit Court of Pennsylvania.

"1796, August, continued.

"1797, February, continued.

"1797, August 15, continued.

"1798, February 14, continued.

"1798, August 7.

"1799, February 14. Rule to assign errors within two days, or that the writ of error be *non pros*.

"1799, February 18. Ordered that the aforesaid rule be made absolute."

†The proceedings never were followed up, says Miner, page 452. "No attempt was made to put Dorrance out of possession. A movement was made to take the case up to the Supreme Court, but the Yankees alleged that Vanhorne (an irresponsible person—a man of straw) could not be found to serve a writ upon."

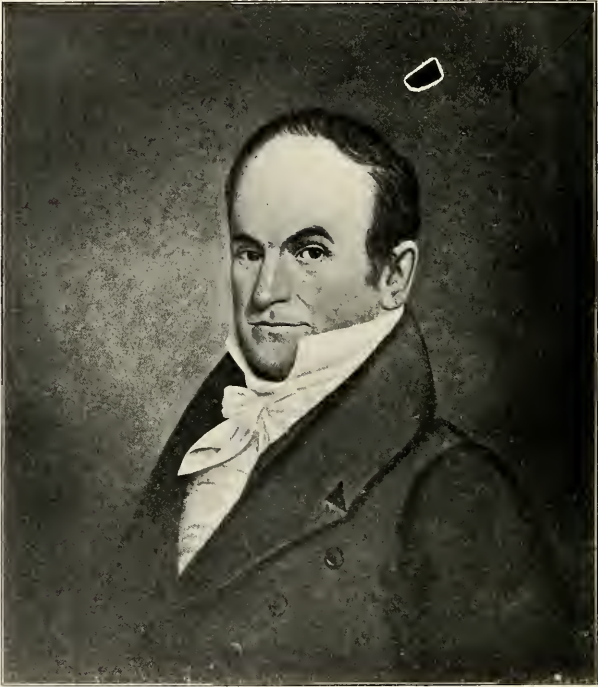
Colonel Pickering, writing March 2, 1798, says "By this repeal (of the Confirming Act) the Courts of Law were opened to the Pennsylvania claimants, who were soon to get possession of the disputed lands, and rid the State of the burden of compensation! They brought many actions, and in eight years they have partly tried one cause."

‡The constitutionality of the Act, however, was never questioned. In one case the Supreme Court says: "By the Act of 1799, for offering compensation to the Pennsylvania claimants in certificates, in case of lands settled before the Decree of Trenton, and to the Connecticut settlers of this description, patents from the Commonwealth on installments to be paid, the claim of the settlers became a *right known to the law*." *Carkuff vs. Anderson*, 3 Binn., 12.

§DAVID SCOTT was born at Suffield, Connecticut, April 3, 1781. About 1799, he came to Towanda township as a school teacher, and removed to Wilkes-Barre in 1807. Two years later, he was admitted to the bar of Luzerne County

putting a final end to the controversy. *The Act of the 4th April, 1799, was strictly an Act of mediation. It proposed terms of settlement and compromise to the parties. Most fortunately, the terms proposed were embraced by the parties, and THE CONTROVERSY FINALLY AND HAPPILY SETTLED.*"

"I believe he was, historically and legally, correct in his final summary," Governor Hoyt exclaimed at the close of his "Brief." And this same view—



HON. DAVID SCOTT.

that the Act was not a hard and fast rule of law, but was a constructive measure of mediation, has been generally accepted as its true intent ever since that view was judiciously and judicially promulgated.

The three Commissioners named by the Confirming Act were left to take hold of a complicated situation where the Legislature and the Courts left off. A most intricate task faced them. From a mass of documents, relating to this

and was commissioned Clerk of Courts. Shortly after having been elected to Congress, in 1816, he resigned to accept an appointment as President Judge of the 12th Judicial District, with headquarters at Harrisburg. Upon the resignation of Judge Burnside, Judge Scott was brought back to Wilkes-Barre, by his appointment, in 1818, as President Judge of the 11th District, which embraced the counties of Luzerne, Wayne and Pike.

He was an organizer of the Luzerne Bible Society and served as a trustee of the Wilkes-Barre Academy for nineteen years. In 1825, he was appointed to the State Board of Canal Commissioners, and is credited with the initiative which built the North Branch canal system. Judge Scott died, in Wilkes-Barre, in 1839, a year after having resigned from the bench on account of deafness. Among his contemporaries, Judge Scott was regarded most highly, not alone for legal attainments, but for his worth as a citizen. His remains were interred in the burying ground of St. Stephens church, of which he was a founder, but were later reinterred in Hollenback cemetery.

important link in the chain of welded titles, that are now recorded in Luzerne County, a few have been selected which will give an insight into the difficulties encountered, will disclose the feeling of distrust yet manifested on the part of claimants, and will reveal, as well, the patience and fidelity of those who eventually executed the laws. The first letter of record on the subject follows:

"WILKES-BARRE, LUZERNE CO., 21st July, 1800.

"SIR: We find many difficulties in the execution of the act offering compensation to the Pennsylvania claimants of land in the county of Luzerne, particularly as we apprehend some of the enacting clauses are directly opposed to each other. We conceive it, therefore, to be necessary, indeed our duty, to apply to you, as Attorney General of the State, for your opinion and advice.

"First section. 'That the said Commissioners shall not examine any lands but those which the Pennsylvania claimants shall have agreed, as aforesaid, to submit to their examination.'

"Fifth section. 'That it shall be the duty of the said Commissioners, also, to ascertain all the rights or lots within the Seventeen Townships, which were occupied or acquired by Connecticut claimants who were actually settlers at or before the Decree of Trenton, and which lots or rights were particularly assigned to the said settlers prior to the said Decree at Trenton, agreeably to the regulations then in force among them.'

"We ask, shall the prohibition in the first section prevent the Commissioners from ascertaining and valuing the Connecticut rights or lots within the seventeen townships where the Pennsylvania claimants have not released to the State?

"The transfers and sub-divisions have been so numerous among the Connecticut claimants themselves, that it will be a work of years, if the Commissioners must attend to this minutiae.

"Question, then, Are the Commissioners to ascertain and value the *original* rights or lots (only) of the Connecticut claimants, or must they ascertain and value the numerous divisions and sub-divisions of those original rights or lots, as they are *now held*."

"In the progress, although there are other difficulties, we are unwilling to trouble you with more than what we consider indispensably necessary. In the meantime, we will proceed in such parts of the business as do not require decision on these points, and we take the liberty to mention to you that we judge it prudent to conceal our embarrassment, and to appear to act as if the law was clear to us in every particular.

'We request your answer as soon as convenient, by post, and are, respectfully, sir,

"Your obedient servants,  
"THOS. BOUDE,  
"WM. IRVINE,  
"ANDREW PORTER."

"P. S. We will communicate to the Secretary of the Land office such other difficulties as occur, in detail.

"To JOSEPH B. MCKEAN, Esquire, Attorney General.

Another communication, more encouraging in tone, is next appended:

"Lancaster, November 10, 1800.

"SIR: Having officially learned from the Secretary of the Land Office that the necessary amount of releases by Pennsylvania claimants, and submissions by Connecticut claimants, of lands within the seventeen townships, (40,000 acres) in the county of Luzerne, had been received at that office in order to authorize us, agreeably to a provision of the act of Assembly, to proceed upon the duties of our commission, and also that the necessary papers were in readiness, we met in Lancaster, the beginning of June last, received the papers, appointed our clerk and surveyors, and made other necessary arrangements. In the latter end of the same month we met at Wilkes-Barre, and immediately entered on the business assigned to us.

"For some time after our arrival at Luzerne, the reserve of the inhabitants, and their remissness in giving information respecting the boundary of Connecticut surveys, and other necessary points, was but too apparent. These unfavorable appearances, however, were gradually dispelled, and by a conduct of conciliatory and explanatory communication on our part, their confidence in the rectitude and benevolence of the Legislature, and in the disinterestedness and candor of the Commissioners, was increased, and, at length, generally acknowledged.

"In the prosecution of the business, and particularly in its commencement, many obstacles occurred. In many cases papers were wanting to complete our information. Many of the Pennsylvania releases were incomplete and not to be acted upon; many of our drafts of survey were too loose and vague in description to enable us to ascertain the situation of the lands.

"The quantity of land completely released being, in proportion to the contents of the seventeen townships, but inconsiderable on our first entrance on the business, and that indeed being dispersed in various parts, occasioned us not a little embarrassment and loss of time, more especially as the difficulty of finding the tracts, owing to the want of connection, was thereby increased.

"The manors of the Penn family, amounting to upwards of thirty three thousand acres, if completely released would have furnished us full scope for immediate progress, while, in the meantime, Pennsylvania claimants generally would perhaps be completing former and executing additional releases. But we found that in the releases of the manors exception was made of such parts as had been sold and conveyed, or been contracted to be sold and conveyed, within their bounds, to individuals; and the lands thus excepted not being identified, we could not proceed, respecting the manors.

"We kept open a constant communication with the Land Office, advising the necessary exertions and cooperation to overcome existing and prevent future embarrassments and obstacles, and earnestly recommending the necessity of the attorney of the late Proprietaries ascertaining the issue of every contract with individuals within the manors, and furnishing us information thereof, and of the exact quantity and limits of the excepted tracts.

"We think it but justice to the Secretary of the Land Office to state that the exertions in his department have been indefatigable to render as successful as possible the efforts of the Commissioners. We were from time to time furnished from the Land Office with exemplifications of further releases. Some of our difficulties of course vanished as these became more general. In the meantime our surveyors were diligently engaged where the fewest embarrassments presented.

"Finding the acts of Assembly in some parts not so fitly adapted to the state of facts arising before us, we experienced some necessary hesitation in its construction; and we are the more indebted to the Attorney General of the State for his readiness to oblige us with his opinion on several cases submitted to him, as we have since learned. That to afford us any opinion was not a part of his incumbent official duty.

"The whole history of this transaction, and the many instruments of submission received by the Commissioners, while at Luzerne, from Connecticut settlers, to be forwarded to the Land Office, afford manifest evidence that the magistrates and people at large within the seventeen townships are zealous to have the law carried into effect.

"We have the pleasure to assure your Excellency that much business has been pursued to such a length as to give us seasonable hopes that we, or our successors in office, will find a system established from which the Commissioners will in future progress with greater facility and more expedition.

"Investigating the principles and objects of the commission, and the tenor and tendency of the various provisions of the acts of Assembly, critically examining and analyzing the various subject matter contained in our official papers, attending our surveyors, searching for useful information, oral and written; ascertaining and running the boundary lines of a majority of the seventeen townships, and ascertaining the situation and surveying and valuing tracts within these townships released by Pennsylvania claimants, were matters which have occupied our assiduous attention.

"We think it proper to suggest that from the general knowledge we have been able to acquire of the subject in question, we conceive some eligible amendments might be advantageously made in the acts of Assembly. We feel it, however, becoming to forbear offering our opinion on these points until permission is given, or our opinion is required.

"We have the honor to be, sir,

"Your Excellency's obedient servants,

"His Excellency, THOMAS McKEAN,  
"Governor of Pennsylvania, Lancaster.

"WILLIAM IRVINE,  
"ANDREW PORTER,  
*Commission'rs.*"\*

On June 27, 1801, Rosewell Welles addressed a letter of information to the Confirming Commissioners, in reply to an inquiry from them. He said among other things, referring to the Luzerne County Court, of which he had been a Judge, "The Court (in deciding questions of title resting solely upon the Connecticut claim) embraced and took a very liberal ground. From their own knowledge, they were sensible that most of the public records, as well as private documents of the people, necessary to their claims, were destroyed in '78. \* \* \* The best evidence of them, possible to be obtained, was always required and never dispensed with, by Counsel or Court. However this best evidence, in some cases, necessarily became remote, and indeed, when the variety of misfortunes which have attended this ill-fated County are really considered, it would be difficult to suppose it otherwise. From the descent of the enemy, in '78, one single engagement laid in the dust most of the males capable of bearing arms. To this, in the course of the next and the following days, succeeded a general destruction of houses, papers, and most of the PUBLIC RECORDS by fire."†

From Wilkes-Barré, July 21, 1801, a letter was addressed by the Commissioners, to the Board of Property, which throws additional light in the nature of claims being presented for consideration:

"The Connecticut claimants may be divided into four classes:

"(1) The principal Supporters of the speculators in the Connecticut title, such as Mr. Franklin and some others, by whom the spirit of actual opposition is perpetually kept up.

\*GENERAL BOUNDE, the third member of the Commission, returned home seriously ill shortly after assuming his duties at Wilkes-Barre, and later, upon his resignation being accepted, Judge Thomas Cooper of Lancaster, was appointed in his stead.

†See "Pennsylvania Archives", 2nd Edition, XVIII:362.

"(2) Settlers without the townships, upon whole or half share rights, whose property and whose labor for many years have been invested in the purchase and improvement of land, under the Connecticut title, and whose all depends upon their present possessions so obtained.

"(3) Half share holders enticed into Luzerne County, chiefly of late years and since the Decree of Trenton, and who hold their possessions not from purchase in general, but chiefly under a kind of implied contract to defend them against the Pennsylvania claim.

"(4) Settlers within the seventeen townships, holding under Connecticut title, but of whom the most part have submitted under the Act of 1799. The first class will never be induced to submit but by force, or being directed by the other classes. The second class, persuaded (however improperly) of the goodness of their title, will certainly endeavor to repel force by force, if they can muster strong enough; for they might as well die as be turned out with their families to starve.

"The third class will be more apt than any other to be guided by the first. The fourth class may certainly be detached from the others and secured to Pennsylvania by a liberal construction and effectual amendments of the present law."

On July 21, 1802, the then Commissioners (Cooper, Steele and Wilson) wrote to Governor McKean, as follows:

"The resolutions (of the Susquehanna Company) subsequent to the Decree of Trenton contain manifest determinations of settling the Country in despite of Pennsylvania—of calling in a force for so doing, and paying them with the lands of Pennsylvania. \* \* \* We think that the apprehension of Franklin, Spaulding, and another or two, upon good ground, would go near to terminate the Dispute, if the Pennsylvania claimants would take some decisive measures to satisfy the settlers that the terms of the Compromise will be fair and liberal. \* \* \* Should it be necessary to have recourse to military operations, the settlers, after an ineffectual resistance might be driven off. If they return, a constant force must be kept up. But should they never come back again, that part of the state which is of more immediate value as a back country than any other, would become a desert, and a desert it would remain; for no Pennsylvanian will ever think of clearing land which none but a New England man can live upon. The half share people are for the most part deceived by the speculating principals of the Susquehanna Company, but they are a very orderly set of citizens and most industrious cultivators. \* \* \* It becomes of great importance to conciliate rather than to terrify a class of inhabitants who promise to be, in time, more peculiarly Pennsylvanians than many others who will become ere long but half so."

It may well be inferred that many who held extensive tracts under Pennsylvania, urged their claims vigorously before the Commissioners. But some there were of such title holders who immediately offered to release their titles after the terms of the Compromise Act were understood. Among these were the following, as disclosed by records preserved in the Pennsylvania Archives, and described as: "A list of applications and releases which have been given into the office of the Secretary of the Land Office, by *Pennsylvania Claimants*, during the summer and autumn of 1799, pursuant to the Act of April 4, 1799—for certain lands within the seventeen townships in the County of Luzerne. \* \* \* Charles Stewart, 5024 acres; Samuel Bowman, 625 acres; Wm. Bingham, 4015 acres; Wm. Tilghman, 1150; Jos. Wharton, 6854; Jno. and Richard Penn, 26 000 more or less; and includes the manors of Stoke, Dundee, Sunbury and all lands claimed by the Proprietaries in the 17 townships; Jos. Reed, 585; Saml. Sitgreaves, 3703; James Moore, 4213; James Gibson 1829; Edward Shippen, 6695."

A majority of Pennsylvania claimants, however, clung to the belief that further confusion of legislation or favorable Court decisions, might tend to recognize their rights to soil, rather than to compensation for its surrender, and refused to avail themselves of the terms of the Compromise Act. Indeed, not until an amendment was passed to the Act in 1802, which made it obligatory upon a jury to award compensation in case the Pennsylvania claimant refused to execute his release pursuant to the Act, did a well organized opposition to the Commission's power cease.

At a meeting of owners of land in the counties of Luzerne, Wayne, Lycoming, Northumberland, and Northampton, held at *Dunwoody's*, January 10, 1801, a memorial to the Legislature of Pennsylvania, on the subject of lawless intrusions on lands in those counties, was read and discussed.

\*See "Pennsylvania Archives" 2nd. Edition, XVIII : 461.

At a subsequent meeting, April 9, 1801, it was "Resolved; That in order to obtain the beneficial effects, which may be expected to result from the Acts of Assembly, passed for the purpose of preventing and removing certain unlawful intrusions on lands in the counties of Wayne, Northampton, Luzerne, Northumberland, and Lycoming, it is necessary that the land-holders form themselves into an association. That the subscribers pay in proportion to the amount of land held in those parts of the counties aforesaid, subject to the former claim of the State of Connecticut, or certain companies or persons claiming under that State."\*

The association organized by the election of the following officers: Samuel Hodgdon, President; Samuel M. Fox, Treasurer; John Ewing, Junior, Secretary.

At a meeting of the association, held April 13, 1801, it was "Resolved, that Edward Tilghman retain Daniel Smith, Charles Hall, Ebenezer Bowman, Putnam Catlin and Rosewell Welles, as counsel for the landholders in all civil and criminal proceedings in reference to their lands." At still another meeting, held at Lancaster, February 17, 1802, an estimate was made of the probable amount necessary to be expended by the association to carry the Intrusion Law into effect, as follows:

Agents salaries . . . . .	\$1,200.00
Deputy for Luzerne and Wayne . . . . .	900.00
Deputy for Lycoming . . . . .	450.00
Expenses in binding over witnesses and extra pay for subpoenaing them	500.00
Stationery and other necessary expenses . . . . .	150.00
	<hr/>
	\$3,200.00

In spite of painstaking effort on the part of the original Commissioners, there was thus little to report by way of actual accomplishment, in the two years ensuing after the passage of the Compromise Act. Claimants were with difficulty induced, on one hand, to appear with their releases, or on the other, to present their evidences of title. Supplemental legislation, however, tended to strengthen the hands of the Commissioners and Court decisions helped to make

\*The Subscribers to this Association, which list gives an idea of some of the holdings, were:

	Acres		Acres
Allibone, Thomas . . . . .	1,200	Meeker, Samuel . . . . .	6,000
Burd, Edward . . . . .	8,800	Menshall, Christopher, Ex'r to Thomas Paschal . . . . .	16,000
Bingham, William . . . . .	300,000	For self and Wm. Crammond, Adam Kuhn, and assignees of Joseph Thomas . . . . .	45,000
Bell, William . . . . .	1,800	Peters, Richard . . . . .	20,000
Bond, Williamina . . . . .	30,000	Pickering, Timothy . . . . .	10,000
Bond, Phineas . . . . .	20,000	Pleasants, Samuel . . . . .	7,000
Bartholomew, Edward, and J. Patton . . . . .	3,600	Rhoads, Samuel . . . . .	10,000
Buckley, William . . . . .	9,500	Self and estate of Daniel Williamson . . . . .	3,000
Buckley, William and William Parkinson . . . . .	3,000	Francis, Thomas W., for Francis Ann and family . . . . .	100,000
Busti, Paul for Holland Land Company . . . . .	20,000	Rush, Benjamin . . . . .	2,400
Binney, Horace, for self and heirs of Dr. Binney . . . . .	6,000	Sharpless, Jesse . . . . .	10,000
Clifford, Thomas and John . . . . .	5,000	Sergeant, William for estate of Sergeant, J. D. . . . .	6,500
Clymer, George . . . . .	8,000	Sergeant, William . . . . .	1,000
Chancellor, William & Co. . . . .	5,000	Strawbridge, James . . . . .	30,000
Dunwoody, John . . . . .	6,000	Smith, Robert . . . . .	4,000
Drinker, Henry, for self and others . . . . .	150,000	Singer, Abram, for Richard Rundle . . . . .	2,200
Davis, John . . . . .	3,300	Tilghman, Edward . . . . .	75,000
Field, John . . . . .	12,000	Tarnbull, William . . . . .	4,000
Fox, Samuel M., for self and others . . . . .	36,000	Travis, John . . . . .	5,000
Fox, George, and Samuel M . . . . .	4,000	Tilghman, William . . . . .	2,800
Hollingworth, Levi . . . . .	2,400	Warder, Jeremiah, Parker & Co., . . . . .	20,000
Howell, Samuel . . . . .	7,000	White, William . . . . .	12,000
Hodgdon, Samuel . . . . .	5,000	Wells, Gideon H . . . . .	10,000
Harrison, Thomas . . . . .	5,000	Wain, Robert, for self and others . . . . .	50,000
Kuhn, Adam . . . . .	7,000	Wharton, Isaac . . . . .	36,000
Lewis, Josiah . . . . .	6,000	Wharton & Lewis . . . . .	24,000
Latimer, George . . . . .	15,000	Wharton, Joseph . . . . .	7,000
Latimer, William . . . . .	1,300		
McPherson, William . . . . .	5,000		
McEwen, Thomas & Co . . . . .	25,000		
Meredith, Samuel . . . . .	80,000	Total Acres, . . . . .	1,310,800

the way plain to a satisfactory conclusion of the whole matter. Early in 1801, a new Commission was appointed which began its labors under promising auspices. Thomas Cooper, Esq., General John Steele\* and William Wilson, Esq.,† composed the new Board. Judge Cooper brought to the others an experience gained by previous service and was naturally named chairman.

Jesse Fell, later to become one of the County's most distinguished citizens, was chosen Secretary to the Board and continued to act in that capacity until the labors of the Commission were finally terminated.

The new Commissioners announced that sessions would be conducted in the Court House, at Wilkes-Barré beginning July 1, 1801, and by systematizing their work, as well as by inducting a businesslike method of procedure, gained popular confidence.

As this confidence grew, and with it was gained an assurance that Pennsylvania finally was in earnest as to settling the controversy, Connecticut settlers on their part went about perfecting their titles with deliberation and such thoroughness as was possible. All the early records of the Susquehanna Company, being vital to the issue, were produced. Minutes of town meetings in the regime of Connecticut and such documents as existed with relation to the lottery, by which the town plot of Wilkes-Barré was distributed in 1772, were placed in evidence before the Commissioners. The settlers had suffered much in the loss of their papers and effects at the time of the Wyoming Massacre and upon later occasions. Not half of them could produce a single documentary evidence of title. They had lived in possession of certain tracts of land previous to the Decree or could show, by oral testimony, that their ancestors had preceded them in occupancy. Many valid purchases had been made of whole tracts or their subdivisions, evidenced merely by intent of the vendor as judged from the peaceful occupancy of his vendee. Probably no claimants for land ever lacked more of customary proofs of title than did the Yankees at Wyoming. Yet their all was at stake and of necessity they proceeded cautiously.

First in the form of documentary evidence presented to the Commissioners, was a volume containing the earliest records of town meetings of Wilkes-Barré.‡ It is more fully described by the deposition of Jesse Fell which accompanied it:

"Wilkesbarre, July 2, 1801.

"That the book marked Wilkesbarre Town Votes No. 1, purporting to be records of town meetings of Wilkesbarre and the votes and resolutions thereof, and now here produced, was delivered to this deponent as part of the records appertaining to his office of Town Clerk of the said town of Wilkesbarre, to which office this deponent was duly appointed at a town meeting held the 16, April, 1796, and which he now holds. That he hath always considered and put faith in the said book as containing true and original entries of the proceedings of the town meetings which the Town Clerk at the respective times of meeting in the said book mentioned was appointed to record. That he hath understood that Obadiah Gore, Jr. Esq., now of Tyoga Township in said Co. was Town Clerk of Wilkesbarre during the times and days of meeting noted respectively in the first eight pages of the aforesaid book and the entries therein, viz., from the 17th February to the end of July, inclusive, in the year 1772, are in the handwriting of the said Obadiah Gore, Jr., then acting as Town Clerk aforesaid. \* \* \* That the 1st eight paragraphs contain original entries of many of the town and wood lots of the said town of Wilkesbarre, as determined by

\*GEN. JOHN STEELE was born at Lancaster, Pennsylvania, in 1758. He was a Captain through the Revolutionary War, and served at Brandywine and Yorktown. In 1780, he commanded Washington's Life Guards. He was collector of the Fort at Philadelphia in 1809.

†WILLIAM WILSON was a resident of Northumberland County. Prior to his appointment on the Commission, he held several appointments at the hands of the Commonwealth, notably that of County Lieutenant. In 1816, he was sent to Congress from the district which then embraced Luzerne, Northumberland and other adjacent counties.

‡The affidavits following, as well as the summary of the Commission's scope of duties, were copied from original volumes labeled "Extracts from Minutes of evidence respecting the Titles of Connecticut Claimants in and to the seventeen townships, Luzerne County, Pennsylvania." The original books—3 in number—are now in the possession of the Wyoming Historical and Geological Society, Wilkes-Barré, having been presented to the Society by Jonathan J. Slocum.

lottery, among the original settlers, under the then rules and regulations of the Susquehanna Company. \* \* \* that the entries in the 1st eight paragraphs of the book aforesaid, relating to the lottery aforesaid, have always been held authentic, and regarded as good evidence among the claimants of lots in the town of Wilkesbarre, under the title and regulations of the Susquehanna Company.\* \* \* \* The deponent hath purchased and paid for town lot No. 30 and part of town lot No. 42 and part of back lot No. 35, resting upon the evidence of the entries respecting the same in the book aforesaid. That he has not known, and has not heard of, tickets, receipts, memorandums or certificates or any other document, as a necessary part of title or otherwise given at the time of the drawing of the said lottery, to the persons whose lot was determined by the same; neither did this deponent receive any such from any of his grantors of his lots before enumerated, but rested upon the entries in the book aforesaid as acknowledged evidence of title in this respect."

"Sworn to before Mathias Hollenback.

"JESSE FELL."

Next was introduced a volume of original records of the County of Westmoreland, under jurisdiction of Connecticut. The following affidavit accompanied this documentary evidence:

"Wilkesbarre, July 3rd, 1801.

"The volume purporting to be a volume of original records of Westmoreland, together with two other volumes of the same purport, said volume paged from 1 to 1397, came into the possession of this deponent as follows, to wit: About the year 1792, this deponent's father, the late Col. Zebulon Butler, removed from the town plot of Wilkesbarre onto his farm, which rendered it inconvenient for those that might have occasion to examine these records to apply to him, he therefore put them into this deponents hands to be kept until he called for them, or that the settlers should otherwise dispose of them by vote at a public meeting—and that ever since he has known these records they have been considered and admitted by all those concerned in the Connecticut title, as the authentic records of the County of Westmoreland—referred to and acknowledged as such by the grantors and grantees under said title, so far as has come to the knowledge of this deponent.

"Sworn to before Jesse Fell.

"LORD BUTLER."

Older in point of time, but following the others in introduction as evidence before the Commissioners, were the original records of the Town of Westmoreland. The accompanying affidavit explains their purport:

"Wilkesbarre, July 7, 1801.

"The volumes now before me produced, purporting to be the volumes of original records of Westmoreland township under the jurisdiction of the State of Connecticut, and paged from 1 to 1397. That ever since he has known them they have always been considered and admitted as authentic records, and referred to as such.† And that they have been so admitted in the Court of Common Pleas of the said County of Luzerne and antecedent to the jurisdiction of Pennsylvania, in the Westmoreland Township and County in cases of disputed title and otherwise. That the accounts and entries of such as were original settlers under the Susquehanna Company in the District of Wilkesbarre as contained in the book of records now produced hath always been considered as original and authentic, as this deponent hath ever understood and believes. That Ezekiel Pierce whose signature among the said entries as Recorder of Deeds for the township of Westmoreland in Litchfield Co., and afterwards Westmoreland Co., did for a long time act in that capacity for the township of Westmoreland aforesaid. That the signatures in said volumes purporting to be by him are (as this deponent well knows to be) the proper handwriting of the said Pierce (except in some few pages in the said book which this deponent believes to be wrote by some one of the sons of the said Ezekiel Pierce, who were employed or did at various times record Deeds to this deponent's knowledge, as this deponent frequently saw them at the said employment. \* \* \* That the said Pierce was the known and the acknowledged officer for that purpose in the township of Westmoreland during the period of six years or thereabouts.

"Sworn to before Jesse Fell.

"MATHIAS HOLLENBACK."

With this mass of authentic and accepted records of the early settlers before them, the Commissioners fell promptly to work, and rapid strides were made in the performance of their duties. On the "Minutes of Evidence" hereinbefore mentioned, the following "General Observations on the Connecticut Titles in the Seventeen Townships" were entered by Judge Cooper, and appear

\*A copy of the list of names and the number of the lots drawn in the town plot of Wilkes-Barre, April 30, 1772, will be found in pages 727 and 728 of Vol. II. The original list is on file in the collection of the Wyoming Historical and Geological Society.

†A list of settlers at "Susquehanna" or Wyoming in general, taken from the above records will be found on page 732, with a supplemental list, page 736 of Vol. II.



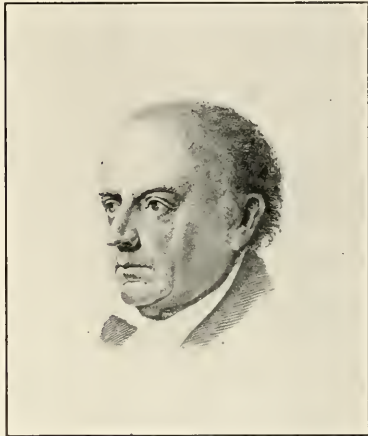
to outline not only the plan of procedure of the Commissioners, but to explain the purpose of their efforts, so that no questions might arise in future to further complicate the situation:

'The Commissioners, viz: Thos. Cooper, Esq. Genl. John Steele, and Wm. Wilson, Esq. appointed in 1801 under the Act of 4th April, 1799, entitled an 'Act for offering compensation to the Penna. Claimants of certain lands within the seventeen townships in the County of Luzerne and for other purposes therein mentioned,' soon after they met in Wilkesbarre in June, 1801, agreed to divide between them the business of the Commission as follows, viz: The investigation of the Connecticut title, the forms of proceeding, the observations on Pennsylvania title, and all the legal part of the business was committed to Mr. Cooper. The management of the surveys and the valuation of the land were undertaken by General Steele and Mr. Wilson, so that although the general principles of the proceedings were considered and agreed upon by the Commissioners jointly in their occasional conversations on the subject, and although mutual communications took place from time to time on all the various parts of the business of the Commission, Mr. Cooper is principally responsible for the details of title in the ensuing pages, and the general observations connected with them. This division of labour seems recognized and authorized by sections 7 and 8 of the further supplement to the preceding law, passed April 6, 1802 (State Laws, 8vo. Ed., p. 204). By the law of 1799, the Commissioners were confined, in the prosecution of their duty, to such lands within the seventeen townships as were claimed under a Pennsylvania title, under a patent or location or warrant before the Decree at Trenton in which a survey had been executed and returned agreeably to Law (paragraph 1); nor had they any right to enter even upon such lands, unless they had been previously released to the State by the Pennsylvania claimant thereof (paragraph 5). But by paragraph 9 of the further Supplement to the last mentioned Act, they were authorized to survey, value and certify not merely such parts and portions of the tracts of land claimed under the title of the Susquehanna Company within the seventeen townships as had been or might be released to the Commonwealth by the Pennsylvania claimants thereof, but the whole of each tract of land claimed by a Connecticut claimant who should establish his title thereto in the manner prescribed by the Act of 4th April, 1799 whether released to the Commonwealth or not. This Supplement took away among other obstacles that which respected a part of the seventeen townships lying within what is called the 'New Purchase.' The manner prescribed by the Act of 4th April, 1799, is contained in the 5th paragraph of that Act, viz: 'that it shall be the duty of the said Commissioners also to ascertain all the rights or lots within the said seventeen townships which were occupied or required by Connecticut claimants who were actual settlers there at or before the time of the said Decree of Trenton and which rights or lots were particularly assigned to the said settlers prior to the said Decree agreeably to the regulations then in force among them.' The word 'required' appears to be a mistake in transcribing for 'acquired.' The Confirming Law (of March 27, 1787) which the Law of 1799 herein copies, has 'acquired.' Hence the Commissioners had authority to ascertain all the rights and lots which were either occupied by and assigned to Connecticut claimants before the Decree of Trenton, agreeably to the regulations then in force among them, or acquired by or assigned to Connecticut claimants before the said Decree, agreeably to the same regulations, provided the persons so occupying or acquiring were actual settlers there at or before the time of the said Decree.

"The Decree of Trenton was the 30th December, 1782.

"On this clause arises the following questions: 1st.—What were the regulations then in force among them, and how are they ascertained? 2nd.—What was occupancy of a right or a lot agreeably to those regulations? 3dly.—How were rights or lots acquired agreeably to those regulations? 4thly.—What is meant by 'settlers there'?

"1st. What were the regulations then in force among them? These were the Rules and Regulations of the Susquehanna Company in the public meetings of that company; and the Rules and Regulations of the Committees of that Company, resident at Wyoming and authorized to grant townships, decide on contested rights, &c., previous to the Decree of Trenton. For what was done by the Company or its Committees subsequent to that decree cannot now be considered as binding. The Commissioners procured, in the Summer of 1801, by means of Jesse Fell, Putnam Catlin, Lord Butler and Rosewell Welles, Esquires, from Col. John Franklin the known Clerk of the Company, a copy of those Rules and Regulations from 1754 to 1786, attested by Mr. Gray, the former Clerk, whose handwriting was known, and which bore evident marks of authenticity



HON. THOMAS COOPER.

internally, and were officially transmitted by Colonel Franklin, and acknowledged by the above mentioned gentlemen, as the Rules and Regulations of the Susquehanna Company. This was one source of information on the subject. Besides this, Lord Butler, Esq., who was officially the Recorder and Register of Deeds after Timothy Pickering, Esq. since the change of jurisdiction, furnished the Commissioner with four volumes of the Records of Westmoreland; Vol. I. pagged from 1 to 622; Vol. II. from 623 to 1033; Vol. III. (containing the earliest records) from 1034 to 1397; and Vol. IV. from page 1 to 170—therefore by the Decree of Trenton and the change of jurisdiction at Wyoming all that part of the Connecticut claim was called the District of Westmoreland, and appears to have been annexed to the County of Litchfield in Connecticut. A Recorder of Deeds, as it should seem, was appointed, but no minute of such appointment appears at any time under any authority of the State of Connecticut. From the Fall of 1772, for many years, Ezekiel Pierce acted as Recorder; after him Colonel Franklin and Obadiah Gore, Esq., were severally appointed to that office. These appointments seem to have been under the sole authority of the Susquehanna Company to whose lands alone they related. How these volumes came into Mr. Butler's hands appears by his deposition respecting them, heretofore given. These Records contain, interspersed, several Rules and Regulations of the Susquehanna Company's Committees; and this was another source of information to the Commissioners, as to the Rules and Regulations mentioned in the Act. Other information was procured by the examination of Obadiah Gore, Nathan Denison, and Mathias Hollenback, Esquires, now Judges of the Court of Common Pleas of Luzerne County who were actively engaged in the business of the Company from the commencement of the regular settlement of Wyoming soon after the year 1770, until the change of jurisdiction. Their information compared with that of Col. John Franklin (generally under oath) had enabled the Commissioners to judge with more accuracy of the validity or otherwise of several votes and resolutions of the Committees and sub-committees of the Company. It is from these sources that the Commissioners have been able to ascertain what were the 'Rules and Regulations' then in force among the Settlers.

"2nd. What was occupancy of a right or lot agreeable to those Rules and Regulations? (here follows description of rights, half rights, etc. \* \* \*)

"3dly. How were lots or rights acquired under these regulations?

"Each township 5 miles square, and to contain 16,000 acres according to the custom in New England States—to be divided into 53 shares of 300 acres each, making 15,900 acres, it was convenient to the Co. to grant half shares, 1 of which would entitle a holder to 300 acres in some township. This 53rd part of a township was therefore a whole right in the township, and a half share right under the Co. Such a township right was afterwards divided into lots according to the convenience and fancy of the owners of the several townships at public meetings for that purpose. Sometimes these lots were laid out at once and in one division of lots as in Northmoreland; sometimes in 2, 3, 4, or even 5 divisions of lots of various sizes, and at various distances of time as in Wilkesbarre, Plymouth, &c. These rights were occupied under the Rules and Regulations of the Susquehanna Company, either by the owner himself or by some person appointed by him, and subject to the privileges and limitations hereinafter mentioned. Of the 53 rights, 3 were public, whereof 1 was appropriated to the 1st. settling minister of the gospel; 1 to support ministry hereafter; 1 to support a school. The townships were divided into settling townships, viz: Wilkesbarre, Kingston, Plymouth, Hanover, Pittstown; *Suffering townships*—wherein rights lost or improperly forfeited, were relaid and commuted—this was Providence; and Proprietary townships. These last included all the rest. Hence in the 5 settling townships each right was required to be settled; for it was held under the condition of manning the right by the claimant or some one for him. In the rest 20 rights manned in 3 years gave a title to the rest. It appears most clearly not only from the general testimony of all persons living at Wyoming during the War, of whom the Commissioners have had an opportunity of making inquiries, but from the general tenor of the votes of the company, and from the township resolutions of the 5 settling towns in particular, that the state of the County was such for many years as made it absolutely necessary for the sake of defense that the inhabitants should concentrate their force as much as possible and live as near together as they could. This was in fact settling the country in the best possible way for the time being; the best way for the general success of the country, but the most disadvantageous way for the settlers themselves, could they have helped it. In pursuing this investigation of title under the Connecticut (or rather under the Susquehanna Co.) much difficulty has arisen in consequence of the loss and destruction of public and private papers and documents during the War in this part of the country, and particularly in the destructive Summer of 1778, when on the 3rd of July the *Wyoming Settlers* were defeated by the Indians and British under the command of Col. John Butler, and above 300 of them killed. This defeat was followed by a general devastation, which made the preservation of title papers and minutes of public meetings an object of secondary concern. Hence the Commissioners had been compelled in very many instances to dispense with the production of papers which would otherwise have been insisted on, and accept of part evidence in their stead. (Adhering to the decisions relating to this subject—*Whitfield vs. Fassett 1 Vis sere' 388.*) \* \* \* All the leading facts are recorded (in the Commissioners Minute-book.) Not that this record is necessary to establish any certificate they may give: those certificates will be given because the consciences of the Commissioners are satisfied that the persons in whose favor they are granted are entitled to them; not that this record should be used to impeach any certificate or to examine into the propriety of granting it, or to give any means or authority to the officers of the Land Office of investigating whether the Commissioners did right or wrong in establishing any title or granting any certificate, for this book *does not* contain all the reasons and motives that influenced the decisions, nor do the Commissioners mean it for this purpose; their certificate, and that alone, is the sufficient evidence to entitle the holder of it to a patent, and they

protest against any use being made of the following records to re-examine before any other tribunal the Connecticut titles on which they have decided. \* \* \* In ascertaining individual titles the Commissioner has first resorted to the lists of owners of lots according to the draughts by lottery made under the votes of town meetings. \* \* \* In the case of refugee settlers who left the country during the War and took sides with the British, the Commission has always supported any title derived under them, if made when they had a right to make it, and before desertion. But it has constantly rejected every title made by deserters to the British if made after desertion; for this would have been a manifest cause of forfeiture under the Rules and Regulations of the Susquehanna Company. \* \* \* Where deeds could not be shown, depositions have been required of their loss or destruction; after which the records of Westmoreland and Luzerne have been referred to, and the records of the deeds accepted. For this purpose an index has been made to the Westmoreland Records without which nine-tenths of the claimants would have sought in vain to trace their title. Where the record is contained in the office of the Recorder of Luzerne Co. an office copy has always been insisted on. \* \* \* Much difficulty has arisen in the production of deeds, from the universal practise in this part of the Country, of permitting the documents of title to remain in the possession of each grantee. The grantees being satisfied with the notoriety of title and possession in the persons from whom they purchased. \* \* \* It has been thought necessary to state these preliminary facts and observations, that the general course of proceedings in taking the subsequent titles may be understood by those to whom it is a duty, and who have the right, to inquire into the conduct of the Commissioners."

"THOS. COOPER."\*  
"1802"

While all the Commissioners labored to execute their duties with intelligence and fidelity, Judge Cooper distinguished himself, in particular, by a display of initiative and ability which might appear to have merited a more considerate treatment at the hands of Luzerne County than he subsequently received. He visited in person all of the townships. Under his direct supervision, all the original surveys of the Susquehanna Company were re-run. Upon him fell the task of issuing most of the Certificates to those adjudged owners of Connecticut claims. Upon presentation of these Certificates to the Land Office, together with the payment of acreage and other fees prescribed by the Compromise Act, a Pennsylvania patent issued, conclusive as between rival Connecticut claimants, *Daily vs. Avery, 4 S. and R. 281*, but it did not conclude a Pennsylvania claimant under certain conditions. *Enslin vs. Bowman 9 Binn. 462*.

By October 20, 1802, about one thousand Connecticut claimants had exhibited their titles. In all, as their records indicate, the Commissioners issued

\*THOMAS COOPER, M. D., LL. D., was born in London, England, October 22nd, 1759. He was educated at Oxford, and afterwards studied law and medicine. He was admitted to the Bar and traveled the Circuit for a few years when, with Watt, the inventor, he was sent by the Democratic Clubs of England to those of France, where he sided with the Girondists. Called to account for this by Mr. Burke in the House of Commons, Cooper replied with a violent pamphlet. While in France he had learned to make chlorine from common salt, and he became a bleacher and calico printer in Manchester, but was unsuccessful. In 1795, at the suggestion of his friend Dr. Joseph Priestly, he established himself as a lawyer in Northumberland County, Pennsylvania, where Priestly had located just one year before. Uniting himself with the Democratic party, Mr. Cooper violently attacked President Adams in a newspaper in 1799, was tried for libel and sentenced to six months' imprisonment and a fine of \$400. He was admitted to the Bar of Luzerne County, in 1796.

In 1801, Judge Cooper was appointed one of the Commissioners to execute the "Confirming Laws" relative to lands within the "seventeen townships."

The business languished in the hands of several sets of Commissioners, and fears were entertained that the project, from its magnitude and the difficulties with which it was surrounded, would entirely fail. But owing to the extraordinary energy and ability of Judge Cooper, the last Commission cut its way through all impediments, and the great work was finally accomplished.

In 1806, Judge Cooper was appointed President Judge of the 11th Judicial District of Pennsylvania, which included Luzerne County, and he held his first Court at Wilkes-Barré, in August of that year.

He was exceedingly stern and severe as a Judge, and after he had occupied the Bench for three or four years, many of the attorneys and suitors who had business in the Courts over which Judge Cooper presided, grievously complained of his tyrannical conduct while on the Bench. These complaints ultimately led to the impeachment of Judge Cooper for tyranny, and he was removed from his position and succeeded by the Hon. Seth Chapman, of Northumberland, who held his first court at Wilkes-Barré, in August, 1811.

Judge Cooper was an efficient supporter of the administrations of Jefferson, Madison, and Monroe.

He successively occupied the Chair of Chemistry in Dickinson College, in the University of Pennsylvania, and in Columbia College, South Carolina, of which last named institution he became President, in 1820. On his retirement from the office, 1834, he was appointed to revise the State Statutes, four volumes of which he had completed when he died at Columbia, South Carolina, May 4, 1839.

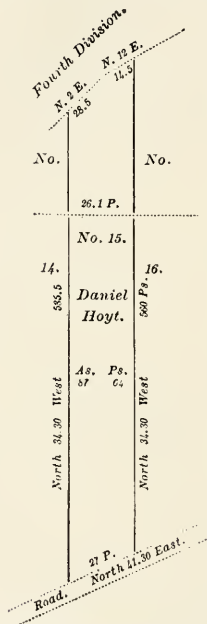
He was a Free Mason, having been initiated into Sunbury Penna. Lodge, No. 22, February 11, 1797.

He was a man of great versatility and extensive knowledge, displaying, as a lecturer, great erudition, and admirable powers as a talker. In philosophy, he was a materialist, and in religion, a free-thinker. He was a voluminous writer and publisher. Among other things, he published, in 1801, "The Bankrupt Law of America, Compared With That of England;" in 1812, a translation of the "Institutes of Justinian;" in 1819, a work on "Medical Jurisprudence." He also published "Observations on the Writings of Priestly," and "An Essay on the Constitution of the United States.

1745 Certificates, embracing 288,532 acres of land.\* One hundred and ninety seven Pennsylvania claimants gave deeds of release to the Commonwealth.†

The form of a Certificate issued by the Commission is familiar to those who have searched the early titles of Luzerne County, but, by way of information to others interested, a copy of one of these documents, in the possession of Gen. Hoyt at the time of writing his "Brief of Title," is reproduced:

A CERTIFICATE OF TITLE.



DRAFT of a Tract of Land situate in Kingston one of the Seventeen Townships in the County of Luzerne; being Number Fifteen in the Third Division of the said Township and containing Eighty Seven Acres and Sixty Four perches and the usual allowance of Six per centum for Roads: Re-surveyed the Tenth day of September One Thousand Eight Hundred and Two for Daniel Hoyt by order of the Commissioners duly appointed for putting in execution an Act of the General Assembly of the State of Pennsylvania, passed the Fourth day of April, One Thousand Seven Hundred and Ninety Nine, entitled, "An Act offering Compensation to Pennsylvania Claimants of certain Lands within the Seventeen Townships of the County of Luzerne, and for other purposes therein mentioned," and the Supplement thereto. To SAMUEL COCHRAN Esq. Surveyor General. THOS. SAMBOURN Surveyor to the Said Commissioners December 1st 1802.

CERTIFICATE.

WE the undersigned Commissioners, duly appointed for putting in execution an Act of the General Assembly of the State of Pennsylvania, entitled "An Act for offering compensation to the Pennsylvania Claimants of certain Lands within the seventeen Townships in the County of Luzerne, and for other purposes therein mentioned," passed the 4th day of April 1799, and the Supplement thereto passed the 15th day of March, 1800, and the further Supplement thereto passed the 6th day of April, 1802, DO CERTIFY, That Daniel Hoyt is the Owner as a Connecticut Claimant of Eighty-seven Acres and Sixty four perches of Land in the Township of KINGSTON, one of the before mentioned seventeen Townships; being Lot Number Fifteen, in the Third Division in the said Township; WHICH Lot Number Fifteen was occupied and acquired by a Connecticut Claimant, an actual Settler there before the time of the Decree of Trenton, and was particularly assigned to such actual Settler, prior to the said Decree, agreeably to the regulations then in force among such Settlers. The said Land (a Draught of Survey whereof is hereto annexed) is included in the application of Daniel Hoyt, under the provisions of the acts aforesaid: of which application an official transcript has been transmitted to us from the Land Office of the Commonwealth of Pennsylvania. THOMAS COOPER JNO STEELE November 10th, 1803.

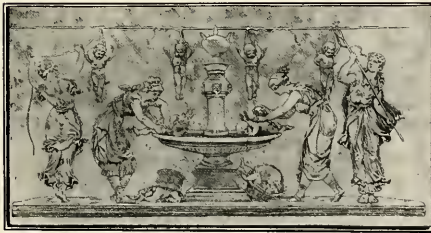
\*These claimants were distributed among the seventeen townships in acreage claimed as well as Certificates issued as follows

	Acres.	No. of "certificates."
Wilkes-Barre.....	14,375	186
Kingston.....	17,390	152
Newport.....	17,869	133
Salem.....	15,428	105
Huntington.....	19,479	176
Hanover.....	18,268	131
Exeter.....	26,382	83
Pittston.....	20,502	123
Claverack.....	17,713	29
Springfield.....	28,679	82
Northmoreland.....	17,200	69
Braintim.....	17,379	65
Providence.....	16,730	85
Putman.....	22,859	69
Plymouth.....	18,159	256
Ulster.....	112	1
Bedford.....	None.	
Total.....	288,532	1,745

†These were distributed through the townships, as follows:

Kingston.....	24	Providence.....	7
Pittston.....	6	Newport.....	14
Hanover.....	18	Putman.....	10
Braintim.....	10	Wilkes-Barre.....	12
Springfield.....	11	Huntington.....	4
Northmoreland.....	14		
Exeter.....	9		197
Bedford.....	35	Many of these were non-residents, who held large blocks	
Plymouth.....	24	of "wild lands."	

The penning of the foregoing Chapter has proved a difficult task. Yet one of the first questions asked by a student of local history, and by far the most difficult to answer, has almost invariably related to the quieting of titles, many of them now of immeasurable value, as to lands long in controversy between two independent states. This settlement, as has been seen, was engulfed in legislation, Court decision and the patient adjudication of Commissions, for a period of nearly twenty years. If the writer has neglected important available evidence of this settlement, the omission has followed rather from a desire to hold the Chapter within bounds of comprehension of the average reader, than to deal too much at length with legal technicalities which naturally surround it.





## CHAPTER XXXV.

EVENTS OF THE LAST DECADE OF THE EIGHTEENTH CENTURY—SHAD FISHERIES—HUNTERS AND HUNTING OF THE PERIOD—INDUSTRY OF THE WOMEN—THE WHISKEY INSURRECTION—CAPTAIN BOWMAN'S COMPANY—BEGINNING OF THE RENAISSANCE IN WYOMING AFFAIRS—REAPPORTIONMENT OF TOWNSHIPS—THE COUNTY'S FINANCES—VISIT OF JEMIMA WILKENS—EARLY PREACHERS AND DOCTORS—WILKES-BARRÉ'S EARLIEST NEWSPAPERS

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"Faith is the subtle chain  
Which binds us to the Infinite: the voice  
Of a deep life within, that will remain  
Until we crowd it thence."

*Elizabeth Oakes Smith.*

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"Truth comes to us from the past, as gold is washed down from the mountains of Sierra Nevada, in minute but precious particles, and intermixed with infinite alloy, the debris of centuries."  
*Bovee.*



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It can be said that much of the charm peculiar to the early history of Wilkes-Barré and its environs ended with the last decade of the eighteenth century. It is true that the quieting of land titles spread its process well over into the first decade of the twentieth. But the community itself was gradually adapting itself to a change in administrations of the Commonwealths which had governed it; was desperately tired of conflict and turmoil, and was being led to believe that Pennsylvania had adopted a course of governmental measures, in the management and regulation of its affairs, which would lead to ultimate justice for all. It was a backward, hesitant community, however, which was recovering from the effects of nearly half a century of bickerings, political discord and bloody strife.

In spite of the widely heralded beauty of its surroundings and the admitted fertility of its soil, the Wyoming Valley had not been a magnet, as had other districts of the Commonwealth, and the valley and lake regions of New York, for the flood of immigration which had followed the Revolutionary War. Those who were coming to the infant United States from war torn countries of central Europe, from England and the isles of the sea, desired, above everything else, the peaceful possession of lands and the chance to work out that destiny for themselves which the great, new country seemed to promise. Wyoming lay under the shadow of intersectional political differences and a cloud of undetermined rights to its soil.

It has been seen, in a previous Chapter, how uncertainties arising from such conditions so adversely affected the life and prospects of the entire settlement. That rich deposits of anthracite were known, is not to be questioned. But no industrial development could then follow discovery. Of roads, only the merest traces existed. Agricultural pursuits enlisted only the crudest instrumentalities for the prosperous cultivation of the soil.

Connecticut had brought its instincts for the establishment of churches, schools and stable government. Indeed, in earlier times, all three of these influences had flourished. Uncertainties of a later day, however, held these and other creative instincts in abeyance.

The homes of the pioneers furnished but few of the comforts of life and not all of its very essentials. One may imagine that in the original migration of these people to a wilderness, many articles of convenience, if not of beauty and refinement, dating perhaps, back to homes in England, were brought over the mountains in crude ox carts, which served as a sole means of transportation. Few of these reminders of a happier existence remained at the period mentioned. The tomahawk, the flint of the incendiary, flood, and the covetousness of the invader, had left but little of these possessions at Wyoming. A library had not come into existence. The times were too precarious for even the weekly newspaper, which has had a habit of following settlements as they were pushed out in the conquering of the American frontiers.

Peace, the certainty of established government and the security of property rights, might restore confidence in the future and encourage refinements of life. But the period with which this Chapter begins marked merely a promise of bringing to Wyoming those requisites of body, mind and spirit for which the community yearned.

That shad fishing was the great digression, if not the main business of the populace along the river, in the spring, is a matter of record. An early mention of shad, in the Susquehanna, is to be found in "Moravians and the Indians". In a Chapter devoted to the Wyalusing mission it is stated that 2,000 shad were taken at that point in May, 1768. As early as 1772, a seine for catching shad was brought from Connecticut to Wyoming, and was held as the common property of all the settlers. In 1790, there is an account of these fish being sold at from one to three pence each, according to size, in a market established on the River common.

As domestic cattle were few in numbers, and those available for slaughtering still more scarce, the shad fisheries yielded no small portion of the food supply for the settlers. Those not consumed during the "run", when the entire river seemed alive with the fish, were salted and thus preserved for the future.

Salt, with which to cure the enormous catches, was extremely scarce, having to be brought in by wagons and river from New York State, or laboriously worked up the river in boats. Many times large quantities of splendid fish went to waste for the lack of salt, and at times a bushel of the commodity would bring in exchange 100 shad. It is remarked, on one occasion, that the entire salt supply of the river villages became exhausted, whereupon an expedition of volunteers was delegated to visit Philadelphia with as much expedition as possible, and return with a fresh supply before the fishing season ran its course.

In later years these shad fisheries became sources of considerable revenue to their owners and a lucrative business in the salted variety was built up with communities in outlying districts. Usually, about ten men would form a company to operate a fishery; the women folk would spin the flax into twine and the men would each knit a section of the seine, which was usually from sixty to eighty yards long, and would receive a share of the fish caught in it, according to the number of yards he owned. A common method of division was to separate the catch into as many piles as there were rights in the seine; one of the number would then turn his back to the piles, and while a second would point to a pile, the one whose back was turned would name the man to whom the pile should go. This method lasted for many years.

In the "*Sullivan Journal*", page 245, mention is made of shad at Wilkes-Barré and of the numbers of wild turkeys which were hunted by members of that Expedition during their encampment there.

In a letter to the *American Daily Advertiser* of Philadelphia, under date of May 6, 1800, its Wilkes-Barré correspondent states the following:

"In our last we mentioned a draught of 9,290 shad being taken at Nanticoke, four miles below this town. A few days previous to that, 6,963 were taken at a draught and frequently in the course of a season, from 1,500 to 4,000 are taken daily at the same fishery."

In the report of the State Commission of Fisheries, 1894, appears the following distinctive description of early shad fishing dictated by Gilbert H. Fowler, in his eighty-seventh year. Mr. Fowler lived near Berwick:

"The first run or the first great schools that made their appearance in the early spring were the male shad—no female ever accompanied them. In about eight or nine days after the male had ascended the river, then followed the female in schools, heavily loaded with eggs or roe. Those were much the largest and finest fish, and commanded the highest price. Those shad that were successful in eluding the seine and reached the hatching ground at the head waters of the Susquehanna, after depositing their eggs, returned again in June or July, almost in a dying condition, so very poor were they, many died and were found along the river shore. The young shad would remain at their hatching place till late in the fall, when they would follow the old shad to the salt water; during the summer they would grow from three to four inches long.

"The Susquehanna shad constituted the principal food for all the inhabitants. No farmer, a man with a family, was without his barrel of shad the whole year round. Besides furnishing food for the immediate inhabitants, people from Mahantongo, Blue Mountains, and in fact, for fifty miles around, would bring salt in tight barrels and trade it for shad. They would clean and sort the shad on the river shore, put them in barrels and return home. The common price of shad was three and four cents each.

"Besides shad, there were many other kinds of food-fish. The most noted among them was the old Susquehanna salmon, weighing as high as fifteen pounds. These salmon were considered even superior to the shad and commanded a higher price. They were caught in seines, on hooks and lines, and were the sport of the gigger at night. Nescopeck falls, directly opposite Berwick, near where the Nescopeck empties into the river, was a noted place for Salmon fishing with hook and line. Men standing on the shore with long poles and lines often in drawing out the fish, would lodge them in the branches of the trees, giving them the appearance of salmon producing trees.

"The shad fisheries, which I have referred to, were not common property. The owner of the soil was the owner of the fishery, and no one was allowed to fish without a permit. The owners of the fisheries also had the seines, and when not using them they would hire them out to others and take their pay in shad; the seiner's share was always one-half the catch. At the Webb fishery I have known eleven and twelve thousand shad taken at one haul. Those fisheries were always considered and used as a source of great pleasure, value and profit, and everybody



depended on them for their annual fish and table supply. It was considered the best and cheapest food for all.

"Immediately after the erection of the river dams the shad became scarce, the seines rotted, the people murmured, their avocation was gone, and many old fishermen cursed Nathan Beach for holding the plow and the driver of the six yokes of oxen that broke the ground at Berwick for the Pennsylvania canal."

Pearce, in his "*Annals of Luzerne County*", page 500, mentions the largest of these fisheries at Berwick and Nescopeck, one at Beach Haven, one at Fish Island, opposite Wilkes-Barre, (which island was removed in 1912, to become part of the filling for the Wilkes-Barre Connecting Railroad) one on the Wilkes-Barre Common, one at Plymouth and others at Stewart's, Kingston and Forty Fort. The same historian states that he learned from an eye witness of a haul of 10,000 shad being made at Stewart's, the seine being so heavy that it could not be drawn ashore. The fish, according to this authority, were thereupon shoveled into boats and thence conveyed by wagons to the fishery.

From "*Recollections of the Life of John Binns*", published in the year 1854, the following relates to shad fisheries on the lower Susquehanna:

"In 1801 there were many and valuable shad fisheries on the Susquehanna and on its branches above, below and at Northumberland. In many of these, thousands of the finest shad were nightly caught. They used then to sell at the Northumberland fisheries at six dollars per hundred.

"The coming of the shad was usually late in April or early in May, varying according to the height and warmth of the river water. Their arrival was preceded by what was called the shad fly, which was a long, thin, dark brown colored fly, in shape something like a horse-fly, but larger. All these fisheries have been destroyed by dams and canals and the promotion of trade and intercourse."

Charles Miner, in the *Record of the Times* of May 9, 1855, gives the following graphic account of what shad fishing meant to those of a little later period of Wyoming's history:

"The *N. Y. Evening Post* says shad are plenty and purchaseable at reasonable prices. How it makes one's mouth water. Can't the schutes at all the dams be so changed, without injury to the navigation that fish can come up? Take a sketch of old fashioned fishing.

"About the latter part of May in the glorious old days before the Susquehanna was dam'd up, the shad-fishing here was in its prime. It was high-holy days with all hands—sines were running at Nanticoke. There was Blackman and Inman—Campbell and Jameson—Steele and Espy—the Bennets from under the mountain—the Jackson's, Sarver, Lutzys, and Fairchilds from Newport—the Wadhams, the Harveys, the Turners; indeed, half Shawney, with their hands; some, as owners of the land shore, some the boats and seines, some fishing on shares; and a great many looking on enjoying the sport.

"So too, at Monacaq, where Capt. Blanchard took the lead. But our business is with the capital old Kingston fishery ground, just above the bar, opposite the mouth of Mill Creek. On a fine day, the village of Wilkes-Barre would be half depopulated. Lawyers ripe for fun, Printers, Justices, Doctors, Mechanics, Merchants—indeed everybody who loved shad and relished a frolic, who could get a skiff, canoe, or any craft to take them over.—Pettebone and Dorrance, all spirit and cheerfulness, would come down to the river where the boys hauled out, and gave them a share of the fish caught, you would find overlooking the exciting scene. The vast canoe, half as big as Columbus' first ship, with the long seine on board, is just starting up, hugging the western shore. The word of Capt. Bennett is law supreme, for he is the best fisherman on the river, he stands in the bow holding the brail, and, keeping the hands silent as possible, gives directions. Coming to the falls, (the present 'riff' above the North Street bridge at Wilkes-Barre) the canoe is laid straight across to the eastern land with all possible swiftness; the seine being cast in as she goes; Now the canoe, hugging the eastern shore, descends slowly, carefully—while the party on the Kingston side, march down with the rope flapping on the water to keep the fish in the middle of the stream. Suddenly you hear Capt. Bennett's command —'Pull away!'—the canoe darts over to the landing place,—the boys jump into the water to take the rope ashore —'Haul in steadily!'—The Buoys (not boys) that hold up the top of the net are seen for many a rod bobbing up and down on the surface 'Mind the lead line!'—'Steadily!—Haul in.' Presently the shad fins begin to appear as the semi-circle of the seine contracts and approaches. 'See, Sec,' the water is all alive with them! A shout goes up! Hurrah, boys!—Lawyers, Printers, Doctors, are, in an instant, some on their knees, some to their arm-pits in the river holding down, or hauling in the lead line. 'Haul over hand, never mind the brail—Capt. Bennett manages that.'

"How their bright scales glitter in the sun, as they are cast ashore! 'Don't fling so high, you bruse them.' 'You go to grass!'—'You are careless there!'—'They will half escape—keep down the lead line!'—'Teach your granny to lap ashes!' The beach is lined with the beautiful flapping things. 'A thousand!'—'Six hundred, at least.' The excitement verges to the line of

exuberant pleasure. 'Ship the seine, boys—don't stand gaping there as if you never saw a shad before.' Dripping wet, we must have a little to keep the cold out, and these Wilkes-Barre fellows are as dry as Buck-wheat straw—give them a pull. Haul after haul is made, evening approaches. As many heaps are formed as there are shares, one extra, and one or more each for Capt. Pettebone and Col. Dorrance. A man turns his back, while another asks—'Who shall have this?' 'Who shall have that?' So the shares are allotted generally with great fairness; but as now and then there would be a bouncer of a shad, or a better than the average heap, some suspicion would arise that a peculiar manner of putting the question, as, with emphasis 'Now who shall have *that* heap?' indicated its superiority and it was awarded to the minister or some favorite. 500, 1000 to 1,500 a day were not infrequently taken.

"All divided; some from our village purchased with money. Lawyers and Doctors received willing portions for fees due; the Printer for his paper. The widow and the poor were never forgotten. Half a century ago every family calculated on putting up a barrel of shad—many with great care; and so fat and rich were they, that an epicure might regard them a luxury.

"Ah," cried the old People, still chewing on the past, 'what times when we were young and shad were plenty; the present generation knows no such happiness.'

Hendrick B. Wright whose "Historical Sketches of Plymouth" were published in 1858, and who shared in the excitement and profit of fishing at about the same time referred to in the Miner narrative, throws additional light on this early occupation:

"When the State of Pennsylvania commenced the building of her public canals, it put an end to the shad fisheries. It became necessary to use the large rivers for the purposes of feeders; and the erection of dams to accomplish this, created a barrier which totally interrupted the annual ascent of this delicious fish up the Susquehanna. Before that, this stream had become famous for its shad fisheries, and, in fact, this product was one of the chief staples of food in the early settlement of the country. The system of internal navigation commenced in 1825; since then the fisheries have been abandoned. It was in one sense a public calamity, for the people along the shores of the Susquehanna looked forward with as much interest to the fishing season as to the time of their harvest. The crop, indeed, was quite as important to them. Many poor families the fisheries supplied with the chief article of their food, for at least a third of the year. By a reference to Franklin's diary, it will be seen that one of the causes of the wrongs inflicted upon the Plymouth settlers by Wilkes-Barre magistrates, as far back as 1784, and of which he complains, was the destruction of their fishing-nets and seines.

"From that time down to 1825, a period of thirty nine years, the shad crop was relied upon by the people as one of the utmost importance. Large numbers of the people of Plymouth were shareholders in the shad fisheries. Those who were not, were supplied at a mere nominal price. Previous to 1800, the price probably did not average more than two cents a piece, and from that period up to 1825, when the dams were put in the river, the highest price did not exceed eight or ten cents apiece. Thus a laboring man, who had no interest in the fisheries, could lay in his year's supply for the receipts of a week's wages.

"And while the whole population along the Susquehanna were exceedingly anxious to have the canal, they indulged in feelings of deep regret at the idea that it would result in the total destruction of their fisheries. The great advantages they contemplated from the inland navigation, overbalanced the consequent loss of the fisheries. They submitted, but a great many of the old settlers could hardly reconcile their minds to the exchange. They did, however, but with extreme reluctance.

"The day of railroads had no existence forty years ago. 'De Witt Clinton and the grand canal,' were the watchwords of progress. New York led off, and the other states followed in her wake. The motto was interwoven upon handkerchiefs and vest patterns. I well remember of wearing a vest with these words interwoven all over it. And so with the ordinary water pitchers; they would be decorated with the profile likeness of Washington, Lafayette, Decatur, Lawrence, Perry, or Scott, so that every time the old pioneer brought the cider mug to his mouth, he had looking him in the face some one of the land or marine heroes of the country. A good reminder! It may be said these were days of primeval simplicity. I would they could return to us again. Particularly if they would bring along with them those habits of honest rusticity, when jails were tenantless, and the scaffold a thing of the imagination only.

"But our subject is not to theorize, but to jot down facts and things connected with the past, and blended with the lives and transactions of our ancestors.

"Plymouth was noted for its good shad fisheries. There were three of them. The Mud Fishery, nearly opposite the old Steele ferry. The point of 'hauling out' was on the west bank of the river, and probably a half mile below Garrison Hill, called also a 'night fishery.' They never drew the seine in the daytime. I have taken part in the work here a great many nights, in years gone by, and have shared as many as a hundred shad for the labor of a night.

"Another fishery was located at Fish Island, sometimes called Park's Island. Its last name came from the residence of an old rheumatic man who hobbled on two crutches, one under each armpit, with a bag slung over his shoulders, in which he carried herbs. He was an herb doctor, and was known far and wide as Dr. Parks. Some time about the year 1835, he made a voyage to Washington, D. C., in his canoe. He went for a pension, and he got it. He came back with his canoe by the way of the Chesapeake and Delaware canal; thence up the Delaware to Easton, and then up the Lehigh navigation to White Haven, within twenty miles of

his home. Canoes in past days were an important river craft. I have already stated that this was the vessel Colonel Franklin navigated when he went on his mission from the Valley to Annapolis, to present the settlers' petition to Congress. He informs us that he left his canoe at Conawago Falls, near Harrisburg, and proceeded the rest of his journey on foot, by land.

"Dr. Parks being unable to walk, or with very great difficulty, passed through the falls and landed at the wharves on the Potomac at Washington. The doctor gave a circumstantial and interesting account of his voyage on his return, and exhibited his pension certificate; as to the propriety of granting it, the people of the valley generally entertained very grave doubts. And I believe it never has yet been ascertained, and probably never will be, for what particular military service this bounty was granted. He said 'it took him just two months to make the voyage; and the rheumatics almost killed him, too; the tide water seemed to baffle the warts of all his yarbs, and at one time he nearly give in.'

"Dr. Parks had a slab hut some ten feet square, and six feet high, on Fish Island. This was his domicile and home, except during high floods, and when these occurred, the doctor, along with the exodus of his friends and neighbors, the muskrats, would seek refuge on the main land. His cabin was fastened by a cable to a huge sycamore hard by.

"The old name of Fish Island became partially obscured; the long residence of the root doctor attaching to it his own patronymic. Before the erection of the dam immediately below, this island was much larger than it is now, the back flow of the water has submerged probably two-thirds of the original surface.

"This was a day fishery, and in early times there were some most extraordinary hauls made. One of them, somewhere between 1790 and 1800, tradition informs us, yielded 'nine thousand nine hundred and ninety-nine shad.' I have been informed by persons who were present, that this haul was made on a Sunday morning; that in bringing the seine to, on the point of the island, it soon became apparent that the twines of the meshes would not withstand the pressure of the load, and that two other nets were put around it, and in this way only a part of the immense catch was secured. That the number of fish taken at this haul was nearly or quite ten thousand, there is no question. I have heard the relation of the story from the mouths of credible persons who were present at the time.

"The third was known as the Dutch Fishery, located at the lower end of the narrows below Nanticoke, the upper end of the Croup farm was the point of hauling out. The fishing was done most generally here during the night, though occasionally they dragged their nets in the daytime. My father said that his share at one night's catch, at this fishery, was nineteen hundred. He was the owner, however, of the seine, and drew a fifth of the product.

"I think that it may be fair to estimate that these three fisheries, in ordinary season, would yield not less than two hundred thousand shad. The state, therefore, in closing up the natural channels of the Susquehanna, did an immense injury to the people along its shores. The policy, however which caused it may have made a full equivalent for the damage in other ways. The generation, however, who immediately preceded us, could not forget the annual luxury which the shad fisheries of the Susquehanna had afforded them. With them it was ever a subject of regret, that they had exchanged their fisheries for the canal.

"An attempt has been made within the few past years to so arrange the chutes of the Susquehanna dams that the shad may pass up them; but the result thus far has been almost total failure. The people of this valley will probably never have the satisfaction of seeing the river stocked with this delicious fish, so long as the waters are made contributory for feeders of the canal. The shad fisheries, therefore are among the things of the past.

"The Susquehanna, but for its shad, was not remarkably celebrated for its fish. Eels were pretty abundant in the fall of the year, but the season for taking them was very short; and its waters contained but few other specimens, and those comparatively insignificant in number. The Oswego bass, however, were common in its waters, and sometimes obtained a large size. I have seen them of fourteen pounds weight."

The ax of the settler had not bitten so deep into the forest, at this period, as to interfere with an abundance of game, for those who preferred the pleasures of the chase to the more monotonous call of husbandry. The names of many local hunters have come down to later times by tradition and otherwise. Deer was plentiful, as it is in wooded districts of the county today. For those who desired more dangerous sport, the panther offered a challenge. These animals are mentioned in all the early correspondence of Wyoming. They were colored a brownish red, with small patches of a deeper tint, the throat and jaws being white. When full grown, they weighed as much as one hundred and fifty pounds and sprang upon their prey with deadly cunning.

From 1808 to 1820, during which years a bounty was paid for the scalp of each "painter" brought to the Court house, the sum of \$1,822 was paid to hunters of this animal, representing an average kill of fifty per year, even in those later times.

The depredation of wolves was an early and constant source of complaint on the part of settlers even in the more thickly populated districts. In 1798, the County Commissioners were forced to offer a small bounty for each wolf scalp produced. Under this resolution, the Commissioners paid out the sum of \$393.79 for scalps, in 1799; the sum of \$247.42 in 1801; \$619.91 in 1802; \$306.47 in 1803 and \$528 in 1805.

In March, 1806, the Legislature of Pennsylvania offered a bounty, in addition to those offered by counties, of \$8.00 for each wolf head exhibited "to encourage the killing of wolves in the state" Under this act, the Commissioners of Luzerne, in the same year, paid for seventeen heads the sum of \$136.00 on the State's account.

The *Susquehanna Democrat*, of September 9, 1814, published the following, under the caption of "Wolves:"

"These destructive animals have lately made a great havoc amongst the Flocks of Sheep in Kingston, Exeter, Plymouth and vicinity.

"To remedy so great and destructive an evil, a number of the inhabitants of said township have agreed to meet at the house of Nathan Hurlburt, in Kingston, on Wednesday the 14 inst. at 2 o'clock P. M. to devise means to secure themselves against like devastations in future.

"Our fellow Citizens of Wilkesbarre, Hanover and Pittston, are respectfully invited to attend, as we consider them in a degree interested, and will cheerfully do a like good turn to them for the favor when a like evil presents itself at their door.

"It is contemplated if deemed expedient at the meeting, that the people generally turn out for one day and scour that part of the country where the animals are supposed to conceal themselves."

As late as 1822, the incursion of the wolf had by no means reached its end. In the same publication, under date of December 22nd, an account of a wolf hunt appeared:

"A few days since the citizens of the Plains discovered the tracks of several wolves leading into a swamp between the main road and the river, and immediately rallied for a hunt, to the number of 50 or 60. They formed themselves into two companies under the direction of Capt. Blanchard and C. Cortright, Esq., and surrounded the swamp. Almost at the first onset the company engaged a wolf, and while the animal was fighting one of their dogs, Capt. Blanchard caught it by the hind legs and cut its ham-strings with his knife. The swamp was thoroughly invaded, and after considerable sport, three wolves were caught. It appears the citizens were quite collected and cool, for there was no random shooting to endanger the lives of any concerned. The wolves had previously killed a number of sheep in that neighborhood—and it is supposed there are several others prowling about, which it is hoped will eventually share the fate of those above mentioned."

While the wild turkey was a subject of frequent mention, from the earliest settlement of Wyoming, the wild or passenger pigeon does not appear to have excited much comment until after the year 1800.

Audubon advanced the theory that the wild pigeons formed one great colony. This seemed to be borne out by the fact that sometimes, in one part of the country, they would cover an area of woods more than ten miles square, for their nesting and roosting places, while they would be seen in other parts of the country simply as isolated flocks, on swift wing, all flying in the direction of the great nesting ground. But while the wild pigeons might have been one great colony of birds, they usually arranged to nest in several great divisions, in different parts of the country—the beech woods of New York and Pennsylvania, Canada and Northern Michigan, being their favorite resorts—according to the condition of the feeding grounds.

Proximity to beech woods was the chosen spot, always, for the annual pigeon roosts. One of the greatest of these was in Sullivan County, New York, and the beech woods of the adjacent Counties of Wayne and Pike, in Pennsylvania. The last appearance of any wild pigeons as far east as that, however, was in 1876, when they occupied the beech woods by the million.

In the deep weeds, falling leaves protected an enormous quantity of beechnuts throughout the winter. The tree is uncertain in its yield, however, and Audubon is authority for the statement that pigeon scouts were sent out in the fall, to determine the yield in different localities. When spring came, the main flocks set out as early as February, for the most promising feeding grounds.

In the Documentary History of New York, Vol. III, page 632, is a statement by Gideon Hawley that the continental flock appeared in the Mohawk Valley in 1753. The feeding grounds may have been elsewhere in years before the opening of the nineteenth century or the Susquehanna Valley was the route of only isolated outwards of the main body. But in later years the Susquehanna country saw the main flocks in their migrations, much to the wonderment of all concerned. The first local newspaper mention of the mysterious appearance of these flocks is found in the *Wilkes-Barre Gleaner*, March 8, 1815. From that time until 1860, the subject commands important space in newspaper columns during the periods of flight.

The passage of wild geese seems likewise to have won at least an annual spring notice. In a paper read before the Wyoming Historical and Geological Society, December 11, 1885, by William P. Ryman, and published in Vol. VI, page 143, of the "Proceedings" of that Society, a description of how the wild pigeon was hunted in the neighborhood of Dallas would apply to other districts covered by their flight:

"A practical benefit from raising buckwheat was that, in gathering it, a large quantity of it shook off and was scattered over the fields. This afforded a most attractive pigeon food, and during the fall and spring seasons, and often during much of the winter, pigeons would flock in countless numbers all over the country. They came in such quantities that it would be difficult to exaggerate their numbers. When a boy I used to see flocks that extended as far as the eye could reach, from end to end, and these long strings or waves of birds would pass over so closely following each other that sometimes two or three flocks could be seen at once, and some days they were almost constantly flying over, and the noise of their wings was not unlike the sound of a high wind blowing through a pine woods. They cast a shadow as they passed over almost like a heavy cloud. Often they flew so low as to be easily reached with an ordinary shot gun. The skilled way of capturing them in large quantities, however, was with a net. William, or "Daddy" Emmons was a famous pigeon trapper as well as fisherman. He used decoy pigeons. They were blind pigeons tied to the ground at some desired spot, and when they heard the noise of large flocks flying overhead, they would flap their wings as if to fly away. Attracted by this the flock would come down and settle near the decoys, where plenty of buckwheat was always to be found. When a sufficient number had settled and collected on the right spot, Mr. Emmons, who was concealed in a bush or bough house near by, would spring his net over them quickly and fasten them within. After properly securing the net, the work of killing them began. It was done in an instant by crushing their heads between the thumb and fingers. Hundreds were often caught and killed in this way at one spring of the net. Pigeons were so plenty that some hunters cut off and saved the breast only, and threw the balance away. Pigeon trapping in Dallas twenty-five and thirty years ago was almost if not quite a parallel with the great shad fishing days in the Susquehanna."

Bear, likewise, was abundant, but that actual damage done by these animals was not as pronounced as that charged to wolves is surmised by an absence of bounties offered by either county or state, for their destruction. As an article of commerce, however, the value of a bear skin offered an inducement to hunters. Items of expense and profit, in the accounts of Judge Matthias Hollenback, at Wilkes-Barré, and points further northward on the Susquehanna, indicate that these pelts furnished no small part of the return cargo of the Durham boats he owned and which, as will later be mentioned, plied between Middletown and the upper Susquehanna, in trade with Philadelphia.

That Judge Hollenback had opposition in this particular matter of business is indicated by an advertisement which appeared in the *Luzerne Federalist*, of June 23, 1803. Under the heading of "Wanted" is the following:

"1,000 bearskins of good quality and for which the highest prices in cash will be paid.  
"ROSSETT AND DOYLE, Wilkes-Barré."

While much of tradition surrounds the prowess of individual hunters and trappers of this period, and stories of large bags of game, as well as exciting encounters between the solitary woodsman and his dangerous prey, may have grown with the telling, these traditions of the early hunting days of Luzerne are quite as thrilling as pertained to any county of the Commonwealth. The proverbial outfit of the hunter was "a quarter of powder, a pound of shot, a pint of rum and a flint."

The names of Ishmael Bennett, of Wilkes-Barré; Wheaton, of Wyalusing; John McHenry, of Fishing Creek; George Sox, of Bear Creek, and Fred Arnold, of Hanover Township, stand out among the rest, as commanding attention at those rare intervals when they were in a story telling mood of their hunting days.

With the men engaged mainly in agriculture, and with hunting and fishing at hand for their leisure hours, it is not to be imagined that the women folk of their families were idle. Almost every home contained a loom, one or two spinning wheels and a dye pot. They spun flax, wove cloth for clothing and carpets by way of adornment of their homes.

The "spinning bee" was not uncommon, and a rivalry existed among the settlements as to who could turn out the largest production of standard cloth per day. It is narrated that Miss Mary Smith of Pittston, frequently spun and reeled one hundred and twenty knots, between daybreak and twilight. Thus did agriculture and manufacture go hand in hand at Wyoming.

The first statistics of records in 1810, as to the quantities of different grades of cloth manufactured by the women of Luzerne, presents an interesting table:

TOWNSHIP	LOOMS	YARDS OF LINEN	YARDS OF WOOLEN	YARDS OF COTTON
Kingston	25	6135	1827	93
Plymouth	42	7847	1762	91
Pittston	28	5740	1690	59
Wilkes-Barré	33	6531	1717	129
Exeter	31	3771	1394	80
Abington	39	2485	1429	34
Providence	36	5643	1430	147
Hanover	25	5369	1291	60

The first carding machine, for the use of the public, seems to have been that owned in 1805, by Nathan Hurlburt, who then lived at Old Forge. Here wool was picked and carded for eight cents per pound. Azor Sturdevant established a fulling mill, at Kingston, in the same year, where he advertised that "London brown, chrome color and federal blue, would be given to cloth, in the best style."

That the manufacture of whiskey, from extensive rye crops raised along the river flats, was a common matter among the settlers, but merely emphasized a custom of the time. Reasons for this need little explanation. Whiskey was considered a thing of household use, to be proffered friend or stranger, with the hospitality of the home. Moreover, the horse which carried five bushels of grain to a local distiller, could return with twenty-five gallons of spirits, for which latter there was always a ready market, either for cash or in exchange for tea, coffee, salt, sugar, nails and other staples.

Of the early distilleries of the county no records are available. For a number of years surplus grains from Wyoming were shipped by river to Sunbury, in which district a number of stills had been established, prior to the Revolution. In 1775, there is record of purchasing agents from Northumberland visiting the

settlement for the purpose of securing rye, in particular, of the settlers for distilling purposes. A report sent to the fall session of the Court at Wilkes-Barré in 1804 states that six distilleries were then in operation in Wilkes-Barré township and thirteen more in other parts of the county. This account, however, did not take into consideration spirits manufactured in numerous private stills.

Taverns kept in the county, in 1789 and 1790, are disclosed by Court records to have been those of Jesse Fell, John Paul Schott and Abel Yarrington, at Wilkes-Barré; Lawrence Myers and Philip Myers, at Kingston; Jonah Rogers, at Plymouth; Waterman Baldwin, at Pittston; James Lapley, at Hanover; Gideon Osterhout, at Putnam; Isaac Hancock, at Springfield and Thomas McCheer, at Tioga Point.

As early as 1756, Pennsylvania imposed an excise duty upon all distilled spirits, but it proved such an unpopular measure that it was shortly thereafter repealed. In 1791, however, after the power to impose duties, taxes, imposts and excises had been delegated by the states to the Federal government, Congress established an excise duty of 4 pence per gallon, on all distilled spirits. No trouble appears to have followed this procedure in Luzerne County. But in western sections of the State, where whiskey was manufactured on a large scale, for export down the Ohio and Mississippi rivers, the people of Washington, Fayette and Alleghany Counties in particular, viewed the law as one of oppression. They stigmatized it as unjust, and as odious as those laws which led to the Revolution, and considered themselves justified in forcibly opposing its enforcement.

Equally obnoxious to the manufacturers of this article was the ruling that Courts of the State did not have concurrent jurisdiction in cases involved under the National law. The nearest Federal Court was at Philadelphia, and to that point all who were charged with offenses, or were concerned in any way with the measure, were forced to travel.

Overt acts of lawlessness kept pace with hostility of feeling, and the "Whiskey Insurrection" became a menace to the Federal government. Revenue officers were seized by small parties, often painted and disguised as Indians. Others were tarred and feathered. Community meetings were held at which inflammatory speeches were made and denunciatory resolutions adopted. The barns, homes and distilleries of those who favored peace with the government were frequently destroyed by fire. Even Pittsburg itself was threatened.

The government attempted at first to meet the situation half way. The tax was reduced by a new act of Congress, in 1792. But this did not satisfy the distillers, nor the country-sides which supplied them with grain. The country continued in a state of insurrection. Finally, in 1794, after all mild and dissuasive measures had failed, President Washington resolved to raise and equip an army for the purpose of quelling the insurrection. The Wyoming Valley, as has been the case in each war of the Republic, responded promptly to the call. Captain Samuel Bowman was commissioned to raise a Company of volunteers in the county, and he spent a major portion of the summer of 1794 at this task. Late in August the Company was mustered\*, on the River Common, at Wilkes-

\*Copy of the muster roll of Captain Bowman's Company:

Captain, Samuel Bowman; Lieutenant, Ebenezer Parrish; Ensign, Arnold Colt; Sergeant, Daniel Spencer; 2d Sergeant, John Freeman; 3d Sergeant, John Alden; Corporal, Archibald White; 2d Corporal, Oliver Parrish; 3d Corporal, Robert Lewis; 4th Corporal, Thompson Holliday; Fifer, Peter Yarrington; Drummer, John Wright. Privates: Samuel Young, Solomon Daniels, John Cochran, Elisha Parrish, James Sitey, Thomas P. Miller, Peter Grubb, Arthur McGill, James Johnston, Joseph Headsdale, Daniel Alden, Simon Stevens, Warham Strong, David Landon, Gideon Underwood, Jeremiah Decker, James Robb, Sale Roberts, Partial Roberts, Rufus Drake, Benjamin Owens, John Earl, Charles Howes, Curtis Grubb, Thomas Jeayne, Joseph Grimes, Jesse Tompkins, William Harris, Jesse Coleman, John Talliday, Cofrin Boidwell.

Barré, and on September 1, 1794, marched to Carlisle, via Sunbury, where it was attached to a battalion of light infantry commanded by Major George Fisher.

Some 15,000 troops, composed of the regular army and volunteers from Pennsylvania, Maryland, Virginia and New Jersey, were reviewed, at Carlisle, September 15, 1794, by General Washington, and proceeded to the headwaters of the Ohio by way of Berlin and the gap of the Youghiogheny, into McKeesport. At Bedford, Captain Bowman's command joined the main body. Governor Henry Lee, of Virginia, was named commander in chief of the expedition, with Governor Howell, of New Jersey and Governor Mifflin, of Pennsylvania, each named a general officer and placed in command of the quota from his state. This formidable force found but little to occupy its attention. Cavalry detachments were sent into districts where the greatest disaffection had existed, the more active leaders of the insurrection were arrested and sent to a prison camp at Cannonsburg, but no blood was shed and no active opposition to the movement of troops in any part of the district resulted.

With their leaders in prison, the balance of the population came quickly to a conclusion that the new Federal government intended to enforce, at any cost, the laws of its making. Many of these leaders were subsequently indicted, but further steps against them were held in abeyance, in consideration of future good behavior. Thus it came about that a display of firmness, by President Washington, at the psychological time, backed by an adequate force to put its mandates into execution, settled for all time any doubt in the mind of the country at large of the ability of a Federal government to maintain itself. Captain Bowman's command reached Wilkes-Barré shortly before Christmas of the same year and was mustered out of service immediately thereafter.

The renaissance in Wyoming affairs might be said to date from the erection of a Court House, on the Public Square, at Wilkes-Barré. In the days when Luzerne was Westmoreland County of Connecticut, the settlers had been punctilious in their regard for law and order and in maintaining competent courts of law and equity. It has been seen in a previous Chapter that the coming of Chief Justice Thomas McKean to Wilkes-Barré, in 1787, for the first Court held under the jurisdiction of Pennsylvania, found no public building in the community in which such an important session as the trial of Col. John Franklin could be held. Instead, the Court proceedings were held in the home of Col. Zebulon Butler. Inspired by the sentiment that law and order were again to come into their own in a vexed district, the settlers began the erection of a somewhat suitable building, as has been described in Chapter XXXIII. Even so small a public undertaking, however, dragged discouragingly, but eventually, in 1796, it was completed, and the community felt itself on the high road to a greater stability.

In October, 1790, came on the first general elections for Governor, in Pennsylvania, under the new Constitution. General Arthur St. Clair was the candidate of the Republican party, General James Mifflin, that of the Constitutionalists. Each had been president of the Supreme Council of the Commonwealth in earlier days. Although supported by Robert Morris, Frederick A. Muhlenberg and other influential men of the eastern district of the State, General St. Clair was not generally known to the younger generation of voters. Moreover, his defeat in Ohio, at the hands of the Northwest Confederacy of Indians, in November, 1791—an unfortunate event which had left its mark in subsequent Indian atrocities—



had tinged his military record with more or less odium. The election was warmly contested at Wyoming, as elsewhere, General Mifflin receiving a substantial majority of votes in Luzerne County, as well as through the State at large.

As if to quicken the lagging religious interest of the community, there appeared, on March 18, 1790, Jemima Wilkinson\*, a remarkable character of her time, who preached to the settlers during a stay of a week in the community. Known as the "Universal Friend", she had already established a colony imbued with her doctrines, in New York, having in 1787 passed through Wilkes-Barre with some twenty-five adherents, on her way from Philadelphia to certain lands leased by her from the Six Nations. Just what impression the "Universal Friend" made at Wyoming, or whether any proselytes joined her colony here, is not left us to know from any record of the time. Col. Pickering, with his usual facility for recording events, has left the following description of the woman as she appeared at Wyoming:

"Jemima was a fine looking woman, of a good height; and 'tho not corpulent was inclined to embonpoint. Her hair was jet black, short and curled on her shoulders. She had fine eyes, good teeth and complexion. Her dress consisted of a silk purple robe, open in front. Her under-dress was of the finest white cambric or muslin. Round her throat she wore a large cravat, bordered with fine lace. She was very ignorant but possessed an uncommon memory. Although she could neither read nor write, it was said she knew the Bible by heart, from its having been read to her."

In the fall of 1890, the County Court divided the whole of Luzerne into eleven townships.† These retained old names familiar to Connecticut days, but six of the original townships were dropped by Court order, and their boundaries absorbed in the remainder. The eleven thus designated were: Wilkes-Barre, Pittston, Hanover, Newport, Exeter, Plymouth, Kingston, Salem, Tioga, Wyalusing and Tunkhannock. The last three included nearly all the territory now included in the Counties of Lackawanna, Bradford, Susquehanna and Wyoming.

At the March session, in 1791, owing to complaint as to great distances which had to be traversed in order to reach a Justice, the Court set off Willingboro township from the boundaries of Tioga. In 1782, upon petition of their inhabitants, Nescopeck and Providence Townships were added by contracting the area of Newport and Pittston Townships respectively, and in 1793, Huntington Township was likewise erected from the boundaries of Salem.

A matter of general interest to Wyoming appears to have been the visit of a number of Sachems of the Six Nations, on their way to the Philadelphia

\*JEMIMA WILKINSON was extensively known as a religious impostor. She was born in Rhode Island in 1753 and was educated a Quaker. About 1773, upon recovering from a fit of sickness, during which she had fallen into a syncope so that she was apparently dead, she announced that she had been raised from the dead and had received a divine commission as a religious teacher. Having made a few proselytes, she removed with them into western New York and settled about 18 miles from Geneva, calling her village "The New Jerusalem." In consequence of the ignorance of her followers, she was able to live in elegant style, having a half dozen beautiful damsels in attendance. She inculcated poverty, but was careful to be a large land owner. She died in 1819. Joseph Brant once very adroitly dis-comforted her. As she professed to be Christ in the second coming, Brant tested her by speaking in several Indian languages, none of which she understood. He then disclosed her imposture, declaring that Jesus Christ must, of course, understand all languages.

See, Stone's "Life and Times of Red Jacket," page 213.

†Under the constitution of 1790, the governor appointed the Justices of the Peace to serve during good behavior, in districts to be made up of one or more townships. The following were so appointed:

1791—Lawrence Myers, Kingston township; Arnold Colt and William Ross, Solomon Avery and John Phillips, Wilkes-Barre district; Guy Maxwell, Tioga district; Peter Grubb and Nathan Beach, Kingston district; Christopher Hurlhut, Wilkes-Barre district; Joseph Kinney and Isaac Hancock, Tioga district; Minna Duhois, Willingboro district; John Paul Schott, Wilkes-Barre town and township. 1793—Moses Coolbaugh, Tioga township. 1796—Asahel Gregory, Willingboro township. 1797—Resolved Sessions, Tioga township. 1798—Noah Wadhams, Jr., King ton district; Oliver Trowbridge, Willingboro township; John T. Miller, Kingston district; James Campbell and Joseph Wright, Wilkes-Barre township. 1799—Charles E. Gaylord, Huntington township; Constant Searle, Providence township; Matthew Covell, Wilkes-Barre township; Henry V. Champion, Wyalusing township; Elisha Harding, Tunkhannock township; David Paine, Tioga township. 1800—George Espy, Hanover, Wilkes-Barre, etc., townships; Jacob Bitterbender, Nescopeck, Wilkes-Barre, etc., townships; Benjamin Newberry, Northmoreland, Tioga, etc., townships; Thomas Duane, Wilkes-Barre township; Asa Eddy, Willingboro township (revoked March 28, 1805); Jonathan Stevens, Braintown township; Guy Wells, Wyalusing township; Benjamin Carpenter, Kingston township; William Means, Tioga township; Zebulon Marcy, Tunkhannock; John Marcy and Thomas Tiffauy, Willingboro township. 1801—David Barnum, Willingboro township. 1803—John Marsy, Nicholson, township. 1804—Bartlett Hines, Rush township.

Council, in March of 1792.\* This Council was called to counteract the British influences which were still being exerted among the various tribes and had been responsible for recent uprisings against the American frontiers in the Northwest Territory. It was the hope of President Washington and his advisors, especially Colonel Pickering, the American Commissioner, that in reaching Philadelphia at that time, when the Congress was in session, they might be impressed with the physical and moral strength of the country, and might see with their own eyes how futile must be every future warlike effort to contest this strength.

Every effort was made to secure the attendance of Captain Joseph Brant, the acknowledged head of the remnant of the Six Nations, who had not moved west of the Ohio or into Canada. But the written invitations of Colonel Pickering, Secretary of War Knox, and of the President himself, the haughty Brant declined. He had been made much of by the British as an individual, and perhaps his recent trip to London, where he had been received by royalty and became an object of almost national curiosity, influenced his declination. Years afterward, we are told in Stone's "Life of Brant" that the real underlying reason for refusing to visit the then Capital of the United States, was because he would have to associate with a lot of Indians of inferior rank, and this he considered beneath his dignity. In the fall of 1791, he did visit Philadelphia, after a series of unhappy adventures in descending the Hudson river to New York, where his life was several times in jeopardy at the hands of friends and relatives of those who had suffered at the Cherry Valley Massacre.



RED JACKET

Upon that occasion he refused to confer with no less a personage than the President himself.

But the eloquent Red Jacket, who succeeded Brant as the acknowledged head of the Confederacy, after the latter's death, attended and became chief spokesman for the Indians at the Council.

So did Farmer's Brother, Big Peter and other notables of the Senecas, Oneidas and Onandaguas. They, with lesser sachems and their retinues, left their canoes at Wilkes-Barré and proceeded overland to Philadelphia.

During their short stay at Wyoming they seem to have been most cordially treated by the settlers, who came from far distant country districts to gaze upon some of the warriors who had opposed them on the battle field, thirteen years before.

At the end of the session which dragged along much to the embarrassment of Philadelphia, until the end of May, all returned via the Wyoming Valley

\*For an interesting account of the proceedings of this conference, see "Life of Pickering," Vol. III, pages 39-49. Colonel Pickering at that time was attending to his new duties as Postmaster General in Philadelphia but his wife and family were still at Wyoming. To these he wrote in his usual painstaking manner of the event.

excepting Big Peter, who died at the capital from excessive hospitality of the whites, and was buried with full military honors, in the Friends cemetery.

In the first volume of records of the Court of Luzerne County, kept until 1790, in the legible handwriting of Colonel Pickering, there are recorded many signs of an awakening of the community.

Petitions were filed at every session for the building of new roads. The appointment of road viewers and supervisors engaged much of the Court's attention. A grand jury, at the March term of 1790, declared the Court House chimney a nuisance and ordered it torn down and rebuilt.

At the September term of the same year, four new members of the bar were admitted to practice, thus indicating that legal matters of the county were, becoming of sufficient importance to engage more than the three practitioners who then lived at Wilkes-Barré; Ebenezer Bowman, Rosewell Wells and Putnam Catlin. The newly admitted members were Thomas Duncan, Jonathan Walker, David W. Ketcham and George Echert. Breaches of the peace were numerous enough, to judge from the records, but the general run of the criminal side of the Court's business was limited.



AMERICAN STAGE-COACH OF 1795  
From Weld's "Travels."

At the spring term of 1791, Zebulon Marcy was indicted for challenging A. Atherton to a duel, but before trial, Mr. Marcy seems to have surreptitiously left the county and his bondsmen suffered accordingly.

An interesting but belated report of financial conditions of Luzerne, was filed with the Court at the same session. Abel Yarrington, County Treasurer, stated that he had collected the sum of 370£ 14s. and 10½p. from taxes, in the year 1788, the sum of 553£ 16s. and 2p. in 1789, and the further sum of 506£ 4s. and 9p. in 1790, making a total of 1430£ 15s. and 9½p. for the three years; something less than \$5,000 in Continental currency of the time. Mr. Yarrington, however, asked to be credited with expenditures of only 1214£ and a few shillings on behalf of the county, leaving a balance on hand of 215£.

The same Court Term appears to have been an unusual period of accounting. Auditors named by the judges stated "That the Trustees for building a Court House and gaol have made a mistake in charging the county twice in an amount of 1£ 3s. and 4p. for the same thing. That their accounts are otherwise regular, excepting a mistake of two or three pence in the additions of particulars."

At the sitting of the Grand Jury in 1792, (Nathan Landon foreman) it was recommended that the jail have a vault, a fence and a well.

In a previous Chapter was mentioned the fact that the first floor of the Court House was used, when the building was completed, as a jail and a residence for Stephen Tuttle, the first jailor. The unsuitableness of the place, as well as a growing need for safe confinement of prisoners, lead Colonel John Franklin,

High Sheriff of the county when this term was held, to add his protest to that of the Grand Jury in the following language:

"John Franklin, Esq., High Sheriff, represents to the Court that he has examined the prison of this County and is of opinion it is insufficient, therefore he cannot consent to trust prisoners therein at his risque."

Pearce in his "Annals of Luzerne County," narrates a story which 'tinged about the rude hewn log structure of the time. "During the sitting of the Supreme Court, on one occasion," so runs the story, "an unusual noise disturbed his Honor, Judge McKean who, in a stern voice, commanded 'silence.' The noise, however, continued, when the Court sent for Jailor Tuttle who, evidently much incensed, informed his honor that the d—d hogs had got at his corn in the garret by coming up the outside steps that morning. Mr. Tuttle was ordered to eject the intruders forthwith. There proved to be but one hog, which rushed forth with a tremendous grunt, capsizing Tuttle, as well as the gravity of the court."

Whether the well was dug or the fence built, does not appear. But the Grand Jury for the November session of 1793, reported as follows:

"Having viewed the county jail and the jailyard the grand jury do find that the apartments in which prisoners are confined are by no means suitable for the reception of human beings at this inclement season—it is recommended that a close stove, together with a sheet iron pipe be immediately erected in one of the rooms.

"PETER GRUBB, Foreman."

The Court House, in spite of its flaws in construction, was used by the Rev. Jacob Johnson\* for conducting divine services. As has been noted, Mr. Johnson had been ministering to the spiritual wants of the settlers, irrespective of creed, since 1773. Through his efforts a church edifice had been begun in Wilkes-Barré prior to 1778, but it, together with practically all other buildings, had been burned by the savages after the Battle of Wyoming. From the return of the settlers to the valley, until 1791, no suitable building was available for church purposes, but meetings were, nevertheless, regularly conducted in private homes, school buildings and frequently in seasonable weather, out of doors.

At this time there appears to have been but one building in the county classed as a church. The Paxtang Boys, who had settled Hanover township, were largely of the Presbyterian faith. A year or two previous to the erection of the Court House, they had combined their efforts in the building of a small frame structure on Hanover Green, whose pulpit was, from time to time, supplied by frontier missionaries.

The Rev. Elias Von Bunschoten, a German Reformed Congregational minister from Minisink, visited Hanover upon many occasions, and in 1791, after an extended stay, organized the first Congregational society in that community.

He was followed, in 1792, by Rev. Andrew Gray, a Scotch Irish preacher of notable eloquence who, early in his pastorate, married Mary, the daughter of Captain Lazarus Stewart with whom he shortly afterward removed to Poughkeepsie, New York. At this period also, Rev. Noah Wadhams†, who had been an early arrival at Wyoming and had settled at Plymouth, was preaching alternately at Plymouth and Kingston.

It was due to the exertions of Rev. Mr. Johnson that "Old Ship Zion," Wilkes-Barré's first and perhaps most famous church edifice, was later to raise its

\*For a sketch of the life of Rev. Jacob Johnson, see Vol. II, page 744.

†See sketch of Rev. Noah Wadhams, Vol. II, page 738.

lofty steeple and proclaim the church hour by its sonorous bell. Back in Mr. Johnson's mind dwelt the memory of an incident during the trial of Colonel Franklin for treason, at the first session, of the Luzerne Court, which made him feel that a court room was not a fit place for his preaching. Mr. Johnson was a Franklin partisan and waxed eloquent in his partisanship. Upon this particular occasion he had denounced Pennsylvania, its Supreme Court and its brand of justice, from the pulpit, in no uncertain terms.

By order of Chief Justice McKean, he was ordered to be brought before the Court for his utterances and required to give bond for his future "good behavior."

This slight put upon him in no wise lessened the will with which he began his labors for a church edifice in 1791. Through his exertions, his congregation in that year appointed Zebulon Butler, Nathan Waller, John Paul Schott, Timothy Pickering and Daniel Gore, to select a site for the building and solicit subscriptions for the structure. A year later another committee was appointed, at a town meeting, to lend encouragement to the matter, and it was decided to secure funds by the sale of the public ferry which plied a somewhat lucrative trade at Northampton street. Mr. Johnson was not to live to see his labors rewarded.

He died on March 15, 1797, four years before the erection of the edifice actually began, and was buried in a grave prepared by his own hands back of his home on Westfield's Hill, "facing the east", as he requested, "so that he could see the glorious pageant of the Messiah in His second descent."\*

The outdoor life of the early settlers kept the general health of the community at a high average. Fever and ague was the almost universal complaint, as it is along most bottom lands thrown open to cultivation.

An epidemic of small pox, brought from Philadelphia, had swept Wyoming in 1777. Pearce mentions the presence of typhus fever, in 1778, and Miner records an unusually hot summer of 1780, followed by an epidemic fever, widespread in extent and distressing in severity. The spring before the massacre was memorable by reason of what was called "putrid fever", several prominent settlers falling victim to its ravages, among them, the wife of Dr. William Hooker Smith and his daughter, the wife of Dr. Lemuel Gustin.

The first physician of Wyoming was Dr. Joseph Sprague, who came with his family from Poughkeepsie, in 1771. His arrival appears to have been induced rather by a desire for obtaining lands than for the purpose of practicing his profession. He was voted a settling right in the township of Wilkes-Barré a year after his arrival, and later became a proprietor of the township of Lackawanna. No name among all the early arrivals is entered more frequently upon records of the time, in real estate exchanges, than is that of Dr. Sprague. He, however, found time to relieve physical distress in the neighborhood. Until the coming of Dr. William Hooker Smith, a year later, he was the only practitioner in a territory 150 miles in extent, from Cochection on the Delaware to Sunbury. The Sprague family furnished the earliest divorce case in the annals of Luzerne County. In 1788, his wife, Eunice Sprague, filed a libel in divorce against the doctor, alleging "cruel and barbarous treatment." The circumstances are not of record, but appear to have been sufficient to secure a decree in her favor. Mrs. Sprague lived at the southwest corner of North Main and Union street

\*The bodies of Rev. Johnson and his wife were later reinterred in Hollenback Cemetery.

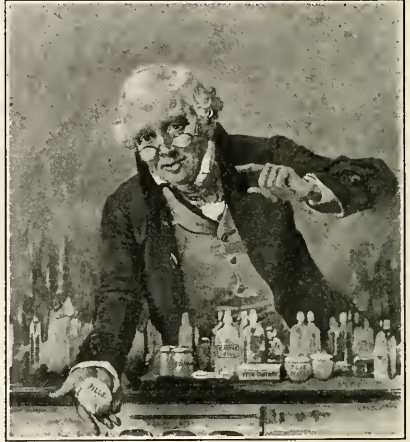
to a ripe old age, devoting a skill, which she seemed to have acquired from her husband, to midwifery.

An interesting personage was Dr. William Hooker Smith, who reached Wyoming in 1772, from White Plains, New York. He purchased land for himself in Kingston and a "plantation" for his son-in-law, James Sutton, at Plains, then called Jacob's Plains. A description of Dr. Smith is given by Dr. Hollister in his "History of the Lackawanna Valley" which might apply to the average practitioner of the time:

"The doctor was a plain, practical man, a firm adherent to the theory of medicine as taught and practiced by our sturdy ancestors. He was an unwavering phlebotomist. Armed with huge saddle bags, rattling with gallipots and vials and thirsty lance, he sallied forth on horseback over the rough country calling for his services and many were the cures issuing from the unloosed vein. No matter what the location or nature of the disease, bleeding promptly and largely, with a system of diet, drink and rest, was enforced on the patient with an earnestness and a success that gave him a widespread reputation as a physician."

The activities of Dr. Smith in the erection of Luzerne County and the stirring incidents of that period, have been mentioned in a preceding Chapter. A fact that impresses the reader of today about him was his recognizing, in the veins of anthracite coal which cropped out at many points along the Valley, the potentiality of future development and the foundation of great wealth. In 1791, he made the first purchase of "mineral rights," as distinguished from surface holdings, to be recorded in Wyoming's history. The purchase was made of a Mr. Scott, at Pittston, and was followed by numerous other similar investments between that year and 1798. Backing his opinions as to the value of bog iron deposits, occasionally found in the county, the Doctor removed, in 1789, to what is now Old Forge, in Lackawanna County, where, with James Sutton, he established a forge for the purpose of converting ore into bar iron. The venture, however, did not prove successful, and the Doctor removed, with his family, to the neighborhood of Tunkhannock, where he died in 1815.

Other physicians to the settlers came to Wyoming for a time, but most of them found the uncertainties of their calling added to by still greater uncertainties in community affairs, and their residence was brief. Among those mentioned\* in this connection are found the names of Dr. Lemuel Gustin, who studied medicine with Dr. Smith and, with the former, rendered assistance to the wounded on the battle field at Wyoming; Dr. John Calkins, who appears to have practiced both at Wyoming and at Cochection; Dr. Alden I. Bennett, the first physician to settle at Nanticoke; Dr. Oliver Bigelow, who, before the year 1800, was a noted physician at Kingston; Dr. Matthew Covell, who settled in Wilkes-Barré,



\*See, "Pioneer Physicians of Wyoming Valley", by Frederick C. Johnson, M. D., published in Vol. IX, page 47 of the Proceedings of the Wyoming Historical and Geological Society.

as a young man, and practiced with success until his death, in 1813, were the most noted of those who practiced in the settlements prior to the opening of the nineteenth century.

For twenty-six years following the first permanent settlements by the whites at Wyoming, no effort was made, so far as is now known, to set up a printing office. For news from the outside world the settlers were at first dependent upon visiting friends and relatives, and occasional travelers passing through the Valley.

According to Pearce, in his "Annals of Luzerne County," page 451, "in 1777, a post-route, once in two weeks, was opened between Wyoming and Hartford, Conn., and Prince Bryant was engaged as postrider for nine months. The expenses of this route were defrayed by private subscriptions. During the Pennamite-Yankee Wars all letters and communications were sent by private messengers, or by persons employed on private subscription."

In 1794, the first Post Office in Wilkes-Barré was established by the Federal Government, with Lord Butler as Postmaster, and for six years thereafter, this was the only Post Office anywhere along the Susquehanna River from Nescopeck to the New York State line.

Pearce states that, "after the organization of Luzerne County, a weekly mail was forwarded between Wilkes-Barré and Easton," and that "in 1797, Clark Beebe, the post-rider, informed the public through the *Wilkes-Barre Gazette*, that, as he carried the mail once a week to Easton, he would also carry passengers, when the sleighing was good, at \$2.50 each."

A large majority of the early Wyoming settlers being natives of Connecticut, they naturally turned to Connecticut newspapers for information concerning current affairs in the outside world. These papers were *The Connecticut Gazette*, *The Connecticut Journal*, *The Connecticut Courant* (published at Hartford) and, chiefly, *The New London Gazette*, published at New London, in the County of New London—from which county, and the adjoining County of Windham, many of Wyoming's first and principal settlers had come.

Pearce, in his "Annals," says:

"In 1795, two young men, whose names are unknown, came to Wilkes-Barré from Philadelphia with a small press and a few cases of type. They printed *The Herald of the Times*, the first newspaper published in the County. Prior to this date all notices, advertisements, &c., were put up on the town sign-posts, the first of which was erected in Wilkes-Barré in 1774, on the river bank. *The Herald of the Times* was issued for a short period, and was then sold by the proprietors to Thomas Wright."

Only one copy of Wilkes-Barré's first newspaper is known to exist.\* It consisted of four pages, 10½ by 17 inches in size, three columns to a page. The title reads as follows:

THE HERALD OF THE TIMES  
Wilkesbarre, Published by Benajah Hall.

No. 52.

Tuesday, October 31, 1797.

VOL. 1.

\*The final paper on historical matters at Wyoming prepared by the late Oscar Jewell Harvey dealt with "Wilkes-Barré's Earliest Newspapers".

The paper was read in two installments at successive meetings of the Wyoming Historical and Geological Society, on May 13 and October 14, 1921, respectively. These papers are used as a basis of the account which pertains to the early press of the county contained in these pages, often in verbatim installments. As the local Historical Society possesses no early copies of either the *Herald of the Times* or the *Gazette*, Mr. Harvey made a painstaking search, by correspondence and otherwise, through the files of other Societies and wherever else such copies might have been deposited. About to give up the search in despair, Mr. Harvey by chance learned, in 1920, that a copy of the *Herald of the Times* was in possession of Mrs. Clayton D. Fretz of Sellersville, Bucks County, Pennsylvania.

Sometime later, he paid Mrs. Fretz a visit, to find that the copy in question, together with other files of Wilkes-Barré newspapers of a somewhat later date, had come into her hands from the estate of a grandfather who was a brother-in-law of Thomas Wright who had left Bucks County to settle in Wilkes-Barré. With Mrs. Fretz's permission, Mr. Harvey made photographs of the headings and most of the contents of the paper, which contents he used in his address before the Society much to the instruction and frequently to the amusement of its members.

Mr. Harvey's address in full is published in Vol. XVIII, page 59, of the "Proceedings of the Wyoming Historical and Geological Society", for the year 1922.

On the first page is the following editorial valedictory:

"This paper completes the number for one year, and, consequently, the publication of the *Herald* expires.

"We think it unnecessary to make any commentaries on the merits or demerits of the *Herald of the Times*, but only to announce its dissolution. It shall be succeeded by a permanent *Gazette*, which we will use our utmost endeavors and exertions to render far superior to the former; however, time will evince our intentions."

Judging by the first paragraph of the foregoing valedictory, as well as by the heading of the paper, one would say that the publication of the *Herald* had been begun fifty-two weeks previously; to wit, in October, 1796. We learn however, from the original minute-book of "town-meetings of Wilkesbarre" that the *Herald* was being published here at least as early as in the month of June, 1796; for at a town-meeting held June 5, 1796, it was voted that a certain resolution then adopted, should be published for "at least four weeks in *The Herald of the Times*, printed in this town."

It is quite probable that, according to Pearce's statement, the publisher of the *Herald* established himself here in 1795—perhaps late in the year—having issued his "proposals" (according to the custom of those days) for the publishing of a newspaper, and in due time received subscriptions for the same. But, owing to the fact that Wilkes-Barré was far distant from the leading commercial centers of the country, and that the routes and means of communication were very primitive, it would follow that the bringing here of paper and other printing supplies would be attended with many difficulties.

Because of this fact, therefore, and perhaps because of the scarcity of patronage and cash, it may be presumed that, from the time the actual publication of the *Herald* was begun—say early in 1796—up to and including October 31, 1797, only fifty-two numbers of the paper were issued; and also, that at some time prior to this last-mentioned date, the *Herald* had been disposed of by its proprietor, to Thomas Wright.\*

What appears to be an important announcement, insofar as it affected subsequent publications of the community, is the following:

"Printing-Office, Wilkes-Barré, October 17, 1797. Proposals are issued from this office for publishing a Weekly Newspaper, to be entitled

THE WILKES-BARRE GAZETTE,

AND

LUZERNE ADVERTISER.

"Conditions. I—To be printed on paper of a demy size, and equal in quality to any newspaper in this State; and on the same type with which the *Herald of the Times* is printed.

"II—To be published early on every Tuesday morning. Those subscribers who reside in the town of Wilkesbarre shall have their papers delivered at their houses.

\*THOMAS WRIGHT (according to a sketch of his life prepared by Dr. B. F. Fackenthal, Jr., of Riegelsville, Pa., and read before the Bucks County Historical Society, in October, 1916) was born in County Down, Ireland, in 1748. He immigrated to America with his two brothers, Joseph and William, in 1763, and settled at Dyerstown, near Doylestown, Bucks County, Pennsylvania. He secured a home in the family of Joseph Dyer; taught the rudiments of English to the children of the neighborhood, and made love to Mary Dyer, the daughter of his host. One day they slipped off to Philadelphia and were married.

In 1774, he applied for and obtained membership in the Buckingham Meeting of Friends, at which time his three small children, Joseph, Rachel and Thomas were also accepted. In 1778, he took the oath of allegiance to Pennsylvania, which was objectionable to the Friends, and he was dealt with accordingly; whereupon he justified his act, and was disowned in January, 1779.

The public records at Doylestown show that he had many transactions in real estate. He is described in the deeds as being a "Shopkeeper." In January, 1783, he entered into partnership with Richard Backhouse to operate the Greenwich Forge, leased from Hugh Hughes.

About July 1, 1791, Thomas Wright removed to Wilkes-Barré, where he made his temporary home at the inn of Jesse Fell, who had come from Bucks County about 1785. Later, Mr. Wright removed his family to Wilkes-Barré, and they took up their residence on what is now River Street. There they remained until 1804, when they removed to what is now the borough of Miner's Mills. At that place he had built, in 1794 or '95, a grist-mill, and later he built there a distillery and a saw-mill. This locality soon became known as Wrightsville.

Mr. Wright's wife Mary died August 20, 1803, aged sixty-three years, and on June 27, 1804, he was married a second time, to Mary Nelson, who survived him and died at Sunbury, Ohio, May 3, 1824. Thomas Wright died at Wrightstown March 25, 1820, and his remains now lie in Hollenback Cemetery, Wilkes-Barré. In an obituary notice, printed at the time of his death, was this paragraph:

"Through a long life he had been a very industrious, active and useful citizen. By the laborer and the mechanic he will be long remembered. He was a steady friend, and always ready to render his services among his numerous acquaintances. He died, as he believed, at peace with all men."

The public records of Luzerne County show that while living here Thomas Wright continued his speculations in land, and at one time owned a very large number of tracts in various parts of Luzerne County.



"III—A regular Weekly Post will be established, which will leave the Printing Office the moment the papers are printed, and will arrive at Tioga Point on the Friday following (unless the roads are rendered impassible by the height of the waters), by which all subscribers residing on the borders of the river, between Wilkesbarre and Tioga Point, will be regularly served with their papers.

"IV—Any person who will procure twelve subscribers, and hold himself responsible for their subscription money, shall receive a paper gratis.

"V—The price to subscribers will be two dollars per annum—one dollar to be paid on the publication of the 26th number, the other dollar at the expiration of the year.

"VI—Subscribers desirous of withdrawing their subscriptions may do so at any time by giving notice to the Printer.

"VII—The publication of *The Herald of the Times* will cease on the last Tuesday [October 31] of the present month (which will complete the year), and, should due encouragement be obtained, the first number of *The Wilkesbarre Gazette* shall appear on the third Tuesday of November next.

"Should it be the general wish of the people in the lower part of this County, they shall be accommodated with a Post, who will serve them with their papers weekly (should the list of subscribers be numerous), by paying an additional sum of half a dollar annually.

"Subscriptions are received at most of the public houses in this County, and by the publisher, J. Wright, at this office.

"Terms of postage to be paid for *The Wilkesbarre Gazette*. The papers to be left in packets on the direct route of said Post, at such places as the subscribers may agree upon. Those subscribers who reside on the river between James Scofield's tavern (ten miles from Wilkesbarre) and the mouth of Tunkhannock Creek, will pay at the rate of half a dollar per year. Those between Tunkhannock and the Great Bend, one dollar per year. Those subscribers who reside below Wilkesbarre, between Nanticoke Falls and the Southwestern boundaries of this County, will have to pay at the rate of half a dollar per year. Those who reside between said boundaries and Berwick, to pay at the rate of three-fourths of a dollar per year.

"It is not determined whether the Post will be extended to Berwick. It depends upon the number of subscribers that may be procured in that quarter.

"Mr. Nicholson Marcy has agreed to ride Post from Wilkesbarre, by the way of Tioga Point, to the Great Bend, weekly. He will leave this office at five o'clock every Tuesday morning, and will arrive at Tioga Point on Thursday evening. All letters left at this office for said Post will be carefully attended to. Postage on letters from Wilkesbarre to Asylum, the same as from Wilkesbarre to Philadelphia; to Tioga Point or Great Bend, in proportion. This first route will be on the third Tuesday in November next."

The first issue of *The Wilkesbarre Gazette*, and *Luzerne Advertiser* appeared on Tuesday, November 28, 1797, one week later than the date of its promised appearance. Thomas Wright was the owner of the paper; and its editor, printer and publisher was his son Josiah.

The *Gazette* consisted of four pages, 10½ x 17 inches in size, with three columns to a page. On the first page, under the heading or title, was the motto, "Let Party rage, let Malice vent her spite; Truth we'll revere, and we shall e'er be right."

In the *Gazette* in February, 1798, is found a table of local "prices current," from which is gathered the fact that fresh beef sold at \$6.75 per 100 pounds; French brandy, \$1.34 per gallon; claret wine and sherry wine, \$1.00 each per gallon; tea, \$1.00 per pound; lump sugar, 27 cents and loaf sugar 29 cents per pound; Jamaica rum, \$1.40 per gallon; country rum, 87 cents per gallon; Holland gin, 86 cents per gallon; wheat, \$1.25 per bushel; rye, \$1.00 per bushel; oats, 40 cents and Indian corn 67 cents per bushel; molasses, 54 cents per gallon; coffee, 23 cents per pound; butter, 16 cents per pound; hams, 12 cents per pound.

In the issue of December 18, 1798, the following unique advertisement appears over the name of James Morgan.

"BEWARE OF THE DEVIL'S OWN SON.

"Rau away from the subscriber, on the night of the 14th inst., John Rodrock.

"An indentured curse, in shape something like a mau. He stands about 17½ hands high, is 22 or 23 years of age, swarthy complexion, with a large head, and a huge gash in his face extending almost from one ear to the other, passing at the same time between a pair of lusty, thick lips. He has a large nose, shortish brown hair, and dark eyes, above which are fastended a set of remarkable eyebrows, resembling a couple of gray wigs pasted to a smoked gammon. And as to devils—he has more in him than Mary Magdalene had.

"He is a thief and a liar. When he is dead it will not be safe to inter him in a graveyard. If you do, be careful to place him with his face downward, and put large stones on his grave, or he will be quick up again and plunder his highest neighbor.

"Whoever takes up the above described sinner and returns him to the subscriber, shall receive by wholesale and retail the hearty curses of their humble servant."

In view of the establishing of a new post to Tioga, Painted Post, and other localities to the northward, the publication day of the *Gazette* was changed, in October, 1800, from Tuesday to Monday. At that time the printing office was in the house of Joseph Wright, on West Market Street, where the present Beers' Building was built in 1859.

With the issue of Monday, November 10, 1800, the title or name of the *Gazette* was changed to *The Wilkesbarre Gazette and Republican Sentinel*, while the original motto of the paper was restored to the first page. A week later Thomas Wright, owner of the *Gazette*, announced in the paper that Charles Miner had been authorized to collect balances due on subscriptions to the paper ante-dating May 20, 1800; that he was then "on his way up the river for the purpose," and that "cash or grain would be accepted by him" in settlement of accounts.

It may be remarked, in passing, that the newspapers of Luzerne County have progressed materially in trend from the older day. What was then con-

sidered fit for publication would be barred by any editor of the present. In the absence of news happenings in the community, stories were printed that evidently were bandied about in the neighboring taverns. Advertisements that then appeared often used violent language. Libel laws were unknown, and the press often became the medium of personal spite between neighbors, and vented itself in language that would demand redress in the courts of today.

Whatever success the *Gazette* was attaining in 1800, the following announcement was made on December 8th, that it was to have opposition:

"To the Public. I have been informed by persons of veracity that several of our subscribers have, by a false report, industriously circulated, been induced to subscribe for a newspaper about to be established in this town, to be called *The Luzerne County Federalist*, and in opposition to this *Gazette*.

"In order to deceive people into a subscription, it has been asserted that this *Gazette* was no longer to be continued, but that it was to be given up in favor of the *Federalist*.

"The *Federalist* is to be exclusively devoted to the cause of Federalism. It is, therefore, reasonable to suppose that some persons zealous in that cause must have fabricated and propagated this malicious falsehood. Weak, indeed, must be the cause that is reduced to the necessity of employing instruments so base, and means so detestable, in its support."

*The Luzerne County Federalist* made its first appearance on Monday morning, January 5, 1801. Its owner, editor and publisher was Asher Miner,\* and the

\*ASHER MINER, the third child of Capt. Seth and Anna (Charlton) Miner, was born March 3, 1778, at Norwich, New London County, Connecticut. He learned the printer's trade under Samuel Green, at New London, and removed to Wilkes-Barré in 1799. In November of that year he opened a private school in a small building on the east side of Public Square, and notified the public that he had "undertaken to instruct youth in reading, writing, arithmetic and English grammar," and that proper attention would "be paid to the morals and manners of those committed to his care." This school was successfully conducted by Mr. Miner during the next four years—for the most of which period he was also engaged in editing and publishing the *Federalist*.

In May, 1804, Mr. Miner removed to Doylestown, Bucks County, Pennsylvania, where, two months later, he established a weekly newspaper bearing the name "*The Pennsylvania Correspondent and Farmer's Advocate*." For twenty years Mr. Miner edited and published this newspaper, and then, having disposed of his business in Doylestown, he removed to West Chester, Chester County, Pennsylvania, where, from 1825 to 1834, he was a partner with his brother



THOMAS WRIGHT  
1748-1820.

printing office was located in the two-story frame house occupied by Mr. Miner as a residence, on West Market Street, where the Second National Bank is now located. The *Federalist* consisted of four pages,  $10\frac{1}{4} \times 17$  inches in size, with four columns to a page. The price of the paper was \$2.00 per year. The press upon which the *Federalist* was printed was brought from Norwich, Connecticut, to Wilkes-Barré, on a sled, in December, 1800, by Charles Miner and S. Howard. "So strange a piece of machinery", wrote Charles Miner in May, 1859, "was a wonder along the way. To the thousand and one enquiries, 'What is it?' Howard's patience being exhausted, he was wont to reply: 'We are taking it to Wyoming. They are terribly troubled there with mice, and this is timber for mouse traps.'" In the *Federalist* of April 26, 1802, the following notice was printed: "The editor of this paper having taken his brother, Charles Miner,\* into partnership, the paper will in future be printed by A. & C. Miner."

The newspapers published in Wilkes-Barré were generally, if not always, delivered to local subscribers through the Post Office, up to the year 1854, when, however, the postal authorities put a stop to this custom.

For a number of years—say from 1798 to 1805, or even later—Wilkes-Barré newspapers intended for subscribers outside of the village of Wilkes-Barré, were carried and delivered by the regular post-riders, or contractors, who, in making their contracts with the postal authorities, reserved to themselves "the emoluments arising from carrying newspapers from Wilkes-Barré, other than those carried in the mail." The carrier was allowed one cent for each newspaper delivered within the State of Pennsylvania, and one cent and a-half for each paper delivered beyond the borders of the State.

The paucity of local news, which is very striking in these early newspapers, may be accounted for by the fact that Wilkes-Barré was a small community, and the people knew, without the aid of a newspaper, what was occurring from day to day in their midst.

According to the first official census of the United States, in 1790, there were 4,904 people, including 11 slaves, credited to Luzerne County, but no separate return was made for Wilkes-Barré or any of the other townships. The census of 1800 gave Wilkes-Barré township only 835 inhabitants, hence the scattered nature of the settlements may be readily inferred.

The first brick house in Wilkes-Barré—a pretentious structure on the South Side of Public Square—was erected in 1807, but the *Federalist* never

Lord Butler, Esq To Asher Miner, Esq  
 To instructing Birce, Houghton, and Selvina, } \$ 6.00  
 each one Dr. ending Nov. 29, 1800, ————— }  
 " 1 Dwight's Geography, do. Penn, ————— .62½  
 " instructing 4 Scholars the Dr. ending Feb. 24, 1801, ————— 8.00  
 " Wood during the winter, 1801, ————— 1.00  
 \$15.62½

Charles in editing and publishing *The Village Record*. In 1834, he removed to what is now Miner's Mills, near Wilkes-Barré, where he died March 13, 1841.

Asher Miner was married first at Wilkes-Barré, May 19, 1800, to Mary, only daughter of Thomas Wright and his wife, Mary (Dyer) Wright. Mrs. Mary (Wright) Miner died in January, 1830, and in 1835 Mr. Miner was married to Mrs. Thomasin H. Boyer of West Chester.

\*CHARLES MINER the youngest son of Capt. Seth and Anna (Charlton) Miner, was born at Norwich, Connecticut February 1, 1780. His school days ended when he was seventeen years old, and then he went to New London, Con-

made any reference to it. In February, 1808, Judge Jesse Fell made in Wilkes-Barré his successful experiments with respect to burning anthracite coal in an open grate, without a forced draft. Undoubtedly the principal people of the town learned all about these experiments immediately, but the *Federalist* never printed a line of information or comment on the subject.

The Act of Assembly, incorporating the Borough of Wilkes-Barré, was approved March 17, 1806, but no mention of the fact was made in the *Federalist* until April 11, 1806, when the Act of Incorporation was printed without any comments upon it or other references concerning it. The Act of Assembly establishing the Wilkes-Barré Academy, was approved March 19, 1807, but no reference to the matter was made in the *Federalist* until May 22, 1807, when the Act was printed without comment.

In fact, one who searches the files of the early newspapers of Wilkes-Barré for information upon which to base a historical record, will turn away from the task puzzled and disappointed.

necticut, where he served two years as an apprentice to the printing trade in the office of *The Connecticut Gazette and Commercial Intelligencer*, published by Col. Samuel Green.

In 1799, Mr. Miner came to Pennsylvania, where he spent some time in what is now Susquehanna County. In the Spring of 1800 he came to Wilkes-Barré, where he made his home with his newly-wedded brother, Asher. In the following Autumn he began to teach school in a small log house on the hill near the present Vulcan Iron Works.

The first literary efforts of Charles Miner were published in the *Federalist*. In later years, speaking of these "first efforts", he said: "My first attempt at writing was in my brother's paper. He published my essay with a good deal of distrust; but I well remember the pride and satisfaction excited by the article being promptly copied by *The United States Gazette* of Philadelphia."

Upon his retirement from the printing business in Wilkes-Barré in 1816, Mr. Miner was engaged in newspaper work in Philadelphia for a few months. Later, in the Summer of 1817, he located in West Chester, Chester County, Pennsylvania, where he founded, edited and published *The Villave Record*, from 1825 until 1832 in partnership with his brother Asher. In 1832, Mr. Miner returned to his old home in Wyoming Valley, where he was joined, in 1834, by his brother Asher, *The Villave Record* having been disposed of to Henry S. Evans in that year.

While living in West Chester, Charles Miner was elected (in 1824) to Congress from the district composed of the counties of Chester, Delaware and Lancaster. His colleague, or co-representative, from that district was the Hon. James Buchanan—then a high-toned Federalist, later the very pink of Democracy, and still later President of the United States.

Mr. Miner was re-elected, in 1826, for a second term, and served until the first inauguration of President Andrew Jackson.

After his return to Wyoming, Mr. Miner began the writing of his "History of Wyoming," an 8vo volume of 593 pages, which was published in 1845. It is by this work that Mr. Miner is now best known.

Charles Miner was married, at Wilkes-Barré, January 16, 1804, to Letitia Wright, daughter of Joseph Wright, and a niece of Mrs. Asher Miner. Mrs. Letitia Miner died in February, 1852, and Charles Miner died October 26, 1865. (For extended and interesting accounts of the life and doings of Charles Miner, and further references to Asher Miner, see Oscar J. Harvey's "History of Lodge No. 61, F. and A. M.," published in 1897; and "Reminiscences of the Hon. Charles Miner," in Vol. XIV of the "Proceedings and Collections of the Wyoming Historical and Geological Society.")



CHARLES MINER.





CHAPTER XXXVI.

THE FOUNDING OF ASYLUM BY FRENCH REFUGEES—SOME OF ITS DISTINGUISHED RESIDENTS—ROBERT MORRIS, THE "FINANCIER OF THE REVOLUTION" CONNECTED WITH THE VENTURE—THE "QUEEN'S HOUSE" BUILT TO RECEIVE MARIE ANTOINETTE—ITS SCENES OF GAYETY AND BRILLIANT RECEPTIONS—VISITS OF TALLEYRAND AND THE DUKE OF ORLEANS, AFTERWARDS LOUIS PHILIPPE, KING OF FRANCE, WITH HIS TWO YOUNGER BROTHERS—THEIR STAY IN WILKES-BARRÉ—FINANCIAL REVERSES OF THE COLONY AND ITS FINAL ABANDONMENT—PREPARATIONS FOR WAR WITH FRANCE—CAPTAIN BOWMAN'S COMPANY AGAIN MUSTERED INTO SERVICE—WAR AVERTED BY A CHANGE OF FRENCH POLICIES.

"Gaul's exiled royalists, a pensive train,  
 Here raise the hut and clear the rough domain;  
 The way-worn pilgrim to their fires receive,  
 Supply his wants, but at his tidings grieve.  
 Afflicting news, forever on the wing—  
 A ruined country and a murdered king!  
 Peace to their lone retreats, while sheltered here.  
 May these deep shades to them be doubly dear,  
 And Power's proud worshippers, wherever placed  
 (Who saw such grandeur ruined and defaced),  
 By deeds of virtue to themselves secure  
 Those inborn joys that spite of kings endure—  
 Though thrones and states from their foundations part—  
 The precious balsam of a wounded heart."—*Alexander Wilson.*

I wonder what the racket means,  
 A cutting of such capers  
 The Parson says the French are mad,  
 He read it in the papers.

CHORUS:

Heigh ho! Billy Bow,  
 I b'lieve the war's a comin,  
 'N' if it does, I'll git a gun  
 Soon's I hear them drummin.  
 An I heard 'em say, a trainin day,  
 That Washington's a goin';  
 An Cap'n Toby swears they'll fall,  
 Like grass when he's a moorin.  
 He said that once, in t'other wars,  
 He run right at the bullets  
 And never minded grenadiers  
 No more 'an we do pullits.  
 But, deuce, I'd rather stay at home  
 A makin wall and hayin,  
 An' so had Capen too I guess  
 But s'pose there'll be no stayin.

—Brother Jonathan's New Song. (*Wilkes-Barre Gazette*, September 18, 1798.)

Of all romantic, if not dramatic, Chapters in the history of Luzerne County, that relative to the founding of Asylum commands an unique place.

It differed from other Chapters dealing with a portion of the Susquehanna Purchase in that it had no connection with the territorial claims of states. The life of the experiment was less than a decade. But it transplanted to the middle Susquehanna country a touch of the old world; its language, its customs, its philosophy and its tragedy.

The first rumblings of the French Revolution in 1789, brought fear to the hearts of royalists in general. Upon them the terror finally vented its hideous wrath. Leaving their King a virtual prisoner at the hands of a hungry, bloodthirsty Parisian mob, they found in flight the only avenue of escape which separated them from violent death. It has been estimated that some seventy thousand of the nobility and no less number of loyalists escaped through the French frontiers, some to England, many to the French colony on the island of Hayti and still others, as ships were available, to the United States. Those who found refuge in America had learned much of the country and its friendliness for France, through French officers who had offered their swords to General Washington and the cause he represented in the stirring days of the American Revolution.

Two of the most distinguished of these refugees were destined to share in the founding of Asylum and, by what seemed a strange turn of fate, were to concern themselves with the Susquehanna country.

Viscount Louis Marie de Noailles\* and Antoine Omer Talon† had reached Philadelphia in 1792, and together laid plans for taking care of those of their countrymen already here, as well as those who might seek refuge on our shores, by providing an asylum wherein those who suffered a common fate, might work out a destiny in keeping with the best traditions of France. It was not until the arrival, late in the same year, of John Keating‡, an Irishman by birth, but a former officer of the French army, forced to leave San Domingo as were other colonists there, by the uprising of the blacks, that these plans began to mature. One of Keating's companions, the Marquis de Blacons, acquainted the two *emigres* with Keating through the medium of a letter of introduction from Rochambeau, under whom de Noailles had served in an earlier revolution. Talon was a man of considerable means, and the three negotiated with Robert Morris, the financier of the Revolution, and John Nicholson, a merchant of Philadelphia, for the sale of lands suitable to the enterprise.

Together the five afterwards secured warrants of survey to almost a million acres of land, stretching from the west bank of the Susquehanna in the



MAP OF UPPER SUSQUEHANNA  
Showing Location of Asylum.  
(Courtesy of Louise Welles Murray.)

\*THE VISCOUNT DE NOAILLES, called, generally, by his American neighbors, "The Count," born in Paris, April 17, 1756, was the second son of Philippe de Noailles, Duke of Mouchy, a Marshal of France and soldier of some renown, guillotined, June 27, 1794. The Viscount, whose wife was sister to the wife of General Lafayette, was bred to the profession of arms, and was remarkable for his knowledge of military tactics, and the high degree of discipline acquired

neighborhood of Standing Stone, southwesterly through what are now Bradford and Sullivan counties, into Lycoming.

In the fall of 1793, two agents of the promoters, Charles Felix Bui Bouiogne and Major Adam Hoops, then residing at Westchester, were sent forward to select a location for the colony. The party reached Wilkes-Barré August 27, 1793, and immediately called upon Judge Matthias Hollenback, to whom Robert Morris had addressed the following letter, under date of August 8th, at Philadelphia:

"Should Mr. Boulogne find it necessary to purchase provisions or other articles in your neighborhood for the use of himself and his company, I beg that you will assist him therein, or should you yourself supply him, and take his drafts on this place, you may rely that they will be paid, and I hold myself accountable. Any services it may be in your power to render this gentleman or his companions, I shall be thankful for."

From Wilkes-Barré northward, the country was familiar to Major Hoops, who had been an officer in the Sullivan Expedition four years before. Opposite the mouth of Rummerfield creek, about midway between Wyalusing and Standing Stone, on the west bank of the river, was a plain containing some two thousand acres, then known as "Shewfeldt's Flats." The soil was fertile and with the bending river sweeping majestically along two sides of it, the place was one

of the best colonels of his time. He came to the United States under Rochambeau, in 1780, and was among the most distinguished of the young French officers in the army of Washington, by whom he was, a number of times, complimented for his bravery in General orders. At the battle of Yorktown, 1781, he was commissioned to receive, on the part of the French, the surrender of Cornwallis, and negotiate the terms of capitulation.

On the conclusion of peace he returned to France, where, as a reward for his services, he was offered a promotion which he refused. At the epoch of the Revolution he accepted its principles, and was counted among the most zealous defenders of the popular cause. He was a deputy of the nobility to the States General, May, 1789, from the bailiwick of Nemours, and subsequently a member of the National Assembly, where, on the 4th of August, that year, he proposed those celebrated acts by which the whole Feudal system, with its long train of abuses and privileges, was abolished. He exerted a powerful influence in military affairs, and was active in the re-organization of the army and Colonel of the regiment of the Chasseurs d'Alsace, and Field Marshal commanding at Sedan. At length, in common with all true Republicans, he fell under the displeasure of Robespierre, by whom he was condemned to death and his property confiscated. He resigned his command May, 1792, and fled to England, thence came to the United States, and took up his residence in Philadelphia, where his former active service in the American Revolution brought him into intimate relation with the leading men of the country.

From recently discovered correspondence of de Noailles with the family of "Quaker Town" Robinson, in whose home he was quartered during his stay at Newport, as recorded in Bulletin 42, Newport Historical Society, October, 1922, a letter written in the fall of 1793, gives the following interesting data, on the venture at Asylum:

"Since my arrival in this country I have made a purchase of 500,000 acres of land in the state you have adopted (Pennsylvania). I have not purchased such an immense quantity of uncultivated land to make a speculation on it and resell with advantage. My intention has been to prepare an exile to those of my countrymen who, disgusted of the horrid scene which took place in France, will forever abandon the theatre which has produced it. My expectation has so well succeeded that we now are settling 40 French families in easy circumstances and 50 German. Had we accepted everybody who have offered, should have not found land enough, but we avoid to receive in our society every people of violent disposition, who, always discontented in society, indispose the people they live with. Our manners will be soft, our conversation animated, our labor active, we will be the French you have known at Newport and not the present nation."

De Noailles never returned to France after the abandonment of Asylum. He lived at Philadelphia until 1803, from which point he re-entered the French service with the rank of Brigadier General and accepted a command under Rochambeau in San Domingo. He was mortally wounded in an engagement with a British corvette off the coast of Cuba, January 4, 1803. His soldiers, by whom he was dearly beloved, encaased his heart in a silver box which they attached to their colors.

†OMER TALON was born in Paris, January 20, 1760, of one of the most illustrious families of the French magistracy. At the age of sixteen he was accepted as an advocate, and was civil-lieutenant, or advocate-general, at the



LOUIS MARIE, VICOMTE DE NOAILLES.

(Courtesy Louise Welles Murray.)

of considerable natural beauty. This site was chosen as most suitable for the purposes in mind.\* The Susquehanna Company had previously made a survey of both sides of the river at this point, and the territory desired was found in possession of those who held Connecticut titles to the soil. In order to avoid title disputes, then so common throughout the district, it was deemed advisable to have Judge Hollenback secure deeds from the Connecticut settlers, while Mr. Morris undertook to secure the necessary titles from Pennsylvania claimants.†

In October, 1793, most of the transfers of property desired had been made to the promoters and, under direction of Mr. Boulogne, preparations were at once begun toward shaping the tract in readiness for the oncoming refugees. A town plot was surveyed after the elaborate fashion of French engineers, and the name Asylum, which is still retained, was given the



JOHN KEATING  
(Courtesy Louise Welles Murray.)

Chatelet when the revolution of 1789 broke out, and where he did his duty as a just and courageous magistrate, and was distinguished for his fearless and unflinching defence of the royal prerogative. For this he was accused and imprisoned, but the accusations against him could not be sustained and he was discharged. He was appointed deputy substitute from Chartres to the National Assembly, but never took his seat. The next year he was compromised in the flight of Louis XVI, arrested and imprisoned for a month, when he was released. He then became one of the faithful advisers of the king, with whom he held frequent conferences, always at night, and labored earnestly to attach powerful and influential friends to the royal cause. It is known that the unfortunate monarch contemplated appointing him keeper of the Privy Seal, but was so bitterly opposed by some who were in close alliance with the crown that he desisted. The king, however, as a mark of personal friendship and confidence, presented him with a diamond studded box with his portrait on the lid and with this autograph inscription: "Given by the King to M. Talon, Sept. 7, 1791." He was again compromised by a letter found in the famous "Iron Chest," and ordered to be arrested by the Revolutionary Assembly. He managed to keep himself secreted from the police for several months, part of the time in Paris and part of the time at Havre.

At this time he became acquainted with Bartholomew Laporte, who had been a prosperous wine merchant in Spain. A decree of the Spanish government, banishing all French subjects and confiscating their property, had left Laporte penniless and anxious to make his way to America, as Talon proposed to do. At last, having an opportunity to embark in an English merchantman, at Marseilles, Laporte concealed Talon in a wine cask, carried it on board and stowed the cask in the hold of the vessel, covering it with charcoal. Suspecting that Talon was on board, soldiers searched the vessel, but without success. On reaching England, Talon secured passage to America for himself and Laporte, the latter becoming Talon's confidential agent and trusted land steward in extensive American ventures.

In Philadelphia, Talon kept open house for his distressed countrymen, and when the settlement at Asylum had been determined on, he became one of its active promoters, and the general manager of the business there. He returned to France under the Directory, when, in 1804, he was engaged in a royalistic plot, for which he was transported to the Isle St. Marguerite, and did not obtain his liberty until 1807. His mind began to fail under the pressure of repeated privations and disappointments, and he died at Grez, August 18, 1811, in the fifty-second year of his age.

\*See "Keating and his Forbears", Records American Catholic Historical Society; Vol. XXIX, p. 4, December, 1918.

†Please do not ignore the fact as always stated by Bartholomew Laporte, Sr., that the incentive to this purchase was to provide an asylum for Marie Antoinette. Recently I have learned that at this period Capt. Swan, a Nova Scotia sea captain, well acquainted in Paris, brought to the Coast of Maine a ship load of furniture and draperies from the Tuileries for the use of Marie Antoinette, if she escaped. She was beheaded about the time he landed. He built a house at Docchula "in imitation of one he had seen in France, furnishing his parlor with the Queen's belongings causing a facetious wag to make this sad pun—the guillotine got their heads and Capt. Swan got their trunks."

From a footnote added to the original MSS. by Mrs. Louise Welles Murray.

†Those who claimed Pennsylvania titles to the property, under patents of 1775, as discovered by abstracts of title made recently by John Biles, were the following:—Archibald Stewart, William Nicholson, David Liasay, Robert Stevens and John Bowm or Bochm.



carefully plotted acreage.\* The original plot of Asylum was lost for many years, and without its tracings as a guide, much of error had crept into the writings of those whose pen had from time to time been tempted with depictions of the strange colony which became so closely associated with the history of Wyoming.

A study of the text of the map, which with other cuts relative to Asylum, is reproduced by courtesy of Mrs. Louise Welles Murray, author of "The Story of Some French Refugees and Their Azilium," second edition published 1917, indicates that the width of five intersecting streets of the plot were sixty-six feet, while a main avenue, one hundred feet in width, extended eastward to the river through a market place, marked in 1916 by a boulder and tablet suitably inscribed.

At the river entrance to the main street was a ferry to the Sullivan road, on the opposite bank, and wharves for the loading and unloading of Durham boats, which furnished a means of transportation to Wilkes-Barré.

While these streets are now mere boundaries between farms, the Rev. David Craft was able to identify the location of the "Queen's House", the community brewery and other buildings associated with the enterprise, prior to reading a second paper on the fascinating history of Asylum, before the Wyoming Historical and Geological Society, November 14, 1902, and recorded in Volume VIII, pages 46-86 of the records of that Society.

On the plot were surveyed some four hundred "house lots" each a half acre in extent, while toward the mountains, as was the case in the original survey of Wilkes-Barré, were plotted outlots, varying in extent from three to forty acres. Resembling the Wilkes-Barré survey also, a strip of land along the river front, was left to common use, as was a square or market place, of some two acres in the center of the plot.

Mr. Boulogne, who seems to have acted as general manager of the enterprise at the start, remained on the ground through the fall of 1793, and the work of construction of new homes proceeded well into the winter, so as to be ready for arrivals in the early spring of 1794.

A large number of masons, carpenters and laborers were taken from Wilkes-Barré for the task. Trees were felled, clearings were made, cellars dug and walled and two story houses of hewn logs with shingle roofs were erected along the plotted streets. The drain on the finances of Judge Hollenback, who was called upon from all sides for assistance, was admitted by that gentleman to be considerable. He financed the purchase of lands to an extent of more than \$2,000 and furnished such construction supplies as were needed by boat; some five days being necessary for the voyage up the river. Years later, after Robert Morris had become bankrupt by reason of this and other similar speculations on a large scale, Judge Hollenback still held claims amounting to several hundred dollars against the then deserted colony, which he sought to have liquidated by the sale of lands whose title remained in the Company.

\*This map had been traced to the possession of the late C. L. Ward of Towanda, Pa., whence nothing further could be ascertained. The library of Mr. Ward had come into the possession of Lafayette College, his personal effects sold at public auction, and it was supposed the old map was irretrievably lost. Its recovery is due to the persistent energy of Mr. John A. Biles of Homet's Ferry, Pa., a land surveyor and civil engineer, and an antiquarian of no inconsiderable ability. Mr. Biles, having occasion to call upon Col. John A. Codding, of Towanda, the conversation turned upon historical matters, when Col. Codding remarked that he had a book-case bought at the auction of C. L. Ward's personal property. This led to a more careful examination of the contents of the desk, and lo! at the bottom of a drawer was found the long lost and much sought for French map of Asylum, with the inscription written across the back of it: "Original map of the old French Town of Asylum, from Hon. John Laporte, 1861."

See Kraft's "The French at Asylum."

The arrival of some of the refugees in November, when they were least expected and when no preparations had been made to receive them, did not contribute to furthering the work, nor did it improve the temper of Mr. Boulogne.

On the 30th of November, Mr. Boulogne wrote: "Mr. Dupetit Thouar\* with all his hands arrived here yesterday, and also Mr. Periault." Of how many



ARISTIDE AUBERT DUPETIT THOUAR  
(Courtesy Louise Welles Murray.)

the party consisted we are not told, but that the houses were not ready for them is certain, for in a letter to Mr. Hollenback, he is asked to send up a number of

\*ARISTIDE AUBERT DUPETIT THOUAR, or the "Admiral," the name by which he was most frequently known by the people about Asylum, was in many respects the most remarkable man in the settlement. He was born in 1760, educated in the military school of Paris, and became Post Captain in the French army. Of a frank and generous disposition, and fond of adventure, he was very popular with his companions at school and in arms. He was in the French naval service during a war with England, and after the peace, was engaged in cruises to England and elsewhere. Later he became greatly interested in the fate of the missing navigator, La Perouse, and at great personal expense and sacrifice he fitted out an expedition to find the unfortunate adventurers. He sailed in September, 1792, but had hardly begun his voyage when a fatal malady broke out among his men and carried off a third of them, which determined him to put into the nearest harbor—the island of Ferdinand de Noronha. Here the Portuguese seized his vessel, arrested and sent him a prisoner to Lisbon, where he underwent a captivity of some duration. Immediately on his release he came to America, where, being acquainted with M. de Noailles, he was induced to come to Asylum. His fine spirit, genial temper, benevolent disposition and chivalrous bearing, made him beloved and respected by all who knew him. None of the French people are so well remembered, and of none are so many anecdotes related as of the "Admiral." While at Asylum he was the guest of Mr. Taton. Disdaining to be the idle recipient of his host's bounty, at his request a lot of four hundred acres of land, where the present borough of Dushore now stands, was assigned to him. Single handed literally (he had lost an arm in an attack upon a pirate ship) and alone, several miles beyond any other clearing, in a dense unbroken wilderness, near what has since been called the "Frenchman's spring," he built a rude shelter and commenced his clearing. A number of years afterward, the late Hon. C. F. Welles, of Wyalusing, in company with Mr. John Mozier, the owner of the tract, discovering his clearing, and knowing the history of this remarkable man and his courageous enterprise, suggested "Dushore," the common pronunciation of the Admiral's name by American's, as an appropriate name for the new village then just springing up, a name which it has ever since borne.

See Kraft's "The French at Asylum."

Franklin stoves with pipe, since the weather had been so cold the masons could not build chimneys; also window frames, seasoned lumber, nails and hinges.

The fact that the then growing colony did not understand the language of those about them, were wholly unaccustomed to labor of any sort and expected to find in their new homes much of the comfort and luxury to which they had been accustomed in France, but added to the confusion.

In December, 1793, Mr. Talon arrived at Asylum, only to find that the winter prevented further operations. Supplies for the settlement, which he had forwarded



OMER TALON

From a miniature presented by himself to John Keating  
(Courtesy Louise Welles Murray.)

to Catawissa, were ice bound for a time and gave him great concern, but a fortunate period of open weather permitted the boats on which they were transported to reach their destination.

When spring came and navigation of the river reopened, numerous other refugees who had spent a comfortable winter in Philadelphia, began their voyage to their wilderness homes. Some of these were of noble birth, some had been connected with the king's household, a few of the secular clergy were represented. There were keepers of Parisian cafes, soldiers, merchants and gentlemen.

Some had found time to adjust their affairs before their hurried departure from France or San Domingo and, as a consequence had ample means at their disposal. Others had fled from the very shadow of the guillotine, unable to

secure more than a few personal effects, and depending upon financial assistance from friends to reach the new world. The estates of all had been confiscated by the government under the decree of 1792, hence, unless the monarchy were restored, or property rights realigned after the madness of the Revolution had passed, they had little to look forward to, even if permitted to return to their own country.

The families of many of these refugees had accompanied them, especially those who were exiles from San Domingo. Not a few of them, however, had been forced to sail alone, hoping and planning against the day that circumstances might permit reuniting the family ties.

The arrival at Wilkes-Barré of groups of these refugees on their way to Asylum in the spring of 1794, attracted considerable attention.

Correspondence of the time indicates with what curiosity the wives and daughters of the settlement, usually clad in their homespun garments, gazed upon the gay attire of the ladies of the party, indicative of the styles of the most extravagant capital of the world and the product of looms accustomed to the demands of royalty. The men were no less conspicuous in dress. They insisted, even in wilderness travel, in maintaining that outward appearance of gentility to which they had been accustomed. But with Wilkes-Barré the last semblance of even a moderately comfortable frontier life fell behind. It is left to the imagination to describe the feelings of these strangers when they reached the rude landing at Asylum and gazed upon the muddy thoroughfare which led to their log cabins, half hidden in the forest.

No agriculturalists and but few artisans were in the party. Yet from the unbroken soil and by their own manual efforts, they were supposed to eke out an existence.

It was not until the spring of 1794, that the promoters of the enterprise actually organized the Asylum Land Company, which was to suffer many vicissitudes. In the *Irish Catholic Benevolent Union Journal*, published at Philadelphia, December 1, 1884, "devoted" as its publisher, Martin I. J. Griffin, wrote, "to the advancement of the Irish Catholic Benevolent Union" appears the following account of the affairs of this Company, taken, as the editor states, "from records of the company now in possession of Mr. Dreer, of Philadelphia."

On April 23d, 1794, the Company was formed by the election of Robert Morris as President, Louis de Noailles, John Keating, Garrett Cottringer and John Nicholson as Managers; later John Nicholson became President and John Ashley and Jas. Gibson were Managers.

James Duncan was Secretary at \$1200 a year until he resigned, September 28, 1795, when he was succeeded by James Gibson. Omer Talon and Adam Hoops were the agents; later John Keating was such. General de Noailles was agent for sale of lands and shares.

Mons. Renaud was made agent in West Indies for the sale of the land, Chas. De Cadigan for Europe, and Mons. Davernet for France, and in October William Payne Gorges was also appointed for the West Indies.



STANDING STONE  
(Courtesy Louise Welles Murray.)

At the meeting of Managers, June 20, 1794, John Keating reported that, prior to the establishment of the Company, contracts for the sale of land were made with the following named persons for the number of acres stated:

Mons. Maffron . . . . .	3000 acres.	Mons. Colin . . . . .	6000 acres
" Carles . . . . .	1000 "	" Gerbier . . . . .	600 "
" Carles Freres . . . . .	1000 "	" Sihort . . . . .	500 "
" De Mouleiau . . . . .	1000 "	" Bircy . . . . .	500 "
" Buzard . . . . .	4000 "	" Sidshat . . . . .	6000 "
" Palyart . . . . .	500 "	" Caignet . . . . .	6000 "
" Montulli . . . . .	7400 "	" Noailles . . . . .	4000 "
" Bonnet . . . . .	6000 "	" Fremel . . . . .	6000 "
" Beidsloin . . . . .	3000 "	" Marrisback . . . . .	1000 "
" Cottineau . . . . .	2000 "	" Pere Leraphin . . . . .	5000 "
" Boulogne . . . . .	1000 "	" Talon . . . . .	3000 "
" Blacon . . . . .	6000 "		

The purchase price in this case was 10 shillings an acre, provided that during the first three years not less than \$100 per 1000 acres were expended on improvements. The Managers ratified the contract, fixed the period within which the privilege might be availed of, and ordered that lands be assigned by lot. General Victor Collot, the exiled Governor of Guadeloupe, attended this meeting, and expressed his desire to purchase 1,000 acres for himself and 9,000 for friends.

"In consequence of the advanced price of lands occasioned by the increased demand in Europe as well as in this country," the price of the Asylum lands was increased to \$3 an acre, and notice to that effect sent Cadignan in Europe.

In July, 1795, the first dividend of \$15 a share was paid the stockholders, as follows:

Robert Morris . . . . .	11 shares	Chas Huger . . . . .	10 shares
John Nicholson . . . . .	394 "	Jas. Cramond . . . . .	356 "
General de Noailles . . . . .	22 "	Dr. John Sparhawk . . . . .	7 "
Omer Talon . . . . .	4 "	Joan B. H. Montulli . . . . .	3 "
Chas. De Cadignan . . . . .	100 "	Dr. Enoch Edwards . . . . .	400 "
Felicite F. Fage and Brigette Finot . . . . .	14 "	Chevile Huger & Co . . . . .	43 "
Alexander Durevet . . . . .	2 "	Mons. Rosseau . . . . .	10 "
Chas. F. Bui Boulogne . . . . .	18 "	John Keating . . . . .	1 "
Nicholas de Broval . . . . .	2 "	Mons Bois Claireau . . . . .	14 "
Jas. Duocan . . . . .	3 "	John Nicholson, for Trustees . . . . .	306 "
Leon Changeur . . . . .	30 "		

Dividend, July, 1796, \$15 a share.

John Nicholson . . . . .	205 "	Fras. Belon . . . . .	1 "
Louis de Noailles . . . . .	15 "	John Ashley . . . . .	36 "
Omer Talon . . . . .	13 "	John Vincent Beedlure . . . . .	1 "
Chas. de Cardignan . . . . .	100 "	Anthony Gerbin . . . . .	2 "
Felicite and Brigette Finot . . . . .	14 "	Sophia Ducrebin . . . . .	6 "
Leon Changeur . . . . .	1 "	John Sparhawk . . . . .	5 "
James Cramond . . . . .	134 "	Wm. Cramond . . . . .	1 "
Dr. Enoch Edwards . . . . .	10 "	James Gibson . . . . .	1 "
John Keating . . . . .	15 "	John Reed and Standish Ford . . . . .	27 "
M. Bois Claireau . . . . .	14 "	Joanna Hamilton . . . . .	3 "
Ingersoll & Clarkson . . . . .	306 "	Abijah Daws . . . . .	30 "
Dennis N. Cottineau . . . . .	35 "	Philip R. Fendall and R. Young . . . . .	87 "
Jean B. B. Barbarin . . . . .	4 "	Bazin Dulongval . . . . .	6 "
Rt. Rev. Wm. White . . . . .	67 "	John Vaughan . . . . .	30 "
Chas. De Grossey . . . . .	9 "	James Yard . . . . .	6 "
Thos. McEuen . . . . .	166 "	Emard Millot . . . . .	2 "

For land sold the Company, Morris, Nicholson, Talon and Noailles were, on February 21st, 1795, given 460 shares each.

In April, 1795, Nicholson purchased all the interest of Morris and those associated with him. Nicholson conveyed title of the land to Jared Ingersoll, Attorney General of Pennsylvania, and Mathew Clarkson, Mayor of Philadelphia, as Trustees.

In May, 1795, Duke Rochefoucauld de Liancourt, then visiting this country, visited the colony, and on July 8th John Keating, the agent, notified the managers that the Duke intended encouraging several families to reside at the colony and that he wished to purchase lands for himself, family and friends.

On June 5th, 1795, a suitable town lot, 20 acres in the flats and 2000 acres elsewhere, was appropriated for the support of a school and chapel at town of Asylum.

The affairs of the Company became so embarrassing by reason of the pecuniary troubles of Morris and Nicholson, that its assets were disposed of by Marshal's sale in 1801. The shares sold, 739 in number, were purchased by those named below. They made an agreement, dated October 26th, 1801, reciting, that as the Company had not been perfected in the manner purposed in the Articles of April 22d, 1794, and April 25th, 1795, that a re-organization should be made and that the 739 shares should be divided into 1261 shares and assigned as follows:

Wm. Cramond, 221; Louis de Noailles, 95; Abraham Dubois, 54; Robert Porter, 54; Archibald McCall, 230; James Gibson, 70; Wm. Cramond, 208; John Ashley, 329; total, 1261.

It was agreed that on surrender of all the 739 shares of the old Company that the 1261 shares thus assigned should represent 2000 shares of the new company. The land, 1,000,000 acres, was held by Trustees. Until the regular election on the second Monday of January, 1802, the five managers were to be Wm. Cramond, John Ashley, Louis de Noailles, John Travis and James Gibson. Managers were to be paid not over \$500 a year."

All who have written contemporaneously of the colony, however, refer to the cheerfulness of the refugees under these adverse circumstances. They were

hospitable to a degree, and maintained the outward appearance of their old life as best they could.\*

In May, 1795, the Duke de Rochefoucauld de Liancourt visited the settlement, and has given a very full account of it in his "Travels in North America." He says:

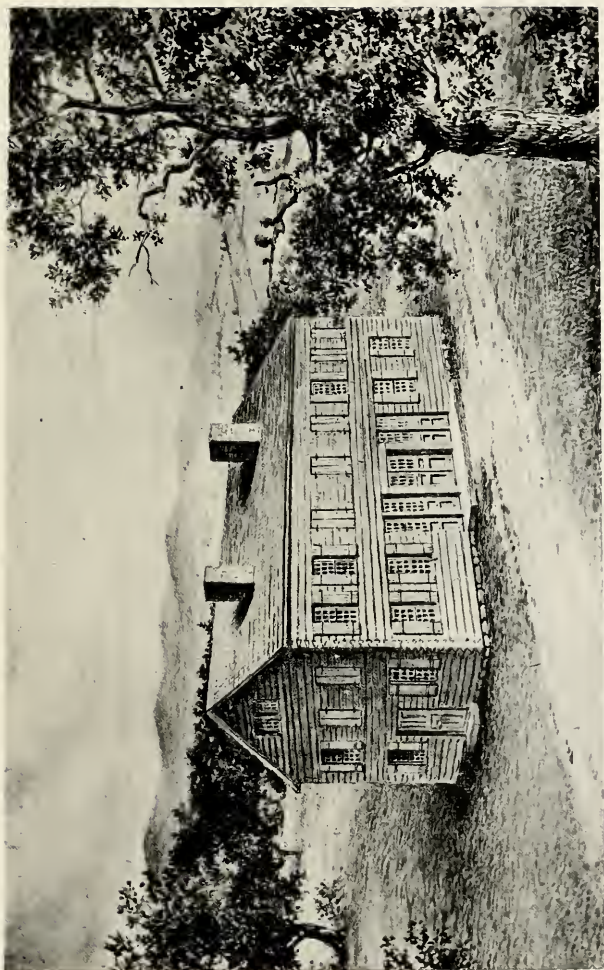
"Asylum at that time consisted of about thirty houses, inhabited by families from St. Domingo and from France, by French artisans, and even by Americans. Some inns and two shops have been established, the business of which is considerable. Several town shares have been put in very good condition, and the fields and gardens begin to be productive. A considerable quantity of ground has been cleared on the Loyal Sock, from ten to twenty-acres per share having been cleared. The owner can either settle there himself or intrust it to a farmer. The sentiments of the colonists are good. Every one follows his business—the cultivator as well as the inn-keeper or tradesman—with as much zeal as if he had been brought up to it. \* \* \* Motives arising from French manners and opinions have hitherto prevented even French families from settling here. These are, however, in great measure removed. Some families of artisans are also established at Asylum, and such as conduct themselves properly earn good wages. This cannot be said of the greatest part of them. They are, in general, very indifferent workmen, and much addicted to drunkenness. Those who reside here at present are hardly worth keeping. The real farmers who reside at Asylum live, upon the whole, on very good terms with each other, being sensible that harmony is requisite to render their situation comfortable and happy. They possess no considerable property, and their way of life is simple. Mr. Talon lives in a manner somewhat more splendid, as he is obliged to maintain a number of persons to whom his assistance is indispensable. The price of the company's land at present is \$2.50 per acre; that in the town of Asylum fetches a little more. The bullocks which are consumed in Asylum are generally brought from the back settlements, but it is frequently found necessary to send thither for them. The grain which is not consumed in Asylum finds a market in Wilkes-Barré, and is transported thither on the river. In the same manner all kinds of merchandise are transported from Philadelphia to Asylum. They are carried in wagons as far as Harrisburg and thence by barges up the river. The freight amounts, in the whole, to two dollars per hundredweight. (Freight from Wilkes-Barré to Asylum was 51 cents per cwt.) The salt comes from the salt houses at Genesee. Flax is produced in the country about Asylum. Maple sugar is made in great abundance; each tree is computed to yield, on the average, from two to three pounds per year. Molasses and vinegar are prepared here. A considerable quantity of tar is also made and sold for four dollars per barrel containing thirty-two gallons. Day laborers are paid five shillings per day. The manufacture of potashes has been commenced at Asylum, and it is contemplated the brewing of malt liquors. A corn mill and saw mill are building on the Loyal Sock."

Much of hearsay and tradition surround the building of the "Queen's House" at Asylum. Correspondence of the time indicates plainly enough that one of the first thoughts of the colonists, if not a main purpose in the minds of many of them in founding the colony, was to prepare residences for King Louis and Queen Marie Antionette, as suitably appointed as the resources of their wilderness retreat could command. The fact that the construction of two residences, intended for royal occupants was begun, has led to considerable speculation and much conflict of opinion among those who have written of Asylum.

The availability of recently discovered data, made possible through the researches of Mrs. Murray in particular, serves to clear up much of error which has crept into earlier literature on the subject.† In spite of tardily received

\*No better picture of the outward life of the people, the style of their houses and the character of their improvements could be given than the following description embodied in an agreement entered into between Sophia de Seybert and Guy de Noailles, December 23, 1797: "On number four hundred and sixteen stands a log house thirty by eighteen feet covered with nailed shingles. The house is divided into two lower rooms and two in the upper story. The lower ones are papered. On both sides of the house stand two small buildings of the same kind, one is used for a kitchen, the other being papered is commonly called the dining room; both these buildings have good fire-places and a half-story. Three rooms in the biggest house have fire-places, the two side buildings and the other are joined together by a piazza. There is a good cellar under the dining room. The yard is enclosed by a nailed pale-fence, and there is a good double gate. The garden has a like fence, and a constant stream of water runs through it. Over the spring a spring-house has been erected; it is divided into two rooms one of which is floored. The garden is decorated by a considerable number of fruit trees, young Lombardy poplars and weeping willows, and by a lattice summer house. Next to the garden is a nursery of about nine hundred apple trees. The lower part of the lot forms a piece of meadow of about eight acres enclosed by a post and rail fence. On the same lot stands a horse grist-mill. The building is forty feet long by thirty-four feet wide. Part of the lower story is contrived into a stable for the mill horses and a cow stable. Part of the upper story is used to keep fodder. The mill is double-g geared and in complete order, being furnished with a good pair of stones, good bolting-cloth, and in one corner stands a good fire place. Above the mill runs a never-failing spring which waters a great art of the meadow." See Krafts "The French at Asylum."

†In October, 1796, Mr. Weld, an Englishman, passing through the Susquehanna country, stopped at Asylum, which he describes as "a town laid out at the expense of several philanthropic persons of Pennsylvania, who entered into a subscription for the purpose, as a place of retreat for the unfortunate French emigrants who fled to America. The town consists of about fifty log houses, and for the use of the inhabitants a considerable land has been purchased adjoining it, which has been divided into farms. The French settled here, however, seem to have no great ability or inclination to cultivate the earth, and the greater part of them have let their lands, at a small yearly rental, to the Americans, and amuse themselves with driving deer, fowling and fishing. They live entirely to themselves; they hate the Americans, and the Americans in the neighborhood hate and accuse them of being an idle and dissolute set. The manner of the two people are so very different that it is impossible they should ever agree."



THE QUEEN'S HOUSE AT ASYLUM  
(Courtesy Louise Welles Murray)





intelligence from France on matters of great moment there, it was known to the colonists, early in the Company's affairs, that the King had met a tragic end in 1793. They did not, however, expect a like fate for his consort. *La Grande Maison*, "Great House" or "Queen House" as it became known, was one of the two houses intended for the Queen's occupation. This was completed in 1793, and was occupied by Talon with an intention of turning it over to the one on whom the minds of the colonists centered in case of her escape to American shores. This home on the town plot became the center of social, as well as administrative activities of the colony. The other was intended to be a hiding place for the Queen, deep in the woods. Its site was selected in the seclusion of the forest some seven miles from Asylum, on the Loyal Sock road, near West Terry. A clearing was made and the construction of spacious buildings was actually begun, when news of the fate of the Queen likewise became known. No further attempts seem to have been made after receipt of this intelligence to complete the ambitious plans of this wilderness hiding place, and practically no remains of this second "Queen's House" are now to be found.

However it may have missed its royal occupant, the completed "Queen's House"\* became the assembling point of the colony. Here were held conferences. No doubt plots as to European affairs, which might have sounded strange to the ears of American neighbors, entered frequently into the animated discussions. In its huge reception rooms, upon winter evenings or, upon the occasion of visits by distinguished guests, were scenes of gaiety, perhaps unequalled on the continent. Without doubt it was the most pretentious of American homes of the period. To it, as guests, came the French general, Ternant, who accompanied Rochefoucauld, as did Talleyrand in the fall of 1795, to spend a brief period of his two years' visit to the United States.

Nor was Mr. Talon† behindhand in encouraging the colonists to beautify their rude surroundings, clear up their lots and adapt themselves to new conditions.

A log Chapel was built on the town plot and services were held, with the Abbe Carles and other exiled priests officiating. Several marriages were held in the Chapel. A theater and outdoor dancing pavillion were likewise constructed.

\*The "Queen's House" after the settlement was abandoned, became the home of Bartholomew Laporte, himself a refugee and one of the few of the colonists to become a permanent resident of the Susquehanna country. His son, the Hon. John Laporte succeeded to the ownership of the house. In 1846, the "Great House" became a memory, the best of its squared pine logs going into a barn still standing on the Laporte estate.

Bartholomew Laporte married, December 11, 1797, Elizabeth, daughter of John Franklin, an Englishman. He acquired, from the Company's trustees, title to nearly 500 acres of what was the upper section of Asylum and became one of the most successful farmers of what is now Bradford county. He was County Commissioner for two terms, being chosen at the elections of 1819 and 1821. He died on his estate, February 11, 1836. His wife, much his junior 10 years, survived him sixteen years, dying May 5, 1853. She helped to preserve the true story of the original settlement.

†Omer Talon, the head of the colony, with his love of order, resolute will and generous hospitality, seemed equal to every emergency. How his heart must have swelled with pleasure as he saw the little community, to which he had given his whole thought and energy for so many months, begin to take on a homelike and industrious air. How he must have rejoiced that through his efforts so many poor fugitives would know again the pleasures of home and the



PRINCE TALLEYRAND  
(Courtesy Louise Welles Murray.)

No running stream being available for the purpose, a grist mill, driven by horse power was established, the mill stones being sent up from Wilkes-Barré and one of the ladies contributed a silk petticoat for a bolting cloth. Two stores were shortly

Compte de Bureau pour ouvrages.

29 jours à l'établissement de la boulangerie  
à raison de 10. 1/2 p. jour ----- L 8. 14

5 jours à la grande maison pour les portes  
fenêtres & c. ----- 1. 10

L 10. 14

Asylum le 11 8bre 1794. —  
avec le représentant memoire a la Somme  
de 2000. quatre schellings le 11. octobre  
1794. Talon

WORKMAN'S ACCOUNT IN BUILDING "LA GRANDE MAISON," OR THE "QUEEN'S HOUSE."

opened in the settlement, while the shops of blacksmiths, weavers, tailors and carpenters challenged the hand-craft skill for which France has always been famous.

society of fellow countrymen, though their dearest ones were separated from them for a time. And with what joyful anticipations he must have looked forward to the coming of the Queen, for it is generally acknowledged that it was for the Royal fugitives that this Asylum was planned. It seems, however, that the death of the King must have been known or that he was never expected, for the houses built for royalty's use were always known as the "Queen's houses." Besides the house, built, by Talon, at the town place, and occupied by him, deep in the woods on the Loyal Sock road, near West Terry or New Era, was begun a spacious house or two and a large bakery and other buildings were planned; these were in charge of Charles Homet and were intended for a hiding place for the Queen. Strange irony of fate, even before they were completed the unhappy Queen had followed her husband to the guillotine. The suspension of intercourse between France and America, and the arduous journey between the colony and Philadelphia, accounts for the long delay in the sad news reaching the Colony.

The house built by Talon was the most pretentious in the settlement, and is said to have been the largest log house ever built in America. Elizabeth Laporte said her grandfather always called it "the Queen's House," but it was generally known as "La Grande Maison" or the "Great House," and is so called in all laborer's accounts. It was built of hewn logs with a plain sloping roof, shingled. There were no shingles on the sides. It was about 84 feet long and 60 feet wide, two stories high, with a spacious attic. There were four stacks of chimneys and eight fireplaces on each floor. The windows were square, with no hooded or dormer effects, small square panes of glass. There were heavy, solid-wooden shutters on the windows. On each floor was a hall the entire length, from eight to twelve feet wide, with outside door at each end, with three rooms on the side facing the river and four on the other. The four rooms were of equal size. On the river side the middle room was twice the size of the others in length and extended into the hall with double doors set crossing on each corner, opposite each of which was a broad flight of stairs to the second story. In each end of this room were fireplaces, one much larger than the other. So large indeed that when it was used by the Laportes as a kitchen, oxen drew the back logs right into the room. The mantel was about as high as a man's head. In the center of the side was a double door with the upper half set with small panes of glass. Each side of this door were French windows, very large, opening from the floor nearly to the ceiling. Plain board ceiling was used instead of plaster for walls, most of the woodwork plain and unpainted, though the lower stairs had newell posts and rails of black walnut. This house was built on lot No. 418 and just north of the house now standing, built by Judge Laporte in 1839, now owned by the Ferguson family. It was torn down in 1846 for fear of fire. Traces of the foundation are still in evidence. In this "Great House" was dispensed the hospitality of the settlement. As long as it stood, the large room was called the French ladies' drawing room; here doubtless gathered all the famous visitors to the Colony. Here perhaps were breathed on this of loyalty to Louis Philippe, whom they hoped soon to see on the throne. What brilliant conversation their walls echoed! Alas, there has come down to us but two amusing little stories of the gatherings here.

Though the winters were long and dreary, the summer heat was far more fierce than ever known in "Belle Paris." The first time the writer ever heard of Asylum, was when a little child, she was riding by with Chas. F. Welles of Wyalusing. After pointing out the location and the picnic rock, he added this anecdote told to him by one of the old pioneers. Entering the drawing room (evidently unannounced) he found the great dames seated around the apartment, all complaining bitterly of the intense heat. Skirts were daintily lifted, while slave girls, seated on the floor, industriously plied fans to cool their mistresses' ankles.

At another time a great dinner was in progress in this room. Talon's butler, always too fond of the wine which he served, spilled some soup on a guest; as he had been repeatedly reprimanded for similar offenses, his master's anger knew no bounds. Yet servants were not plenty in Asylum so Talon called for his faithful friend and land steward, Laporte, and said "Will you serve as butler?" Laporte protested, but Talon refused to forgive the offender, and the feast went on with the wine merchant serving in Wallois' place." From Mrs. Murray's "Asylum."

Indeed, Asylum became a matter of great curiosity to the whole Susquehanna basin. The reputed wealth of its inhabitants, their refined style of living, the character of goods for sale in the shops, the flavor of old world romance about it, made the settlement a stopping place for all who travelled. In 1794, Antoine Le Favre was licensed by the Luzerne County Court as an innkeeper at Asylum. He had been proprietor of one of the famous cafés of Paris and presently the reputation of the well furnished table, presided over by Madame LeFavre, had spread far and wide. A year later, a like license was granted to M. Heraud, and in 1797, two more innkeepers, Peter Regnier and John Beddeliere, procured the Court's permission to cater to the wayfarer's needs at Asylum.

However impractical most of the efforts of the colonists proved in their struggle with the wilderness, they left an impression upon those about them in the character of roads they built, in the cultivation of beautiful gardens, in the establishment of schools, and in their love of music and the arts.\* A highway southward to Dushore is still an artery of travel and retains the name of the "French road."

At the height of its fame, Asylum contained not more than fifty houses. But for almost a decade, it was perhaps the most unique settlement in America. Its disintegration was, as had been its beginning, an effect of European politics.

Its settlers had come, not of their own free choice, but to preserve their lives. Most of them never adapted themselves in the slightest degree to frontier life, nor came into association with their American neighbors. When political conditions made possible their return to France, Asylum must have seemed to them a crudely fashioned dream.

As France returned to a sane conclusion that the absence of so large a portion of its population meant the upending of economic conditions, measures looking to a repeal of prescriptive decrees and the restoration of forfeited estates were undertaken. The year 1798 saw the first withdrawals from the colony. Gradually these withdrawals became more frequent until merely a handful of the colony was left to take up farming as a serious occupation of life and to abandon an enterprise, the material evidences of which were soon to crumble into decay. The financial affairs of the Company which fostered the settlement were left in bad shape. The reverses of Robert Morris, as well as of John Nicholson, can be laid almost at the door of this unprofitable adventure. In 1808, a deed of trust for all the property of the Asylum Company was executed to Archibald McCall, John Ashley and Thomas Ashley, empowering them to dispose of its property for the benefit of the Company. It was not until 1843, however, that the residue of unsold lands was finally disposed of to the Hon. William Jessup, of Montrose.

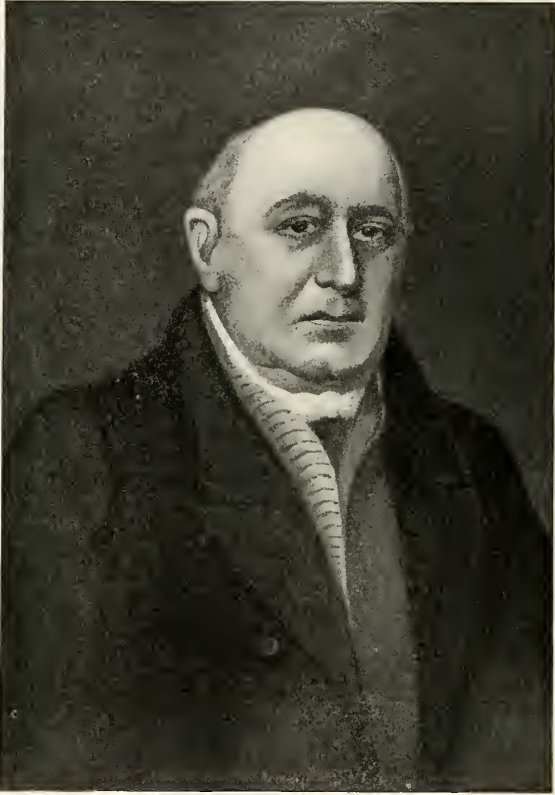
What was quite as important an event to Wilkes-Barré, as it proved to Asylum in the summer of 1797, was the visit of the Duke of Orleans, afterward to become Louis Philippe, King of France, accompanied by his two younger brothers.

In Claypool's Daily Advertiser, Philadelphia, October 25, 1796, there appeared in the "shipping intelligence" column the following item:

"In the America, Capt. Erving, Hamburg, 27 days, came, 24 October, ten passengers. Among them is L. P. B. Orleans, eldest son of the *ci-devant* Egalite, and distinguished in the French Revolution as a Lieut. General at the battle of Jamappes and the final flight of the celebrated Dumouriez."

\*In June of 1923, there was discovered under the floor of a delapidated building known as the "Cole house" at Macedonia, Asylum township, an unfinished bust, nearly lifesize, of what is judged to be a likeness of Louis Philippe as he appeared during his visit. It was the work of a master craftsman for which Asylum was noted and was carved from native oak. The carving, together with other interesting relics of the Colony is preserved in the Tioga Point Museum.

He was then twenty-three years of age and had sought the shores of America in compliance with the requirements of the French Directory.



DAVID HAYFIELD CONYNGHAM  
1750-1834

The ship America was owned by the firm of Conyngham and Nesbitt, then and for many years thereafter one of the most extensive mercantile establishments of Philadelphia. For a time after his arrival, "L. P. B. Orleans" or the Duke of Orleans, was the guest of Mr. David Hayfield Conyngham,\* a member of the firm, at the latter's home on Spruce street.

In February, 1797, the Duke was joined by his brothers, the Duke de Montpensier, age seventeen, and Count de Beaujolais, age twenty-one, after their release from the political prison at Marseilles.

Senex, in his "Interesting Reminiscences" states that the three exiles set out for Luzerne County on horseback, in the summer of 1797.

\*David Hayfield Conyngham was the father of Hon. John Nesbitt Conyngham, for so many years a resident of Wilkes-Barré and President Judge of the Courts of Luzerne County.

Whether the royal brothers visited Wilkes-Barré on their way to and from Asylum, or only upon returning from a two weeks' stay with their countrymen of the colony, is a matter upon which historians differ.

Confirming the Senex statement, there is contained in a sketch of the old Arndt Tavern, (mentioned hereinafter) a narrative as follows:

"The visit of the princes to Asylum was mainly to see and confer with Matthias Hollenback, he having been selected by Robert Morris to arrange for their permanent house in America should that become their fate. They visited Wilkes-Barré on the way up and also returned, coming in on the old Sullivan road, stopping here to rest."

During the period of his ambassadorship to France, when Louis Philippe was King, Lewis F. Cass in "France, its King and its People," becomes authority for what is probably the real record of the journeyings of the brothers in the summer of 1797. From correspondence, he shows that upon leaving Philadelphia, the three, accompanied by one servant and equipped as western traders, made the journey to Pittsburgh on horseback. Thence they proceeded on foot to Niagara Falls and on to Canandaigua where they visited Thomas, the son of Robert Morris. At Newtown, now Elmira, N. Y., they lodged for ten days with Henry Towar, a French innkeeper. Towar fitted them out, according to the Cass narrative, with a Durham boat in which they descended the Chemung to Tioga Point, thence proceeding down the Susquehanna to Asylum.

While at Asylum they were entertained at the "Queen's House" with fetes and hunting parties and many social gatherings. Talon was not at this time the directing head, nor even a member of the colony. Its financial affairs were beginning to show the strain of loose management, and this doubtless influenced the royal guests in a decision not to remain there.

But that they did visit Wilkes-Barré at least upon their return to Philadelphia, is beyond controversy. Strange as it may now appear, there is little of local record descriptive of this visit. True, the Duke of Orleans was not then in direct line for the crown of France, even if the monarchy should be restored. Furthermore, Wilkes-Barré had become so accustomed to visits of members of distinguished families of France, in connection with the unusual settlement to the northward, that the particular visit in question excited no unusual comment. The struggling local newspaper of the time carried no mention of the arrival, and no faithful diarist, like Colonel Pickering, then recorded his impressions, of so notable an event, to be preserved as a heritage among a mass of papers.

The brothers stopped for several days at the Arndt Tavern, on South River street, which then stood on the site of the present Darling residence, and commanded the best the tavern's host could place at their disposal. In the Senex "Reminiscences" it is narrated that the tavern was kept by a "Mr. Morgan."



THE DUKE OF ORLEANS,  
LATER LOUIS PHILIPPE, KING OF FRANCE  
(Courtesy Louise Welles Murray.)

This is in error, as John P. Arndt then, and for many years thereafter, was its proprietor. What evidently confused Senex was the later marriage of one of the daughters of Mr. Thomas Morgan, to David Wilmot, of Towanda, (in a room in the old tavern which was pointed out in later years with great pride by both townspeople and proprietor as the one which had been used as a parlor by Louis Phillippe). Mr. Morgan was at that time proprietor of the tavern. David Wilmot was the author of the famous "Proviso," an historical episode in the protracted slavery contest between States.

A year after the publication of his "History of Lodge 61, F. and A. M., of Wilkes-Barré," in 1897, the late Oscar J. Harvey came upon some hitherto unknown correspondence of the period which indicated that prominent members of that Lodge undertook to make the visit of the royal brothers as interesting and comfortable as possible during their brief stay.

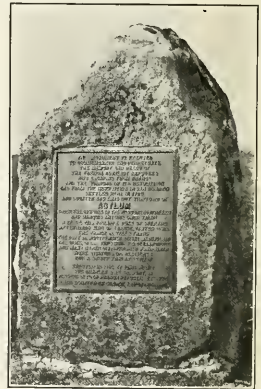
Louis Phillippe was a Free Mason, having been admitted to a lodge in Paris in 1792. His father, the notorious "Egalite," then Duke of Orleans, was at that time Grand Master of Masons in France.

In the year 1797, Lodge No. 61, F. and A. M., of Wilkes-Barré, was three years old. It numbered sixteen members, and its meeting place was the home of Captain John Paul Schott, on North Main street.

Louis Phillippe visited this lodge during his Wilkes-Barré stay. The Duke who could, and did in time, effectively display all the dignity of a French monarch, seems to have produced a favorable impression wherever he went.

The only account of incidents of his visit, preserved by older historians of the Wyoming region, is found in Peck's "Wyoming," page 99. It, and much other data of his volume written in 1858, was based on statements made by Mrs. H. D. Alexander, a daughter of Capt. William McKerachan, killed at Wyoming. In referring to her Peck states: "To Mrs. Alexander, a stepdaughter of Judge Hollenback we are greatly indebted and we owe many thanks to her granddaughter, Miss E. P. Alexander for a beautiful manuscript, in which these facts are neatly and comprehensively written down." In its issue of June 27, 1878, the *Wilkes-Barre Leader* published some of this manuscript of Miss Alexander under the title "A Sketch of the Arndt Tavern" in which the following appears:

"They dined at Col. Hollenback's. All that met them on that occasion were delighted with them. \* \* \* The future king was rather despondent and absorbed. The others were more lively, especially the Duke de Montpensier, who was very affable and lighthearted. She (Mrs. Alexander) mentioned him particularly as being dressed entirely in white, his cravat and ruffles being of costly lace, were the envy and admiration of the ladies of the household. They returned to the Valley by boat and proceeded to New York from thence soon after (1800)



BOULDER AND TABLET MARKING THE SITE OF THE PUBLIC SQUARE AT ASYLUM

The tablet is inscribed as follows:  
 This monument is erected to commemorate and perpetuate the memory and deeds of the French Royalist Refugees who escaped from France and the horrors of its revolution and from the revolution in San Domingo settled here in 1793 and located and laid out the town of ASYLUM under the auspices of the Viscount de Noailles and Marquis Antoine Omer Talon In 1796, Louis Phillippe, Duke of Orleans afterward King of France, visited here. The Prince of Talleyrand The Duke de la Rochefoucauld de Liancourt and many other distinguished Frenchmen were visitors or residents for a short time, at Asylum Erected in 1916, by John W. Mix and Charles d'Autremont, Jr. descendants of French refugee settlers Land donated by George Laporte heirs.

sailing to England. Another celebrated party who were 'put up' at the old tavern were Herman Blennerhasset with his beautiful and accomplished wife. It was after their downfall and ruin as prominent victims of Aaron Burr's treasonable conspiracy. On their way to Montreal they came here to see the sister of Mrs. Blennerhasset, Mrs. Dow, who lived upon a farm long known by their name, situated in what is now the borough of Ashley."

Another who met him narrated that "though his voice was far from melodious, he spoke in a pleasing tone without the slightest suggestion of that condensation peculiar to the elders of his family." "This" continued the narrator, "with a kindly twinkle of the eye, constituted an expression which quickly dispelled all awe-inspiring notions of royalty in general."

In "Some Early Recollections," a paper read before the Wyoming Historical and Geological Society, November 16, 1917, by the Hon. George R. Bedford, and printed in Vol. XVI, of the publications of that Society, the following account of the visit is given:

"Near sunset on a summer day in 1797, a small boat was moored at the river's shore and three distinguished looking strangers debarked and sought lodging at the old tavern. The strangers, it transpires, were princes born in sunny France, Louis Philippe, Duke of Orleans, who later became King of the French, and his two brothers, Duke of Montpensier and Count Beaujolais, exiles compelled to leave their native land, then struggling in the throes of revolution. They were at the time on their return to Philadelphia from a visit to the French refugee settlement at Asylum. More than fifty years later, at an audience granted by the King to George Catlin, the Indian painter, who was a native of Wilkes-Barré, the king referred to his sojourn in America and incidentally to his visit to Asylum, and his stay "at a little village named Wilkes-Barré," when Catlin, very much interested, exclaimed, "Why, that was my native place."

While the French colony at Asylum left but little permanent impress upon the trend of events in Luzerne County, and seems to have escaped all but the briefest notice at the hands of the American public in general, world events of the last decade of the eighteenth century thrust themselves prominently before the country. Such outside newspapers as were brought to Wyoming were passed from home to home and from settlement to settlement. The rise of the French republic was greeted with rejoicing, although the violence and excesses of its accomplishment were deplored.

But what was of more immediate concern, was the mighty contest then raging on land and sea between England and France. As the contest assumed the character, more and more definitely marked, of a struggle for ascendancy in the rule of the world, the feelings and judgments of thoughtful men in America were put to the severest test. It was apparent to the reflecting mind that the ultimate success of neither of the contestants boded well for the United States. If France should become the master of Europe, its imperial sway would brook no delay in becoming the master of America. The whole course of that power proved that it considered the aid rendered the United States in accomplishing their severance from British dominion as giving it a title to demand their subserviency. On the other hand, if England, as the champion of thrones should prevail, and the old regime be everywhere reestablished, the chances seemed small for a single republican experiment, not yet cemented into the strength of maturity, being able to survive.

Yet the very nature of the contest made it impossible for the United States to side with either cause, and Washington, as well as his advisors, announced a policy of strict neutrality which, under no circumstances was to be violated.

France was mortally offended that the United States would not make common cause with her. She had expected and claimed an active alliance for the aid she had given America in its war for independence. Naturally a majority of Americans sympathized with France, and for a time the French Party, as it

became known, seemed to sway all but Washington and his immediate counsellors.

Exploiting this sentiment in her favor, and considering that high officials of the government stood alone in opposing her designs, France appointed ambassadors who, in the most insolent and audacious manner, ignored the fundamentals of established diplomatic relationships, and entered into correspondence, conference and co-operation with the party opposed to the administration. Moreover, they openly violated American law in purchasing and fitting out vessels in American ports, to cruise against the commerce of nations with whom we were at peace.

In the year 1797, the difficulties of the United States Government with France, consequent upon the ratification of Jay's treaty with Great Britain, reached a point little short of war. Through fear of a French invasion in 1798, additions were made to the regular army, and further additions were provisionally authorized. President Adams appointed General Washington Commander-in-chief, with the rank of Lieutenant General, and Alexander Hamilton was appointed Inspector General, with the rank of Major General.

During the years 1798 and 1799, there was great excitement throughout the country, and the patriotic impulses of citizens were everywhere and on all occasions, encouraged and stimulated: the orator on the platform, the clergyman in the pulpit, and the Judge on the bench, engaging in political and patriotic harangues to the people when opportunities were afforded. July 3, 1798, a general meeting of the militia officers of Luzerne County was held at the Court House, in Wilkes-Barré, "for the purpose of taking proper action upon the subject of enrolling and organizing the militia for active service." Gen. Simon Spalding, of Sheshequin, was elected President, and resolutions were passed with great enthusiasm, declaring among other things, that "no sensations of gratitude, no relics of enthusiasm, remain to distract us from our duty as American citizens to our country." The officers present then proceeded to formally offer their services to the State "whenever the emergency arises in which she needs them."

The following is a portion of a charge delivered to the Grand Jury, in the Court House at Wilkes-Barré, at August Sessions, 1798, by the Hon. Jacob Rush, the first President Judge of the Courts of Luzerne County. This charge, compared with charges delivered by Judges in our day, may be characterized as quite extraordinary and unique:

"Gentlemen of the Grand Jury: I congratulate you on the dissolution of the political ties that have been the means of connecting us for several years with the French Nation. Thank Heaven, the Gordian knot is at last cut, and we are separated, I trust, forever!

"The 17th day of July, Congress, by law, disannulled our treaties with that country, and declared them to be no longer binding upon the United States. It would take up too much time, and is foreign to my present purpose, to go into a full detail of the numerous reasons that have long required, and now fully justify, this procedure on the part of our Government. From the date of our treaties with France, in the year 1778, no event occurred between the two Nations worthy of notice till the commencement of the war in Europe. The French are, I believe, the first Nation upon earth that have publicly renounced the obligatory force of treaties, and assumed the profligate position that they may be broken whenever the circumstances of either party may require it.

"It is one thing to transgress the laws of truth and virtue, and another to maintain the lawfulness of the action. The very Algerines and Savages would blush at the thought. \* \* \* Having in vain endeavored to drag us into the vortex of the European war, they have since systematically pursued a plan for the extirpation of our commerce."

The Judge then referred to the infidelity of the French people, to the laxity of their marriage and divorce laws, to their abolishing the Sabbath, etc., and continued as follows:

"Our country has been too long allied to France! It was the connection of unsuspecting youthful virtue with an old bawd, at one period disguised in the robes of Monarchy, at another



in the less fascinating garb of a Republican dress—but invariably the same. Let us, however, gentlemen, indulge the animating hope that the period of our deliverance from this complication of evils is dawning upon us. The 17th day of July draws a line, and tears up the foundation of our National connection. Hail, auspicious day! Henceforth the absurd claim of National gratitude will be no longer rung in our ears by ungenerous benefactors. Let the 17th of July be had in everlasting remembrance! Upon the anniversary of that day let the voice of joy and gratitude be heard through our land. From calamities infinitely more to be dreaded than those commemorated upon the 4th of July, it is calculated to secure us. The one shielded us only from political dependence and subjection, but the other, we flatter ourselves, will be the means of saving us from religious, moral and political destruction.”

To this charge the Grand Jury presented a reply, beginning:

“Hon. Jacob Rush—Sir: We thank you for the address delivered to us at the opening of the present Court. It contains sentiments so just, principles so well founded and correct, that we take much pleasure in approbating the charge,”—etc.

This was signed by Capt. Samuel Bowman, Capt. Eleazer Blackman, Cornelius Cortright, Naphtali Hurlbut, and fifteen others who composed the Grand Jury.

Failing to induce this government to declare war against her enemies, and becoming jealous of the growing intimacy between us and England, the object of her inveterate hate, France adopted measures destructive of the commerce and derogatory to the honor of the United States. She dismissed the American minister, and her ships of war captured and confiscated several of our merchant vessels. The United States, after several attempts at negotiation had failed, prepared for war. Hostilities commenced in January, 1799, on the ocean, by the surprise and capture of the American sloop of war Retaliation, Lieutenant Bainbridge, by the French frigate Insurgent of forty guns. In February following, the United States frigate Constellation, of thirty-two guns, Captain Truxtun, fell in with and engaged the Insurgent, and in one hour and a half compelled her to strike her colors. In a few days after, the Constellation engaged the French frigate Vengeance, of fifty-four guns. The engagement lasted from eight o'clock in the evening until one in the morning following. The Vengeance struck her flag twice, but on account of the darkness of the night it was unperceived by Truxtun. The Constellation lost her mainmast, and being unable to make pursuit, the Vengeance escaped, but with great loss.

On the 25th of January, 1799, Samuel Bowman was commissioned by President Adams, Captain in the Provisional Army, and in April he received from the Adjutant-General of the Army a copy of the “Rules for the Recruiting Service.” He immediately set about enlisting recruits and organizing his company, and in order to expedite matters he inserted in The Wilkesbarre Gazette of May 11, 1799, and posted in public places, printed on large sheets, the following advertisement:

“To all brave, healthy, ablebodied and well disposed young men, who have any inclination to join the troops now raising under General Washington for the defense of the Liberties and Independence of the United States against the hostile designs of Foreign Enemies,—Take Notice! That constant attendance will be given by Capt. Samuel Bowman at the house of Jesse Fell in Wilkesbarre, with recruiting parties of his company belonging to Maj. John Adlum's battalion of the 11th regiment of infantry. \* \* \*

“The encouragement to enlist is truly liberal and generous, viz., a bounty of \$12, an annual and fully sufficient supply of good and handsome clothing, a daily allowance of a large and ample ration of provisions, together with \$60 a year in gold and silver money.

“Those who may favor the recruiting party with their attendance as above, will have an opportunity of hearing and seeing, in a more particular manner, the great advantages which these brave men will have, who shall embrace this opportunity of spending a few happy years in viewing the different parts of this beautiful continent, in the honorable and truly respectable character of a soldier; after which he may, if he pleases, return home to his friends, with his pockets full of money, and his head covered with laurels.

“God Save the United States!”

Samuel Erwin and John Milroy, of Northampton County, Pennsylvania, were appointed, respectively, First and Second Lieutenants of the company. In July, 1799, thirty men,\* under command of Lieutenant Erwin were marched to camp, in New Jersey, and later they were joined by Captain Bowman and Lieutenant Milroy, with the remainder of the company. They were ordered to Union Camp, New Jersey, and there were attached as the 3d company to the 11th Regiment, U. S. Infantry, commanded by Lieut. Col. Aaron Ogden,† of Elizabethtown, New Jersey.

Pennsylvania's quota of the 80,000 troops raised for the war, under an Act of Congress passed in 1798, was 10,684, the number of troops apportioned to Luzerne County being 166. Major General Thomas Craig, of Montgomery County commanded the second division of Pennsylvania's quota, Major General John Gibson, of Allegheny county, the third division and Major General William Irvine, of Cumberland County, commanded the first division and was also Commander-in-Chief of the state's forces.

It was to the latter division that Luzerne's quota of troops was assigned.

Captain Bowman's‡ company remained in camp until September, 1780, when owing to a change in the attitude of France, and the resumption of diplomatic relationships between the two countries, the provisional force was disbanded, and the company returned to Wilkes-Barré for muster out.

\*Captain Bowman furnished a list to the *Wilkes-Barre Gazette* of the men of his Company who marched from Wilkes Barré, in August, 1799, under command of 1st Lieutenant Samuel Irvine. This list, published August 13th, is as follows:

Ampfurf, Geo.	Curtis, David, Sr.	Lovell, John
Blakesly, Amaziah	Clair, Francis	Langley, William
Baley, James	Davis, Jonah	Miller, Samuel
Barns, Low	Downing, Aaron	Owen, Benjamin C.
Crosier, Reuben	Ford, Isaac	Perino, Peter
Cuthbert, John	Gallentine, George	Staples, James
Conklin, Jonathan	Holleback, John	Trusdale, John
Curtis, David	Harris, Asa	Vorace, John
Conaway, Chas.	Hayne, Thomas	White, Ephraim
Cameron, Archibald	Haynes, David	Weissenfeltz, John

A muster roll of the Company, bearing date of June 14, 1799, contains the following names not mentioned by Captain Bowman as original members of the Company who left Wilkes-Barre:

Mervy, John	Tompkins, Ichabod	Mannig, Solomon
Fiske, Thomas	Agerston, James	Brown, Steven
Landon, David	Stark, John	Bayley, Steven
Horton, Samuel	Holdren, Joseph	Evans, Samuel
Nash, Azos	McIntire, James	Wigton, Samuel
Hazzard, Benjamin	Charles, John	Point, Thomas
Hullet, Benoni	Webber, Jooathan	Hadgins, Thomas
Jenoings, Benjamin	Ellis, John	Quick, Thomas
Bowles, Charles	Gale, Israel	Walterman, Thomas
Ayer, David	Harris, James	Wright, Thomas
Hathaway, David	Lewis, James	Parker, William
Jane, David	Shaw, John	Allan, William
Curtis, David	Lake, James	Decker, William
Sage, Daniel	Cownover, Jacob	Kingsley, Wareham
Farman, Daniel	Weeks, Luther	Robison, Walter
Thompson, Elias	Thomas, Moses	Tullte, William
Clarke, George	Hunter, Phillip	Ritchey, William
Deshler, George	Andre, Peter	Walker, James
Trucks, George	Underwood, Phineas	Wickiser, Isaac
Perry, Godfrey	Williams, Peter	Evans, John
Hunter, Henry	Buck, Reuben	Wheeler, Jacob
Sumerlaia, Hugh	Harris, Samuel	

Moreover the muster roll indicates that the following nine men who left Wilkes-Barre were not members of the Company on June 14, 1799:

Ampfurf, George	Curtis, David, Sr.	Cuthbert, John
Barns, Low	Clair, Francis	Miller, Samuel
Conaway, Charles	Cameron, Archibald	Weissenfeltz, John

†AARON OGDEN, was born at Elizabethtown, N. J., December 3rd, 1756. He graduated from Princeton College in 1773. In the Spring of 1777, he received a commission in the First New Jersey regiment. In 1779 he was a Captain in this regiment, which was commanded by his brother, Col. Matthias Ogden, and he accompanied General Sullivan's expedition to the Wyoming Valley and southern New York as an aide to General Maxwell. He served in many staff positions during the war, with Generals Maxwell and Lord Sterling, received great commendation for services at the siege of Yorktown and was, after the war, a United States Senator and then Governor of New Jersey. He died in 1839.

‡SAMUEL BOWMAN was born at Lexington, Massachusetts, December 2, 1753, the eighth child of Capt. Thaddeus Bowmao. He was one of the minute-men on Lexington Common, April 17, 1775, when they were fired upon by the British troops. The next month, as a drummer in Capt. John Parker's Lexington Company of Massachusetts militia, he was in service five days at Cambridge by order of the Committee of Safety. In June, 1775, as a private in the same company, he was again in service at Cambridge.

¶Early in 1776, Samuel Bowman enlisted as a private in Capt. John Bridge's Company of Col. Eleazar Brooks' regiment of Massachusetts infantry in the Continental service, and in March, 1776, was stationed with his company at Roxbury, Massachusetts. His term of service in this organization expiring in the latter part of 1776, he immediately enlisted in Capt. Abraham Watson's company in the 3rd Massachusetts Regiment, Continental Line, commanded

by Col. John Groaton. Soon thereafter he was promoted Sergeant, and some months later was appointed Sergeant Major.

"Upon the recommendation of Col. Groaton, Sergeant Bowman was commissioned Ensign by the Massachusetts Council March 4, 1780, and was assigned to Capt. J. Sumner's Company of the 3d Regiment.

"In September, 1780, Ensign Bowman was with his regiment in camp at Tappan, on the Hudson River. On the 23d of September, Major John Andre, the British spy, was captured and brought into the American camp at Tappan. Having been tried, convicted and sentenced to be hanged on October 2, 1780, Major Andre met his fate at Tappan on that day. During the last twenty-four hours of Major Andre's life Ensign Bowman was one of his special guards and was one of the two officers who marched arm in arm with him to the place of his execution. A year or two before his death Samuel Bowman wrote an interesting account of the last hours of Major Andre.

"April 22, 1782, Ensign Bowman was promoted to a lieutenancy in the 1st Massachusetts Regiment, Continental Line, commanded by Col. Joseph Vose, which promotion was approved by the Massachusetts Council July 2, 1782.

Lieutenant Bowman became a member of the Society of the Cincinnati soon after its organization, May 13, 1783. Upon the conclusion of peace between the United States and England, and the disbanding of the Continental army, Lieutenant Bowman returned to his home at Lexington, where he remained until the latter part of 1786, when he removed to the Wyoming Valley, and settled on a tract of land just northeast of the Village of Wilkes-Barre, which still bears the name of Bowman's Hill. This tract or plot, which contained between three and four acres of land, lay at the northwest corner of the present North Main and West North Streets in the City of Wilkes-Barre. Originally it formed a part of what was denominated the "50-acre lot" in the Susquehanna Company's survey of the lands lying within the bounds of the township of Wilkes-Barre. In 1773, this four-acre plot was set apart by the proprietors of the township for a public burial ground, but was used as such for only a short time.

"Near the northeast corner of this plot, on the northwesterly side of Main Street, about four hundred and thirty feet from North Street, Lieutenant Bowman erected a modest frame house for his occupancy, and to it, in November, 1787, he brought his bride, Eleanor Ledlie, daughter of William and Elizabeth Ledlie, of Philadelphia. A few years later Lieutenant Bowman became the owner of some five hundred acres of land lying near his home—but chiefly on the easterly side of Main Street—and in 1810-1811, he built a new dwelling house on his home lot, some two hundred feet nearer North Street than his original house stood.

"In 1794, during what is known in Pennsylvania history as the "Whiskey Insurrection," Samuel Bowman raised a company of light infantry at Wilkes-Barre, and marched thence in command of the same, about October 1st, to join the corps of Pennsylvania militia which had been organized and ordered into service by direction of the Governor of the Commonwealth to quell the "Insurrection."

"In the year 1797, the difficulties between the United States Government and France, reached a point a little short of war. In 1798 additions were made to the regular army of the United States, and further additions were provisionally authorized. General Washington was appointed Commander-in-Chief.

"January 25, 1799, Samuel Bowman was commissioned by President Adams, a Captain in the Provisional Army of the United States, and was ordered to proceed to New York, enlisting recruits and organizing a company to be attached to "Maj. John Adlum's battalion of the 11th Regiment of Infantry."

"In July, 1799, Captain Bowman was ordered to march his company to Union Camp, New Jersey, where it was attached—as the 3d Company—to the 11th Regiment, U. S. Infantry, commanded by Lieutenant Colonel Aaron Ogden. Captain Bowman and his company remained in camp, in New Jersey until September, 1800, when, satisfactory arrangements having been made with France, the Provisional Army was disbanded. During the last two months of his military service, Capt Bowman was detached from his company and served as an aide on the staff of General Hamilton, who, at the death of General Washington in December, 1799, had succeeded to the command in chief. General Hamilton was at that time President of the Society of the Cincinnati, and, Capt. Bowman being a member of the Society a close friendship sprang up between the two officers, which ended only with the untimely death of Hamilton in 1804.

"Captain Bowman returned to his home and family at Wilkes-Barre, in September, 1800, and from that time forward until the day of his death he lived quietly on his farm on North Main Street, except from 1807 until the latter part of 1811, when he occupied a small farm which he owned south of the borough of Wilkes-Barre. During this period he built his new home on North Main Street, and to it he removed in the latter part of 1811. There he died June 25, 1818.

"Capt. Samuel and Eleanor (Ledlie) Bowman were the parents of nine children, six of whom grew to maturity; and of these, two became prominent—one in the Church and the other in the Army. The fifth child was Samuel Bowman, Jr., born at the old homestead in Wilkes-Barre, May 21, 1800. At the age of nineteen he began the study of law at Wilkes-Barre, and was admitted to the Bar of Luzerne County, August 8, 1821. Very shortly after his admission to the Bar he entered the study of theology under the direction of Rt. Rev. William White, D. D., of Philadelphia, the first Protestant Episcopal Bishop of the diocese of Pennsylvania. He was admitted to the order of Deacons by Bishop White at Christ Church, Philadelphia, August 30, 1823, and was ordained Priest, December 19, 1824.

"In 1825, Mr. Bowman became Rector of Trinity Church, Easton, Pa., where, May 18, 1825, he was married to Susan, daughter of Samuel Sitgreaves, Esq., of that town. In 1827 he removed to Lancaster, Pa., and became Assistant Rector of St. James' Church, succeeding to the Rectorship three years later. In 1847 he declined the bishopric of the Diocese of Indiana, to which he had been elected. About that time Hobart College conferred upon him the honorary degree of S. T. D. In May, 1858, he was elected Assistant Bishop of Pennsylvania (of which diocese the Rt. Rev. Alonzo Potter, D. D., was then Bishop) and was consecrated at Philadelphia, August 25, 1858.

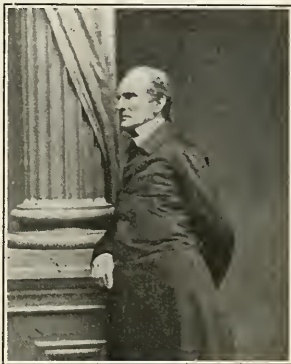
"Bishop Bowman died very suddenly, in Western Pennsylvania, August 3, 1861. His remains were conveyed to Lancaster, where they now lie interred in St. James' churchyard. Nearly are two pine trees brought by Dr. Bowman from his father's old home in Wilkes-Barre, and planted by him in the churchyard. A few years ago they were considered the largest of their kind in Lancaster County.

"Dr. Bowman was twice married, his second wife being Harriet Rumm Clarkon, a daughter of the Rev. Joseph Clarkon, Rector of St. James' parish from 1799 till 1830. A daughter of Dr. Bowman became the wife of the Rt. Rev. Thomas H. Vail, the first Protestant Episcopal Bishop of Kansas.

"ALEXANDER HAMILTON BOWMAN, born at Wilkes-Barre March 30, 1803, was the sixth child of Capt. Samuel and Eleanor (Ledlie) Bowman. He became a cadet at the United States Military Academy, West Point, July 1, 1821, and was graduated July 1, 1825, third in a class of thirty-seven. Among his classmates were: Alexander Dallas Bache (a great-grandson of Benjamin Franklin), who subsequently became President of Girard College, Philadelphia; Robert Anderson, who commanded Fort Sumter at the breaking out of the War of the Rebellion, and subsequently obtained the rank of Major General in the United States Army; Charles F. Smith, who subsequently became a Major General in the U. S. Army.

"Immediately upon his graduation, Alexander H. Bowman was promoted Second Lieutenant in the Corps of Engineers, and was detailed to serve at the Military Academy as Assistant Professor of Geography, History and Ethics, which position he held until June 15, 1826. During this period Jefferson Davis (class of 1828) and Robert E. Lee (class of 1829) were cadets at the Academy.

"Lieutenant Bowman spent the summer and autumn of 1826 at his home in Wilkes-Barre, and was then ordered to report for duty as Assistant Engineer in the construction of the defenses, and of the improvements of harbors and rivers, along the Gulf of Mexico. In this service he was engaged until 1834, when he was detailed as Super-



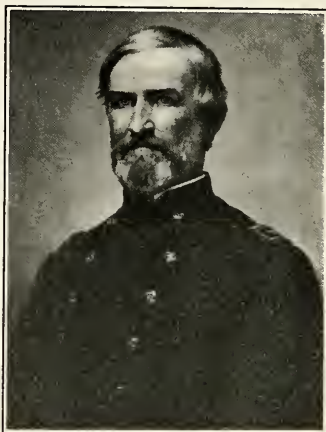
BISHOP SAMUEL BOWMAN

intending Engineer of Military Roads from Memphis, Tenn., to the St. Francis River, Arkansas, and also of the improvements of the Cumberland and Tennessee Rivers.

Having been promoted First Lieutenant, Corps of Engineers, January 21, 1835, he was promoted Captain, July 7, 1838, and a few days later was detailed as Superintending Engineer of the construction of Fort Sumter, and repairs of the fortifications for the defense of the harbor of Charleston, South Carolina, and the preservation of their sites by the building of jetties, etc. In the performance of these duties Captain Bowman was actively engaged until the spring of 1851; meanwhile, in 1847, serving as a member of a special Board of U. S. Engineers appointed to devise means for protecting the site of Fort McRee, in Pensacola harbor, Florida.

From May, 1851, to June, 1852, Captain Bowman was commandant of the corps of Sappers, Miners and Pontoniers at West Point, and Instructor of Practical Military Engineering in the Military Academy. During the latter half of the year 1852 and the greater part of 1853, he was Superintending Engineer of the improvements of Charleston harbor, and in charge of the survey of the harbor of Georgetown, South Carolina. At the same time he was a member of the Commission appointed to devise a project for the improvement of the Savannah River, Georgia.

In 1853, he was appointed Chief Engineer of the Construction Bureau of the U. S. Treasury Department, and Superintending Engineer of the elaborate and extensive additions and improvements being made to the Treasury



COL. A. H. BOWMAN  
From original oil portrait at West Point.

Building in Washington. The important duties of these offices occupied his time until early in 1861. Meanwhile, on January 5, 1855, he was promoted Major in the Corps of Engineers, and during the years 1857-59 served as a member of the Light House Board of the Treasury Department.

Major Bowman was appointed Superintendent of the Military Academy, West Point, early in 1861, with the rank and pay of Colonel. This office he filled until July 8, 1864, when he was relieved by order of Secretary of War Stanton. (He had been promoted Lieutenant Colonel in the Corps of Engineers March 3, 1863.) From August 5, 1864, to February 11, 1865, he was a member of the Naval and Engineer Commission for selecting a site for a U. S. naval establishment on one of the western rivers; and from June 20, to November 11, 1865, he was a member of the Board of Engineers appointed to carry out in detail the modifications of the defenses in the vicinity of Boston, Mass.

Colonel Bowman died at his home on 'Bowman's Hill,' Wilkes-Barre, November 11, 1865, in the sixty-third year of his age, being survived by his wife, two sons, and three daughters. His wife, who, at the time of her marriage in 1835, was Miss Marie Louise Colin, of Pensacola, Florida, died in Wilkes-Barre, October 4, 1889.

See "The Story of Bowman's Hill" by Major General C. Bowman Dougherty.





## CHAPTER XXXVII.

BEGINNINGS OF SUSQUEHANNA RIVER COMMERCE—WAREHOUSES AND BOAT YARD ON THE RIVER COMMON—LAUNCH OF THE "JOHN FRANKLIN"—DURHAM BOATS AND RAFTING—EARLY GRIST-MILLS—HISTORY OF THE MINER-HILLARD MILL—ERECTION OF "THE MEETING HOUSE ON THE SQUARE"—FUNDS TO COMPLETE THE STRUCTURE RAISED BY THE WILKES-BARRÉ MEETING HOUSE AND BANK LOTTERY—THE LOTTERY BRINGS FINANCIAL DISASTER—BELL OF "OLD SHIP ZION"—"OLD MICHAEL," THE SEXTON.

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"Adversity is sometimes hard upon a man; but for one man who can stand prosperity there are a hundred who will stand adversity."—*Carlyle*.

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"Beautiful and salutary, as a religious influence, is the sound of a distant Sabbath bell, in the country. It comes floating over the hills, like the going abroad of a spirit; and as the leaves stir with its vibrations, and the drops of dew tremble in the cups of the flowers, you could almost believe that there was a Sabbath in nature, and that the dumb works of God rendered visible worship for his goodness. The effect of nature alone is purifying; and its thousand evidences of wisdom are too eloquent of their Maker not to act as a continual lesson; but combined with the instilled piety of childhood, and the knowledge of the inviolable holiness of the time, the mellow cadences of a church bell give to the hush of the country Sabbath a holiness to which only a desperate heart could be insensible."—*Anonymous*.

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About the beginning of the nineteenth century and for many years thereafter, the Susquehanna was to play an important role in affairs of the Wyoming Valley. In the Connecticut regime, the bateau of the more adventurous settler made lengthy trips along the river, either as a means of securing information of the enemy, or in the pursuit of trade limited to essentials of life. As relation-

ships with Pennsylvania became more firmly cemented, due to the gradual settlement of those disputes which had so often interrupted the commercial, as they did the social, life of the community, this trade began to take on new vigor. The Provincial Assembly of Pennsylvania had recognized the importance of the Susquehanna as early as 1771. In that year the river was declared a navigable stream, and certain sums from the provincial treasury were added to contributions volunteered from individuals and riparian settlements, to be devoted to the removal of snags, the clearing of sand bars and the opening of a channel which could be used during periods of low water.

The river, from Columbia to Wilkes-Barré, felt the beneficial results of appropriations under this act.

These early bateaux were of a nondescript class. The canoe was a favorite for rapid transportation, but was lacking in cargo space. The dugout or hollowed log was more substantial in structure. Frequently two of these dugouts were held together by a deck of hewn timber, thus permitting added space for crew and load. A skeleton of hickory, covered with skins, was not an uncommon form for the early Susquehanna boat. The development of the "Durham boat", so called from its being built at Durham, on the Delaware, marked an important incentive to commerce on inland rivers. According to Mr. J. A. Anderson of Lambertville, N. J., who published, in 1912, much information on the subject,



DURHAM BOAT ON THE SUSQUEHANNA.

under the title of "Navigation on the Upper Delaware", the first "Durham boat" was built in 1750. The standard boat of this type was some forty feet in length, eight feet beam and two feet deep. Both bow and stern of the Durham pattern were sharp pointed, and at each end were erected small decks for the steersmen.

Running boards for the polemen ran the length of the vessel on each side. A removable mast with two sails could be adjusted to secure the help of favorable winds. These boats carried a crew of five men, four of whom, two on each side, manned the setting poles, one end of which placed securely on the bottom, the other resting against a shoulder of the pole man, gave a forward impetus to the boat as the four men walked along the running boards. The fifth man steered the craft from the after deck. When loaded, these boats carried about fifteen tons of freight and drew some twenty inches of water. Against the current,

when the pole men bent to their tasks, the boat made an average headway of about one and a half miles an hour.

From the "Diary of an Old Susquehanna Settler," reprinted in the *Springfield Republican*, in September, 1901, is the following:

"The trip down the river on one of these Durham boats was full of excitement and interest. Sometimes the boat was allowed to drift at night with the current, and at other times it was sent down on a 'white ash breeze.' The men on the boat did not like the balmy zephyrs of this 'breeze,' as the chief part of it consisted of long ash poles. One end of the pole was shod with an iron cap. This was planted on the bottom of the river and the other end was placed under the arm of the man and he was invited to push. In this way the boat was poled along."

Just when the first of this type of boat appeared on the Susquehanna is a matter of conjecture. Wright states that Benjamin Harvey, Jr., was the owner of a Durham boat, in 1775, and that it made frequent trading trips on the lower river. As no roads then existed to Delaware river points over which anything on the order of a boat could be transported, it is probable that Mr. Harvey constructed his own boat along ideas secured from Delaware builders. Mr. Anderson suggests that some of the boats, among the several hundred which constituted the fleet attached to the Sullivan Expedition, in 1779, may have been brought over from Easton to Wilkes-Barré by ox teams. The water transport of General Sullivan was classed merely as "boats" in journals and diaries of officers of his army, and it was doubtless made up of any form of craft that could be built at Wilkes-Barré, or secured by other means, from Sunbury and other river points.

Whoever may have built the first boat of the Durham pattern on the Susquehanna, it can be set down that Philip Arndt\* and his son John P. Arndt, were the first to engage in boat building on an extensive scale.

They, with Jacob Arndt, a cousin of Philip Arndt, had removed from Durham Cove to Easton, sometime previous to 1790, and established themselves in the mercantile business at that point. Through the extension of their trade, they became acquainted with possibilities of the Wyoming country and John P. Arndt, at least, was a resident and tavern keeper at Wilkes-Barré in 1797. In 1800, he constructed a building on the northerly side of the tavern for use as a general store and about the same time built a large warehouse on the river bank, opposite the tavern.

This was the second warehouse that stood, on what is now the River Common, (in the early days of development of river traffic) and was a larger and more commodious structure than the one owned by Judge Matthias Hollenback, which had been erected five years before and stood almost opposite the present Coal Exchange.†

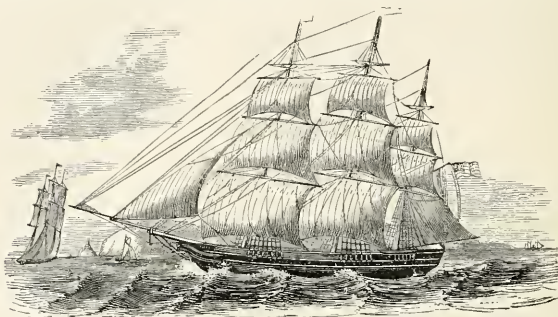
In 1801, John P. Arndt was engaged in the boat building business with his father, the boat yard being located on the river bank, above Northampton street. In 1803, their business of boat building led to an ambitious experiment which induced many to believe that ship building, on a large scale, could be attempted at points far removed from tidewater. In July of that year they launched the "*John Franklin*", a schooner of about twelve tons, which successfully reached

\*PHILIP ARNDT, the only son of Abraham and Catherine (Reed) Arndt, was born near Soudertown, Montgomery County, Pennsylvania, January 27, 1754. He later became a resident of Durham Cove, near Easton, where he was interested in boat building. About 1790, he was interested in the mercantile business at Easton with his cousin, Jacob Arndt and son John Penn Arndt until the latter's removal to Wilkes-Barré in 1797. Phillip Arndt followed his son to Wyoming in 1801, and superintended the boat yard of Arndt & Arndt until his death, in 1804, at Wilkes-Barré. On November 3rd, of the latter year, records of Luzerne County indicate that William P. Arndt became administrator of his father's estate.

†According to Shiber, "the Arndt storehouse was a two story frame, not bad looking, newer and better than the Hollenback storehouse. Down on the bank, near the storehouse, was a spring of fine water." This spring is still (1923) in use by patrons of the Finch boat house, which is anchored throughout summer months near the foot of Northampton street.

Baltimore and engaged in ocean bourn traffic. This event commanded a brief notice in the *Luzerne Federalist* of July 30th, as follows:

"On Tuesday, the 27th was launched from the boat yard of Messrs. Philip and John P. Arndt the beautiful boat John Franklin, named in honor of the celebrated patriot of Luzerne. She is about twelve tons burthen and is calculated as a sailboat."



THE JOHN FRANKLIN  
Built in Wilkes-Barré, 1803.

No vestige now remains of wharves and docks which lined the river front between Northampton and Market streets in Wilkes-Barré, nor of the warehouses which were built on the banks above, nor of the boat yard which held its place in the development of a once prosperous river commerce. At many "ports" up and down the river from Wyoming, some of these large warehouses, especially those constructed of stone, are still in existence as sole reminders of that period.

Judge Hollenback, as well as the Arndts, was a pioneer in the development of river commerce. Their warehouses were scenes of considerable activity in the loading and unloading of boats. Cargoes of grain, salt, plaster, potatoes and various other items of general commerce, were raised from the river to the warehouse level by means of block and tackle, attached to beams which projected from the roof timbers. Unlike John P. Arndt, however, Judge Hollenback did not confine his efforts to Wilkes-Barre alone. By the establishment of branch trading houses along the Susquehanna, much after the fashion of the chain store of today, the Judge became a familiar figure from the upper waters of the river, to Philadelphia, as his business took him, almost invariably on horseback, to distant points. His principal place of business was established on South Main street, almost opposite the Pickering house, where, in 1781,



HOLLENBACK HOUSE AND GENERAL STORE,  
South Main Street, Erected in 1781



he completed a commodious storeroom, with offices attached. This building, until the march of progress on that thoroughfare caused its demolition, in 1914, was the oldest structure then standing in Wilkes-Barré.

Both were men of vision. They believed that Wilkes-Barré was destined to become a center of great activity in the shipment and trans-shipment of river commerce, and set their plans accordingly. Indeed, a main incentive in the promotion of the Easton and Wilkes-Barré turnpike, a popular agitation for which was begun in 1800, was a belief, shared not only by these, but by other public spirited men of the community, that the port of Wilkes-Barré would become a principal terminus of up-river transportation, and would benefit greatly by the transfer of freight from boats to wagon trains, maintaining a regular service to points on the lower Lehigh, as well as to Philadelphia. The usual route of river borne commerce from Wilkes-Barré southward, was over a dangerous stretch of shoal and reef, to Harrisburg or Middletown, with turnpike connections via Lancaster to Philadelphia, or by trans-shipment at Columbia or Wrightsville, further down the stream, via the Lebanon-Reading highway to Philadelphia. The fact that by diverting these shipments at Wilkes-Barré, not only the dangers of navigation would be avoided, but the route to Philadelphia shortened nearly one hundred miles, lent encouragement to this optimistic belief.

Rafting on the Susquehanna was no less a means of the enlargement of commerce than was the general trade of early merchants. The first of these rafts were composed of white pine timbers, intended for masts of ocean vessels, and of hewn timbers, likewise used in ship construction. Unlike boat cargoes, they were destined to Baltimore, which was a principal point of ship building along the Atlantic. They followed the river's current to Havre de Grace, where, at first, they were broken up and their contents trans-shipped or, later on, the clumsy structures were towed into Baltimore harbor. It is recorded that in the spring of 1794, thirty of these rafts passed Wilkes-Barré. Pearce, writing in 1860 (page 468) indicates the extent of this branch of river commerce in subsequent years, as follows:

"The first object of the early settlers was to clear the land for agricultural purposes, and there being no demand for lumber, or means of manufacturing it into boards, timber of the best quality was rolled into heaps and consumed by fire. In a few years, however, after the country became settled, a farmer here and there would erect a sawmill, and would manufacture lumber from the good timber cut on his annual clearings. It was not long before the surplus was floated to market below, in the spring or fall, during a freshet. As the demand increased the number of mills multiplied, and in 1804, no less than 552 rafts, or about 22,000,000 feet of lumber, were taken to market. In the same year, 84 arks and 19 Durham boats laden with wheat, furs, and fat cattle destined for Baltimore and Philadelphia and valued at \$190,400, passed down the river. In speaking of this fleet of arks and boats with their valuable cargoes, the editor of the *Federalist*, published in Wilkesbarré at that time, expressed regret that the Easton and Wilkesbarre Turnpike was not completed, so as to induce a transshipment of the produce at Wilkesbarre, and secure its transportation over the road to Philadelphia. In 1827, during a single freshet, from March 1st to April 5th, 1030 rafts and arks, many of them laden with agricultural productions, passed Wilkesbarre on their way to tide-water, and to Baltimore. Baltimore was long the natural, and only market, for the Upper Susquehanna trade. But after the construction of the Columbia and Philadelphia Railroad, and the state canals, the trade became divided between Baltimore, Philadelphia, and other populous places. The demand increased from year to year, and lumbering became an established business. With many it became the primary, while agriculture was a secondary pursuit. From 1827 to 1849, the increase of the lumber trade was rapid and enormous. From March 22d to April 17th, in the last-named year, 2243 rafts and 268 arks passed Wilkesbarre, on the swollen waters of the river. They contained about 100,000,000 feet, and were valued at \$600,000. Since 1849 the number of rafts and arks has gradually diminished, owing to the scarcity of timber, and to the diversion of trade by the construction of the New York and Erie, and of other railroads, in Northern Pennsylvania and Southern New York. Very little lumber is now rafted within the limits of Luzerne, being conveyed to market chiefly on the railroads and Susquehanna canals, while a considerable quantity is consumed at home.

To the development of the community and its river commerce, the building of saw mills and grist mills contributed. Mill Creek, because of its proximity to the settlement at Wilkes-Barré, and, as well, its available water power sites, was the scene of the earliest activity in mill building. Upon the return of a considerable body of settlers from Connecticut, in 1769, with an intention of making Wyoming their permanent home, a saw mill was erected not far from the point where the creek empties into the Susquehanna. In a petition to the Connecticut Assembly, dated at Wilkes-Barré, August 29, 1769 and signed by a number of settlers, attention was called to the fact that they had, at great expense, "erected houses, mills and other necessary buildings."

The *New York Journal*, under date of December 28, 1769, published an account of troubles at Wyoming, between Yankees and Pennamites and referred to the capture of Maj. John Durkee, while "going from the blockhouse to some mills they were building."

Up until 1771, however, no grist-mill had been erected in the Wyoming Valley. Corn, pounded in a hominy block, was a principle article of diet. Doctor



POUNDING CORN IN A HOMINY BLOCK.

Sprague, who kept a boarding house in Wilkes-Barré at that time, made trips to Coshutunk, on the Delaware, where a mill was situated, to have his grain ground. The flour thus secured was used sparingly and only upon notable occasions.

When full possession of Wyoming was gained by the Yankees, in 1772, a matter of first importance acted upon in town meeting, was the erection of a grist-mill. A grant was made by the Proprietors of Wilkes-Barré Township, to Nathan Chapman, a former resident of Goshen, New York, in the spring of that year, of a site of forty acres of land at Mill Creek; thirty acres on the north side and ten acres on the south side of the Creek. At a point about half a mile from the mouth of Mill Creek, Mr. Chapman erected both a grist and a saw-mill, in that year.

Under the Connecticut law, each miller was "allowed three quarts out of every bushel of Indian corn he grinds, and for other grain, two quarts out of each bushel, except malt, out of which one quart." To protect his customers, each miller was required to provide sealed measures, "with an instrument to strike said measures."

The Chapman grist-mill was a log structure, with one run of stones. It was burned, with practically all other buildings of the settlement, after the Battle

of Wyoming. In 1781, these mills were rebuilt by Josiah Stanburrough, who had earlier acquired Chapman's interest in the property. By him they were operated, with occasional interruptions during the Yankee-Pennamite troubles, until 1787, when he conveyed the property to his daughter Elizabeth, wife of John Hollenback. After the death of her husband, in 1797, Mrs. Hollenback rebuilt the mills to meet an increasing demand for their products, and they passed, with her death, in 1809, to her son, Matthias, 2d.

Sometime after Chapman had sold his Mill Creek property to Stanburrough, he erected, in Newport Township, in 1774 or 1775, a small log grist-mill, with one run of stones. It stood near the line of Hanover Township, not far from Nanticoke Falls, and in its vicinity the Newport iron forge of Mason F. and John Alden was erected, about 1777. In 1776, this grist-mill was known as Coffrin's Mill, being then the property of James Coffrin. In 1777, he sold it to John Comer.

Pearce says: "This was the only mill in Wyoming that escaped destruction from floods and from the torch of the savage." Miner states that in the latter part of 1779, it was guarded by a few men, and three or four families ventured to reside in its vicinity. During the Summer of 1780, it was guarded by one lieutenant, one sergeant and ten privates from Capt. John Franklin's militia company, then in the Continental Service at Wyoming.

"The mill was a small affair", says the Hon. Charles A. Miner, "and could hardly be dignified by the name of grist-mill. It was, in fact, a corn mill, and was like many others which were erected during the early years throughout the Susquehanna settlements. They were located upon little streams which were often dry or nearly dry, and they had one run of stones but little larger than a half-bushel measure. These mills were so arranged that when the stream was low they could be turned by hand, and could crack into samp and meal from one and one-half to three bushels of corn a day."

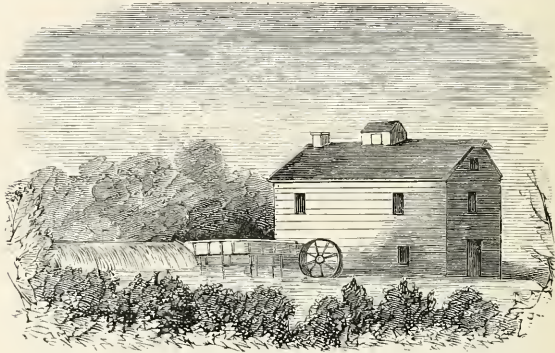
In the year 1772, the Susquehanna Company voted to "give to Capt. Stephen Fuller, Obadiah Gore, Jr. and Seth Marvin, all the privileges of the stream called Mill Creek below Mr. Chapman's mill, to be their own property, with full liberty of building mills and flowing a pond—provided they have a saw-mill ready to go by the 1st of November, 1773." This mill was completed within the time allowance, but suffered the same fate as the older mill along the same stream in July, 1778. Through a series of conveyances, Judge Matthias Hollenback acquired title to the lower mill site and operated a saw-mill there in 1790. In 1809, he began the erection of what was to be the largest and most expensive grist-mill in the county, near the present site of the City Hospital. The rear of this mill, abutting on Mill Creek, was four and one-half stories in height, the lower stories being of stone. It was equipped with four runs of stones and from it was produced flours which entered largely into the extensive trade which Judge Hollenback had built up throughout the Susquehanna country. This mill was still standing in 1874, but on March 27th of that year, it was destroyed by fire originating from the sparks of a passing locomotive.

Before the allotment of lands to the proprietors of Plymouth township, the owners agreed to set off a tract of fifty acres with a mill site thereon, for the purpose of "encouraging the building of a grist-mill."

This site lay along a small stream which afterwards became known as Ransom's Creek. A mill was in process of erection during the invasion of 1778, one of its erectors, Joseph Denton, being a victim of the massacre. Samuel Ran-

som next attempted the completion of this mill, but in 1786, sold his interests to Hezekiah Roberts, who completed the mill the following year.

Among other mills of the community which contributed to the early trade of Wyoming, might be mentioned Sutton's mill, erected in 1776, on Sutton's Creek, in Exeter Township, and destroyed during the invasion of 1778. All the mill-iron of this mill was carried away except the crank, now in possession of



THE SUTTON MILL, 1776.

the Wyoming Historical and Geological Society. Cuts of the mill and crank are reproduced herewith by courtesy of the Society.

This mill was rebuilt by Samuel Sutton, a son of James Sutton, one of its original owners, and in 1846, the property having been acquired by E. A. Corey, a third and larger mill was erected on the same site, which mill is still standing, [1923].

There was an early mill in Pittston Township erected at the falls of the Lackawanna by Capt. Solomon Strong. It was built on the north bank of the river in 1774, but was carried away by a flood, two years later. The second mill in the Pittston district was built in 1794, by Joseph Gardner and Isaac Gould, on Gardner's Creek, in what is now Jenkins Township.

In 1785, Benjamin Harvey erected a log grist-mill near the mouth of Harvey's creek. At the time of his death, in 1795, he had under construction a much larger mill which, when completed, was run by his son-in-law, Abraham Tillbury and eventually became known as the "Tillbury Mill."

The following, written by the late Caleb E. Wright, Esq., and published in *The Historical Record*, Wilkes-Barré, in 1889, relates to this mill:

"Near the river Harvey's creek passes the base of 'Tillbury's Knob,' an abrupt ledge similar to Campbell's at the head of the Valley. It was near the brow of the butting ledge, on the waters of Harvey's creek, and distant a mile or so from his nearest neighbor, that Abraham Till-

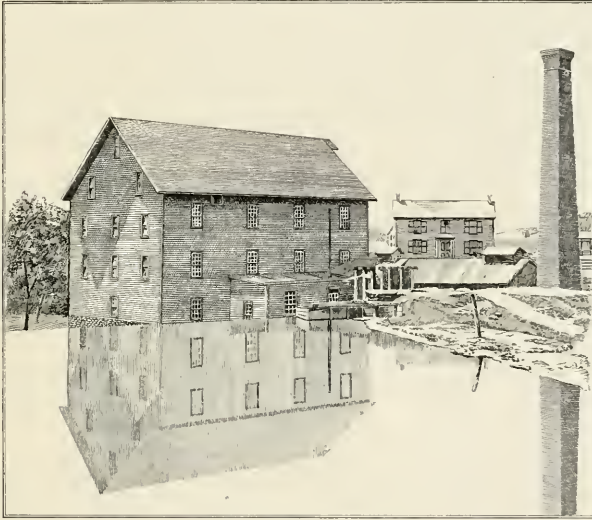


CRANK OF THE SUTTON MILL.

bury established his noted grist-mill. It did the custom work for the farmers in a circuit of many miles around. Abraham, a silent, meditative man, wearing spectacles of the ancient style, whose glasses were as large as our silver dollars, ran the mill himself."

In 1798, Henry Tuttle erected a small two story frame grist-mill on Abraham's Creek, near where the stone arch bridge on the present road between Kingston and Pittston, is now situated. In 1854, this mill was purchased by Elijah Shoemaker and operated by him and his heirs until 1888. In 1894, the structure collapsed and its remains were removed.

Prior to 1790, Zachariah Hartsouj purchased a large tract of land in Kingston Township and erected a small grist-mill in the narrows through which Toby's creek enters the Wyoming Valley. In 1805, he sold to Samuel Atherholt a part of this tract with a mill site available below the older mill. Here another mill was erected in 1806. In 1817, a distillery was erected near the second mill and both properties were operated by Joseph Swetland who had succeeded to the title of



WRIGHT-MINER MILL.  
Erected 1795—Burned and Rebuilt 1826.

the tract. This section, because of its available water sites, and the number of mills erected along the Creek, became known as "Mill Hollow", which designation it bore until the Borough of Luzerne was erected.

In 1793, Peter Grubb,\* at that time a resident of Kingston Township, near the Plymouth line, built a grist-mill in Plymouth Township, on the main branch of Toby's Creek. This mill stood on the east side of the road between Kingston and Plymouth and the stream itself became locally known as Grubb's mill brook.

From the standpoint of present day interest, the Wright-Miner mill at Miner's Mills, deserves mention. Thomas Wright, of Doylestown, whose later

\*PETER GRUBB had formerly been the keeper of a general store at Wilkes-Barré, and at the time of his mill venture was a farmer, a Justice of the Peace and a Commissioner of Luzerne County.

connection with the publication of the *Wilkes-Barre Gazette* and *Luzerne Advertiser* has been referred to, removed to Wilkes-Barré in 1791, and engaged in the general mercantile business. In 1793, he purchased of Nathan Waller and John Carey, twenty-five acres of back lot No. 11, in what is now the Borough of Miner's Mills, "together with a mill pond and saw-mill upon and belonging to said tract."

In 1795, Mr. Wright erected a grist-mill at the mill pond mentioned, and built a commodious residence for himself below the mill. This mill was operated by Mr. Wright until 1813, when he sold it to his son-in-law, Asher Miner, then residing at Doylestown.

The following description of the Wright mill was written by James A. Gordon, a local historian, who lived in Plymouth, in 1877. The article was later published in the *Record of the Times*, and is in part, as follows:

"Thomas Wright, who had come from Ireland before the Revolution, conceived the project of building a merchant mill on Mill Creek about one and a quarter miles above the Matthias Hollenback mill, and accordingly, in 1795, he began what was afterwards known as 'Wright's Mills.' It was thirty by forty feet, the super-structure was two stories, and I think from my own impression there were not over seven or eight feet between the floors.

"Elisha Delano of Hanover was the mill-wright and James A. Gordon and George or Benjamin Cooper were the carpenters who erected the frame and enclosed it with ordinary half-inch weather boarding. It was started early in the spring of 1796 with a single run of country stones, known as conglomerate rock, which were made by Israel Bennett and Jacob Ozancup. There was no bolter for the first six months, but a sifter was used instead, into which was discharged the meal as it came from the grinder.

"Jacob Ozancup was the first miller and came from Minnesink, Sussex county, N. J. He continued to run the mill until it was fully completed as a merchant mill, which was sometime in 1799 or early in 1800, when the Tysons came on from Bucks county and took charge of the concern, and continued to operate it until 1821 when they removed to Canada. During a part of this time Joseph Murphy was the miller under Thomas Tyson, Isaiah Tyson having joined John Murphy in erecting and operating at Pittston what was afterwards the Barnum mill.

"The facts above stated, which occurred before my remembrance, I have received from authentic sources, being indebted therefor to Nathan Draper, John Clarke and my uncle John Atherton, and William Thompkins late of Pittston, Mrs. Hannah Abbott of Wilkes-Barre, and Mrs. Clarissa (Cooper) Price, all natives of that neighborhood with the exception of John Atherton. Besides this I remember distinctly a stone in the foundation wall roughly cut with the inscription '1793' or '1795.' I have no choice from my own impressions which it was.

"James A. Gordon was a resident of Wilkes-Barre less than three years, removing to Athens early in 1796. His accounts were in my possession up to 1845 when they were burned in my office on the Public Square in Wilkes-Barre. In these books were charges against Thomas Wright for days work done on the mill in 1795. These facts and circumstances, though not absolutely conclusive, are to my own mind perfectly satisfactory that the mill was commenced in 1795 and completed as above stated.

"I now proceed to give a brief description of the mill as I remember it from 1802 up to 1820. My means of information are ample and my impressions of the mill and its features are as vivid as if they were but a week old. Within the last week I have drawn out from memory a front view of the mill with diagrams of each floor or story and machinery somewhat in detail to which the curious reader is referred. On the first floor or basement were the receiving boxes or chests in which the ground grain was deposited directly from the stone. If it needed bolting, it was placed in the hoisting tub and raised to the second floor above and emptied into the bolt hopper, from whence it descended through the bolt to the main or second floor. Thence it was delivered to the owner. The grists which did not need bolting were delivered at the lower door on the south side of the mill.

"Every part of the mill gearing was of wood, except the gudgeons and the journal blocks; all the small journals were of wrought iron, and I have heard my mother say that her father, Cornelius Atherton, made them at his shop on the Lackawanna, at what is now called Taylorville. It is quite probable that the heavy journals for the master wheel were also of wrought iron, as there was no furnace or foundry nearer than the Durham works between Easton and New Hope. If these journals were of wrought iron they must have been forged at Wright's forge on the Lackawanna, or at Lee's forge at Nanticoke.

"This was the model mill of its day, and was the first in the county that manufactured superfine flour, and the first which could boast of a pair of French buhrs or a huller for buckwheat flour. All the moving of the grain and flour was done by the hoisting barrel, which was rigged with rollers on the bottom so that it was moved with very little effort by the miller. In the attic story was a cooler for the superfine flour, which was put in motion by a geared horizontal shaft connected with the master wheel, as were also both of the bolters.

"This mill had a high reputation for its buckwheat flour, for which it was chiefly indebted to the consummate skill of the miller and its huller. The whole machinery was operated by a

breast wheel of twenty-four feet in diameter, with a head and fall of fourteen feet, the driving buckets being three and one-half feet long and made water tight. At this period there was always an abundant supply of water in Mill Creek, and except in a very dry summer the mill could be run from morning to sun down. I believe that this was the first mill in the county that sent its flour to the Philadelphia market. This mill was destroyed by fire in 1825 and was immediately rebuilt by Asher Miner who was then the owner of the property, and a larger and a better one took its place."

"I think it very safe to say," says the Hon. Charles A. Miner, in "Early Grist Mills of Wyoming Valley" a paper read before the Wyoming Historical and Geological Society, December 16, 1898, and published in Vol. V, page 111, of the Proceedings of that Society, "that this Wright-Miner mill is the oldest mill in this County and perhaps in this State still running and managed by the descendants of the original owners and proprietors. It has descended in a straight line for five generations, in one family. First, Thomas Wright; then Asher Miner, his son-in-law; then Robert Miner, the latter's son; then Charles A. Miner, son of Robert, and now Col. Asher Miner, of the fifth generation, who is General Manager for the Miner-Hillard Milling Co., who are running it in connection with other enterprises. Such instances are very rare in this country.

"This mill has been owned and operated by Thomas Wright, Asher Miner, Robert Miner, Eliza Miner, his widow, Charles A. Miner, Miner & Thomas, Isaac M. Thomas & Co., Miner & Co., and now the Miner-Hillard Milling Co.

"Capt. Calvin Parsons says the mill-dam, now standing, was erected by Asher Miner about 1828, about two years after the destruction of the original mill by fire, consequently now is seventy years old. and as solid as when first erected."

Turning from events concerned with the growing commercial affairs of Wilkes-Barré and the chief actors in them, we find that the death of General Washington, almost on the threshold of the new century, was mourned in the settlement, as it was universally over the country. Washington died on the 14th of December, 1799. Six days later the news had reached Wilkes-Barré, and a general meeting of citizens was called at the Court House on the morning of December 27th. Memorial services were conducted under auspices of Lodge 61, F. and A. M., with the Hon. Rosewell Welles delivering the eulogium. After the services, according to records of the Lodge, its members "dined together in company with a number of invited guests, and spent the day in harmony." The martial spirit attending the threatened war with France seems to have induced the formation of a company of infantry at Wilkes-Barré, which, until its disbandment in 1814, as will hereafter be recorded, was a source of pride to the community, as it was a sort of social center for the best known young men of the settlement. This company was known as the "Wyoming Blues." While in existence at the time Captain Samuel Bowman's volunteer company was organized, in 1799, it was not recognized as a military organization by the militia authorities and took no part in the mobilization of forces in preparation for defense against French aggression. James A. Gordon, who wrote from memory of the company many years later, states that it was organized in 1798, and that Joseph Slocum was its first captain, Isaac Bowman its lieutenant and Benjamin Perry its ensign, in that year. No authentic records of its existence were found until the year 1800, when, from among papers of Capt. Zebulon Butler, Jr., discovered after his death, its muster roll, rules of discipline and a description of the uniform of its members were, for the first time, ascertained. The plan of organization called for the enlistment of "particularly desirable young men," and directed that the uniform consist of "a dark blue short coat, or sailor's

jacket, faced and trimmed with scarlet; white waistcoat and blue pantaloons, edged with scarlet; black stock and high crowned hat, with bear skin on same."

The plan further called for a fine of fifty cents for any member "appearing intoxicated upon parade," with ignominious expulsion for the second offense.

That in 1800, the Wyoming Blues were recognized as a unit of the state militia, is evidenced from the following notice, the original being among the "Butler Papers":

MILITIA ELECTION.

"Notice is given to the Volunteer Company called the Wyoming Blues, attached to the Second Battalion in the 35th Regiment, commanded by Lieut. Col. Ransom, that an election for a Captain, Lieutenant and Ensign will be held at the house of Lawrence Myers, Esq'r, in the township of Kingston, on Thursday, the 19th day of June, inst. 1800, between the hours of 10 in the forenoon and six in the afternoon, where those concerned are requested to attend, to elect by ballot, the said officers.

"WILLIAM ROSS,

"Brigade Inspector of the Second Brigade, composed of the Militia of the Counties of Northumberland, Lycoming and Luzerne.

"Wilkes-Barre, June 10th, 1800."

Following the meeting the roster was signed by the following members:

Zeb. Butler,	John J. Ward,	Isaac A. Chapman,	Jacob Kiethlinc,
George Chahoon,	Godfrey Perry,	Isaac Bowman,	Jesse Crissman,
W. M. Robison,	Andrew Vogle,	Luman Gilbert,	Francis Rainow,
Samuel Brown,	Conrad Rummage,	Nehemiah Waters,	Benjamin Perry,
Calvin Edwards,	George Espie,	James S. Lee,	John Hannis,
Edwin Tracy,	Daniel Downing,	James Wright,	James Foster
Josiah Bennet,	John L. Burgel,	Lyra Landon,	Hugh H. Anderson
Elijah Adams,	Joseph Shafer,	Jacob . . . . .	
. . . . . Nutton,	Charles Miner,	George Hendler,	

Minutes of the meeting indicate that the following additional business was transacted and rules for the discipline of the company adopted:\*

"Resolved that no member shall have leave to withdraw unless by consent of the company unless urgency requires it sooner than the company can meet, and in such case he shall have leave of the officers. Passed.

"Resolved that the uniform of the company shall be as it has formerly been, except the coat, which shall be a short skirt coat or a coatee, and those who have an uniform at this time may wear their present coats. Passed.

"Resolved that we will be uniformed at or before the next general review. Passed.

"The uniform shall be,

"1. A crowned brimmed black hat—black bear skin, with a white and red lap.

"2. Deep blue coatee, faced and trimmed with red.

"3. White or buff vest.

"4. Deep blue pantaloons circled with red.

"5. Either boots or black shoe and black gaiters. Passed."

Fragmentary records, in the Butler collection, disclose that Isaac Bowman was elected captain of the Blues in 1808, with Charles Miner lieutenant. Following this election a collation was served on the Bowman lawn. In fact, judging from the records, the idea of "collations" seems to have been given as much regard as more military functions of the organization and invariably accompanied elections, when the new commanding officer acted as host to the entire command. In spite of these convivial meetings; or, possibly because of them, the Wyoming Blues became noted at home and abroad as one of the "crack" military bodies of the State, and their services on drill and parade were in much demand.

While the perusal of census figures, assessors' returns and voting lists of a community, may seem at any time a matter of dull routine, they serve, at a period of the opening of the nineteenth century, to throw considerable light upon the affairs of Wyoming. The first general census of the United States was taken in 1790. It was listed merely by counties and shows neither the population

\*Where names are partially given or words omitted, the condition of the documents, which were in possession of George H. Butler, Esq., until his death and later came into possession of the Wyoming Historical and Geological Society, does not admit of decipherment.





The Ross Mill at Solomon's Falls, Hanover Township.  
Built by General William Ross in 1826.



of lesser municipalities, nor furnishes statistical data with reference to them. Seth Duncan, Jr., "assistant to the Marshal of Pennsylvania," was the sole census taker for the wilderness empire of Luzerne, and the final report of his efforts was not made until April 20, 1791. The headings of this census return specified that the County of Luzerne contained 1236 "free white males over 16;" 1331 "free white males under 16"; 2313 "free white females of all ages"; "all other persons" 13, and "slaves" 11; a total of 4,904, including slaves.

As the matter of slave owning in early Luzerne may be of more than passing interest, it can be added that at the time of the first census, three of these slaves belonged to John Hollenback, two each to William Houck and James Westbrook, and one each to Stephen Hopkins, Adam Man, Guy Maxwell and Jonathan Newman.

Between the decennial government census reports, other sources of information must be sought in order to gain further figures of interest.

In "Pennsylvania Archives", 2d series XVIII: 489, is recorded that the taxable inhabitants of Luzerne County numbered 1409, in the year 1793 and had grown to 2,395, in 1800. Figures for Wilkes-Barré are given for the township, not for the village, and it must be held in mind that Wilkes-Barré Township then, and for many years thereafter, included a portion of Plains, Covington and Bear Creek Townships and extended from the Susquehanna to the Lehigh River. Eagle's "History of Pennsylvania", 329, is authority for the statement that the taxable inhabitants in the whole of Wilkes-Barré Township, in the year 1796, numbered only 122 and that assessors for that year returned 112 head of horses and 301 head of cattle, as the total number of domestic animals. The total valuation of property in the township, according to the same authority, was \$71,390. The census figures for 1800, quoted by Eagle, accredited the county of Luzerne with a population of 12,839.\* This figure has been generally followed by later historians. However, in a volume entitled "A Geographical Description of Pennsylvania", by Joseph Scott, and printed by Robert Cochran at Philadelphia, in 1806, purporting to be an authorized report of the 1800 census, Luzerne is accredited with a population of 18,813 free inhabitants and 13 slaves. The population, according to the Scott account, was distributed in townships of or adjacent to the Wyoming Valley, as follows:

TOWNSHIP	FREE	SLAVES
Wilkes-Barre	832	3
Kingston	789	0
Nescopec	415	0
Exeter	787	0
Newport	401	0
Nicholson	668	2
Pittston	565	2
Plymouth	745	1
Hanover	612	2
Huntington	721	1

Measured by its voting strength, the whole of Luzerne County returned 978 votes for James Ross, *Federalist*, and 259 votes for Thomas McKeen, *Democrat*, the opposing candidates for Governor of Pennsylvania, at the general elections of 1802.

The Scott volume accredits the county with thirty-three saw-mills, twenty-four grist-mills, two fulling-mills and one oil-mill. Wilkes-Barré, in 1800, is described as having "fifty houses, a court house and jail."

\*In the *Wilkes-Barre Gazette* of September 9, 1800, appeared the following: "Capt. Eleazer Blackman is deputed to take the enumeration of the inhabitants of the county of Luzerne, agreeable to the late act of Congress. He will commence the business this week."

Other writers of the period mentioned concur in the statement of the small number of houses then in the county seat. Other districts of the county had grown much more rapidly than the village, no matter what census figures are taken into consideration. Farming and lumbering were the occupations then bringing in the tide of new residents. Aside from limited opportunities in commerce and still more limited calls for professional men, Wilkes-Barré offered but little, at that period, by way of attraction to additional settlers.

For those interested in where these houses were situated and who occupied them in the years 1802-1806, a sketch of Wilkes-Barré, written from memory by James A. Gordon and published in the *Record of the Times*, December 23, 1873, may prove entertaining:

"At the lower end of River Street stood the residence of Roswell Welles. It was a double house, ceiled with pine boards, and I believe was never finished in the second story. Nearly in front of Judge Welles' stood the residence of Jabez Fish, on the bank of the river.

"Mrs. Fish kept a school for juveniles. I was one of her pupils for a short time. The illustrated New England Primer was our text-book. It embraced the Shorter Catechism and we were all required to commit it to memory.

"A short distance above Judge Welles' stood the old red house built, in 1794, by James A. Gordon a New York carpenter, and occupied from 1802 to 1811 or 12 by Andrew Vogel, hatter. Turning up we come to the residence of Joseph Backenstow, a fashionable tailor from Sunbury. The next, the hotel of John P. Arndt and a store-house adjoining. Mr. Arndt was an enterprising German from Easton, and was largely engaged in the salt and plaster trade. The next were the buildings of Lord Butler, the small one the first residence of George Griffin, Esq., after his marriage with Lydia Butler. On the corner of North Street was the residence and store of Lord Butler, and directly in front the Old Ferry landing.

"Passing North Street we come to the residence of Arnold Colt, Esq., and his father-in-law Abel Yarrington. Arnold Colt was a Justice of the Peace, and somewhat of a humorist withal. The next house above Colt's was that of Geo. Chahoon. He was a house carpenter from Sunbury and for many years was the leading builder in Wilkes-Barre and the surrounding township. He removed to the mouth of Hunlock's Creek, where he died some 32 years ago. He was a man of much enterprise and energy of character. Crossing West Market Street on the corner where now stands the banking house of Walter Sterling, was the residence of Rozet and Doyle.

"Doyle was an Irishman. Rozet had a daughter, Janet, who had red hair. Janet and I went to school to Asher Miner in the old school-house on the East side of the Public Square.

"Rozet and Doyle gave place to the Sinton's in 1803-04. The next building above was the printing office of the *Luzerne Federalist*, published by Chas. Miner. Next was the residence of Peleg Tracy, and further on was the residence and pottery of Wm. Russell. His wares had not a very high reputation. On one occasion he sent his apprentice, Joseph Landon, with a canoe load to Pittston. He reached Monockay Island in good order, but unfortunately was there overtaken by a sudden shower of rain, and his wares were dissolved.

"Unloading his vessel of the clay he returned home and reported. Russell gave him a severe chastisement because he did not fetch back the clay, so that it might be worked over again.

"At the corner of Union and Water Streets stood the old Johnson house, at this time the residence of Charles Miner; and just above, at the Western base of the redoubt, stood the slab and board cabin of Molly McGalpin. She was an Irish woman, and had two sons, Dan and George, who enlisted in the 16th Regiment under Cromwell Pearce, and served with credit during the war of 1812. Here ends the geography of River Street. There were as you see, but twenty residences, offices and stores from one end to the other, and that number constituted one half of the whole town. There were but 3 of these houses painted—Gordon's, at the lower end, and Arndt's, partly painted red or brown, and Lord Butler's, white, with a front yard fence also painted white."

The narrative was continued in a subsequent edition of the same paper as follows:

"My previous number left us at the corner of Main and Union streets. From Union, on the east side of Main, was a house and cooper shop occupied by Oliver Helme; afterwards by the widow and family of William Wright. Next below was the residence and blacksmith shop of Benjamin Drake, and afterwards occupied by Isaac Bowman after he left Bowman's Hill.

"On the opposite side were 2 log houses owned by Solomon Johnson, and occupied by Mrs. Marble, the town baker, and Benj. Hillman, a stone mason. This Solomon Johnson was an eccentric character. I think if he had lived now he would be called a Spiritualist. He was said to be a learned man. He had periodical trances and visions of coming events, which he gave to the world thro the *Luzerne Federalist*. He also published some 'Commentaries' upon the Bible. Between his lot and the Public Square was a frame two story building on the site of Judge Bennett's present residence, owned by Stephen Tuttle.

"These were all the houses at that time on Main Street above the Public Square. \* \* \* On the North West corner of the Square was a large red house occupied by Thomas Duane as a tavern and store. He removed to Pittston in 1805. Upon the opposite corner, in 1804, was the residence and office of Geo. Griffin.

"On the North West corner on Market Street, [where MacWilliams' Store is now situated was a long, one-story frame house then occupied by John Ebbert as a dwelling and watchmaker shop. There were no other dwellings that I remember on the Square at that time [1805].

"Passing around the corner we come to the residence of Joseph Wright, Esq., [on West Market Street] a good frame building, two stories high, with a small office on the corner. Ebenezer Bowman about this time purchased this house and removed from Bowman's Hill, where he had before resided. \* \* \* The next dwelling house [on West Market Street] towards the river was a house owned by Thomas Sambourne. It was built by J. A. Gordon, and at that time regarded as the best specimen of tasteful architecture in the town. It was never painted.

"Francis McShane afterwards became the owner. In 1802 a part of the building was occupied by Asher and Charles Miner as a printing office. The building was afterwards occupied by John Hancock as a hotel; the printing office being used for Post Office and bar-room for several years after. Across Franklin Street, towards the river, was the residence of Parthenia Gordon, or as she was generally called 'the widow Gordon.' She was tailoress, mantua-maker and milliner, and sometimes sold cakes and beer. \* \* \* She was the second daughter of Cornelius Atherton, of Capouse, and the sister of Jabez Atherton who was slain in the Indian massacre, and the widow of James A. Gordon, the New York carpenter.

"In 1804 there were no buildings on the South side of W. Market Street from the River to the Public Square, and along the same to Main, and down Main to the old 'Wyoming' Hotel.

"On East Market Street, on the South side, was the old stone jail, and the residence of Enoch Ogden, a shoemaker, and William A. George, the Court Crier and high Constable."

The population of Wilkes-Barré, with its "fifty houses", mentioned in the census return of 1800, could not have been more than three hundred at the threshold of the nineteenth century.

Col. William L. Stone, an editor and author of New York, visited Wilkes-Barré in 1839. What he said of its *isolation* then, applied equally to its early community life and accounts in some measure for its slow growth:

"Wyoming is mentioned in almost every book of American history written since the Revolution, as the scene of the massacre; but for the most part *that* is the only occurrence spoken of—the only fact that has been rescued from the rich mine of its historic lore. The reader of poetry has probably dreamed of Wyoming as an Elysian field, among the groves of which the fair Gertrude was wont to stray while listening to the music of the birds and gathering wild flowers; and the superficial reader of everything has regarded it as a place existing somewhere, in which the Indians once tomahawked a number of people.

"The 'Happy Valley,' to which the illustrious author of *Rasselas* introduces his reader in the opening of that charming fiction, was not much more secluded from the world than is the valley of Wyoming. Situated in the interior of the country, remote from the great thoroughfares of travel, either for business or in the idle chase of pleasure, and walled on every hand by mountains lofty and wild, and over which long and rugged roads must be traveled to reach it, Wyoming is rarely visited, *except from stern necessity*. And yet the imagination of Johnson has not pictured so lovely a spot in the vale of Amhara as Wyoming."

Perhaps it was understood then just as it was again recognized, in 1906, by those responsible for the Centennial celebration of the incorporation of Wilkes-Barré, as a borough, that the recreations, the intellectual development, the commercial advancement and the civic progress of the community depended upon the initiative, the resources and the effort of its own citizens, rather than upon any noteworthy advantages not possessed by other inland communities of Pennsylvania.

Certainly it is not the number of houses, nor the extent of population accredited any community, which have made it stand forth among its fellows. The spirit and ambitions of those who dwell within these homes must be considered.

Most of the residents of these same "fifty houses" had been accustomed to better things than Wilkes-Barré opened to them, in 1800. A place of worship had always been a first thought of the better established communities of Connecticut and Pennsylvania from which they came. Public libraries had not been uncommon, especially in New England, nor had schools and academies been overlooked. A well appointed court house had been a civic center in county seats. It is small wonder, therefore, that the yearnings of those who had resolved upon the Susquehanna settlement as their permanent place of abode,

should have begun to be manifest in town meetings, or expressed in the scatty columns of two newspapers, which the community then boasted.

No semblance of the public utilities of the present day were then in the dreams of Wilkes-Barré's foremost citizens. Homemade tallow candles, or rude lamps burning whale oil, were sparingly used in homes. Even the "town pump," which was later to quench the thirst of residents who had occasion to pass through the Public Square, had not been set up. Streets, along which these houses straggled, were of river loam, the plastic muddiness of which, at certain seasons, was invariably to be a matter of comment. A few private schools, usually conducted in a room of some private establishment, were dependent upon subscription lists for an uncertain existence. Had it not been for the spirit of its residents, which refused to be held in check by the mountain barriers about them, Wilkes-Barré would indeed, have faced a hopeless, pitiable future.

Judge Hollenback and John P. Arndt, as has been noted, were among those upon whom the mantle of progress of an earlier day had descended.

Younger men, also, of the community, were catching inspirations from these pioneers who were following the courses of rivers and seeking passes through mountains, in the enlargement of commerce. Their talk was of a meeting house, suitable to the religious needs of the settlement.

Agitation as to a new court house was in the air. The challenge of a turn-pike to Easton was beginning to beckon those who had surplus funds for investment. Nor was it uncommon to find, in mention of the times, that a central academy for the education of its youth, and a form of government which was to separate the settlement itself from the wilderness township about it, were among topics of discussion when the new century was ushered in.

First in point of agitation, as it was first in point of consideration, on the part of many of the community, was the beginning of the "Meeting House on the Square," or, as it was later almost universally known, "Old Ship Zion."\*

In Connecticut, all persons by law were obliged to contribute to the support of the church as well as to the state itself. All rates respecting the support of ministers or any ecclesiastical affairs, were to be made and collected in the same manner as rates for the respective towns.

In Pennsylvania, the line of cleavage between church and state was definitely fixed, hence the proposed church structure at Wilkes-Barré must necessarily depend upon voluntary subscriptions or other private means of fund raising for its erection.

Under spur of the impulsive voice and restless activities of Rev. Jacob Johnson, in 1791, as has been noted in a previous Chapter, public sentiment crystalized into the first step toward a new edifice. On April 1st, of that year, it was voted:

"That there be a committee of five appointed to point out the spot of ground on which a meeting house shall be built, and to draw up a subscription for the purpose of raising money to assist the above purpose; also they are to prepare a plan of the building which they are to lay before the proprietors at their next meeting, also to report generally on the subject." "Voted that Zebulon Butler, Nathan Waller, Daniel Gore, Timothy Pickering and John P. Schott be a committee for the above purpose. Test, Arnold Colt, clerk."

At an adjourned meeting of the proprietors of the town of Wilkes-Barré, April 23, 1791, Zebulon Butler, Moderator, the committee appointed at the last meeting reported:

"That in point of situation and convenience it is their opinion that opposite the court house on the northwest side of Main Street is the most eligible place that a meeting house can be

\*The earliest that the name "Old Ship Zion" was applied to the "Old Meeting House on the Square," at least in public prints, was in the *Record of the Times*, May 16, 1855, when the title was used in describing a circus which had appeared in Wilkes-Barré the day before.

erected on. They further report a plan of building which they judge should be sixty feet in length and forty-five feet wide, with a steeple at one end and proportionable high. Also that it stand at least three rods from the street." Voted; "That the above report be approved of." Voted; "That the same committee be continued for the purpose of raising money by subscription for the building of said meeting house and that they be empowered to call a meeting of the proprietors when they shall think necessary to make a report of the encouragement they receive at a future meeting."

The encouragement the committee met in their task seems to have been of a stimulating nature, for, at a meeting held on Tuesday, the 13th day of November, 1792, Matthias Hollenback, Moderator, "The committee appointed to report on the mode of building a meeting house now report in favor of a brick meeting house, which report is accepted; and the committee is directed to contract for sufficient number of brick to build said meeting house to be delivered at a suitable time next summer."

The committee found, however, that the brick were not to be had, and so reported to a meeting of August 3rd, of the next year; although the minutes of the same meeting record the leasing of the brick yard belonging to the town. Not being able to secure brick, the committee was directed to "proceed immediately to contract for building a stone meeting house, and that said committee be paid for their services." The subscribers to the fund were ordered to be notified to pay "one-half the amount of their subscriptions to Lord Butler, the treasurer, by the first day of November next."

At a meeting January 10, 1795, the committee was directed "to proceed and contract for a frame and siding-boards, shingles, nails, etc., for to build a frame meeting house early next spring." A little later it was deemed advisable to take an account of money on hand and subscribed, and, if found sufficient, to proceed with the work, otherwise "to defer it for another year."

Whether it was because of financial inability to proceed, or because of doctrinal differences between those of different denominations, or from what appears to the present writer to have been a much less likely reason for delay, namely, the uncertainties of land titles of the period, as suggested in a paper by Mr. Sheldon Reynolds, read before the Wyoming Historical and Geological Society, published in Vol. IV, page 45, of the "Proceedings" of that body, that a hiatus of four years was to follow before action was secured, is not apparent from documents at hand.

In 1797, Rev. Jacob Johnson passed to his reward. A moral issue was at stake, however, and in the absence of any ordained minister in the settlement, various contributions and editorials, especially in the *Luzerne Federalist*, kept the agitation alive.

In March of 1799, a well attended town meeting appointed William Ross, David Richards and Eleazer Blackman, "a committee to pick up the loose threads of former efforts." These gentlemen appear to have ironed out many of the difficulties which confronted their predecessors in office and we find the following notice printed in the *Wilkes-Barre Gazette*, in November of that year:

"TO CARPENTERS.

"Wanted in the township of Wilkesbarre a good workman who will undertake to procure and set up a Frame for a Meeting-house, 55 feet in front and proportionably wide, with a steeple—enclose the same completely and lay the floors.

"Any person inclining to undertake the work, or any part, is desired to send forward his proposals in writing (naming in the proposals the security he can procure for the faithful performance of the work) to the subscribers (who are a Committee appointed for the above purpose) between this and the 15th of January next, from whom they may receive an answer.

"WILKESBARRE, Luzerne County, November 11, 1799." } Committee."  
 "WILLIAM ROSS  
 "DAVID RICHARDS  
 "ELEAZER BLACKMAN }

That the work of fashioning and assembling the materials which were to enter into the construction of the new edifice had progressed with considerable rapidity, under the guidance of the architect, is evidenced by the following call for volunteer erectors, which appeared in the *Gazette*, July 7, 1800:

"The raising of the new MEETING HOUSE in Wilkes-Barre will commence on Wednesday morning the 9th inst., at 9 o'clock, weather permitting. The services of any gentleman who chuse to attend will be thankfully received.

"JOSEPH HITCHCOCK,\*  
Principal Architect."

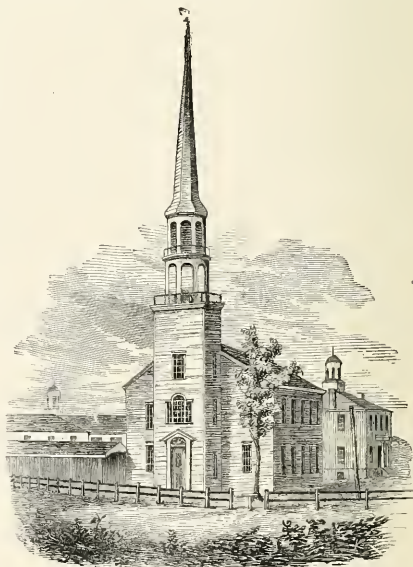
The present writer has searched the files of newspapers of the period for some description of the scenes attending the raising of the meeting house. Certainly it must have been an event of importance. Today, the construction of the largest and most imposing structure of any community would have commanded extensive mention in the public prints. The newspaper of yesterday, however strange it may now seem, turned its efforts to calling the attention of its readers to something that was about to happen in their midst. It then trusted to all these readers being present when the event transpired and thus becoming familiar with its details. Probably it was considered that a reportorial description of incidents would be mere repetition to readers, and that space could be used to far better advantage by omitting such description.

It is one thing to erect the walls and quite another problem to complete a church for its intended use, as many small congregations of even the present day can testify. The year 1800 differed but little in its experiences from those of later times. The whole population of the community would be considered a small congregation, in terms of today. The committee, discouraged from lack of financial backing, asked the architect to compromise some of his claims against those who had prosecuted the enterprise to partial completion, and no ecclesiastic or other leader at hand to spur on lagging interest and endeavor, left the shell of "Old Ship Zion," for many years a reminder to the community of an ambition not yet to be consummated.

Almost a year from the time its timbers were raised, the following appeared in the *Luzerne County Federalist*, of June 15, 1801, indicative of its incomplete condition:

"During the rainstorm on Thursday last the lightning struck the conductor of the new meeting house in this town; and owing to its incomplete state (not reaching to the ground) entered the lower story of the house and sat fire to the shavings—luckily a number of workmen having taken shelter in the house, extinguished the flames without any material injury being done."

\*JOSEPH HITCHCOCK was an architect and builder of New Haven, Connecticut, whose services were obtained in erecting the structure and who later erected the second Court House.



OLD SHIP ZION



Some anonymous poet, in 1801, published the following as to the church:

"No lofty towers here in grandeur rise,  
No spires ascending seem to seek the skies,  
Save one that bears aloft the lightning rod,  
Toward the bolts of an avenging God;  
This rod alone essays his shafts to stay,  
For none within attempt to watch, or pray."

While there is intimation that a few public meetings were held in the incomplete structure late in 1801, and possibly in years next succeeding, the new building brought no minister of the gospel to the community as its pastor until 1806.

In the nine years intervening between the death of the old pastor of the settlement and the appearance of the new, religious services were held from time to time under auspices of the Connecticut Missionary Society and by "missionary preachers" as they were called. Until the year 1803, if records of these intermittent meetings were ever kept, no traces of them are known. On July 1, 1803, the minutes of which meeting survive, citizens of Wilkes-Barré, augmented by several residents of Kingston, organized a congregation under the name of the Church of Christ of Wilkes-Barré and Kingston. A confession of Faith and Covenant were adopted, after the manner of Congregational and Presbyterian churches of that period, and these were signed by twenty-seven members.\*

At a subsequent meeting, Hugh Connor, Nehemiah Ide and Daniel Hoyt were chosen to the office of deacon. Later in that year, Rev. Jabez Chadwick supplied the pulpit of this congregation upon several occasions, and at one meeting baptized three children of William Ross, at Wilkes-Barré. The Rev. James Woodward was another supply preacher sent forward by the Connecticut society, in the fall of that year, as was a Mr. Potter, a youthful but eloquent preacher, who was accompanied on some of his tours by Rev. David Harrower.

The years 1804, 1805 and the early part of 1806, record the marriages of the community as conducted by Justices of the Peace, hence the inference is plain that no minister was available to perform such ceremonies in that period. On Friday, February 28, 1806, The *Luzerne Federalist* published the following notice:

"The inhabitants of Wilkes-Barre, Hanover and Kingston who are desirous of procuring a minister, are requested to attend at the Court House Thursday next at 1 o'clock, P. M."

What steps followed the announcement are not of record, but the same newspaper, under date of August 22, 1806, states: "On Wednesday next, the Rev. Ard Hoyt will be ordained in this village, Pastor of the Presbyterian church."

Following the course of events through files of the *Federalist*, in lieu of other sources of information, a brief announcement appears in the subsequent issue, under date of August 29, 1806, to the effect that:

"On Wednesday last, the Rev. Ard Hoyt was ordained pastor of the church in this place. The sermon was delivered by the Rev. Mr. Osborn; the Rev. Mr. Williston officiated by prayer and the laying on of hands; the charge was given by the Rev. Mr. Sage, and the right hand of fellowship by the Rev. Mr. Dana."

At the time of the accession of Rev. Hoyt to the pastorate, his congregation consisted of thirty-four members. Six years later the Covenant of the Luzerne Association of Congregational churches was adopted by this church. During his pastorate of eleven years, eighty-five members were added to the church; sixty-one on profession, and by letter from other churches twenty-four.

\*See "Johnson's Historical Record," Vol. V: 80.

Mr. Hoyt\* continued his pastoral relations with the church until November, 1817, at which time he resigned his charge.

The two years succeeding must have been discouraging ones to the new pastor, viewed in light of accomplishments in completing the church. It is not now known who proposed the project which was eventually to provide early Wilkes-Barré with its most famous public building. That the plan of a lottery for the purpose was finally decided upon is not surprising. The foundation of Princeton College, as well as many other enterprises of merit, may be traced, in a measure, to the financial returns of lotteries. Connecticut, in 1756, had legislated the lottery out of business. Pennsylvania, on the other hand, encouraged it until 1833.

The state, however, required that each lottery project be incorporated and that responsible citizens guarantee carrying out the terms of the lottery to the letter. The local venture was, therefore, incorporated by an act approved February 15, 1808, in the following form:

"AN ACT TO RAISE BY WAY OF LOTTERY, A SUM OF MONEY FOR THE PURPOSE OF FINISHING THE MEETING HOUSE IN WILKES-BARRE, AND FOR PROTECTING THE BANK OF THE RIVER, OPPOSITE THE BOROUGH, FROM THE EN-CROACHMENTS OF THE RIVER.

"Section I. (Section I, P. L.) Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That Ebenezer Bowman, Lord Butler, William Ross, Rosewell Welles, Matthias Hollenback, Mathew Covell, Ebenezer Slocum, Thomas Wright, Arnold Colt, Cornelius Courtright, Nathan Palmer, Nathan Waller and John Robinson, be, and they are hereby appointed commissioners to raise by way of lottery, the sum of five thousand dollars, to be by them applied for finishing the meeting house, and for protecting the bank of the river, in the borough of Wilkesbarre, from the encroachments thereof.

"Section II. (Section II, P. L.) And be it further enacted by the authority aforesaid. That the said commissioners, before they proceed to sell any tickets in the said lottery, shall lay such scheme thereof before the governor as shall meet his approbation, and shall enter into bonds with him for the due performance of their duty in selling the tickets, drawing the lottery and paying the prizes; and each of them before entering on the duties of his appointment, shall take and subscribe an oath or affirmation diligently and faithfully to perform the duties hereby entrusted to him; and three or more of said commissioners shall attend at the drawing of each day, and when the whole is completed, shall cause an accurate list of the fortunate numbers to be published in at least three public newspapers; and shall pay and discharge the prizes that shall be demanded by persons legally entitled thereto, within sixty days after the drawing of the lottery shall be completed.

"Section III. (Section III, P. L.) And be it further enacted by the authority aforesaid. That the said commissioners be, and they are hereby authorized to settle and adjust all the accounts which may be exhibited by any person or persons legally employed in carrying this act into effect, and that all expenses attending the same shall be paid by the said commissioners, out of the proceeds of said lottery: Provided, that nothing herein contained, shall be taken to allow said lottery commissioners any compensation for their services enjoined on them by this act, nor shall any other person for the performance of said services.

"Section IV. (Section IV, P. L.) And be it further enacted by the authority aforesaid. That all prizes not demanded within twelve months next after the publication of the list of prizes as aforesaid, shall be considered and deemed as relinquished for the benefit of the objects of the lottery."

It will be noted that the thirteen men named as Commissioners were the most prominent residents of the community. Their names afterward appeared on each lottery ticket issued, as a guarantee of good faith.

\*DR JOHN DORRANCE, who was a successor of Mr. Hoyt, said of him: "He was a man of sound mind, of energy and firmness of character; his youth had been devoted to mechanical employments, but being deeply impressed with a sense of spiritual things he left his secular calling and entered upon a course of study preparatory to preaching the gospel, and in due time was inducted into the ministry. Few men have exhibited a life so uniformly consistent with their professions. With him there was no compromise of duty. He was a fearless preacher of the doctrines of grace. He labored incessantly, extending his efforts as a missionary throughout various parts of the county. The effect of his labors was evident in the edification of the Church; its members were thoroughly instructed in every good word and work." On the foundations laid by him others have builded with satisfaction and confidence and the structure survives with honor to all connected with its founding. Mr. Hoyt was born in Danbury, Conn. 1770. He was, while resident of Wilkes-Barré for seven years, President of the Board of Trustees of the Wilkes-Barré Academy. After his resignation as Pastor he was appointed a missionary to the Cherokee Nation of Indians in the State of Tennessee, where he labored faithfully with much success until his death. He died within the present limits of the State of Alabama, February 18, 1828.

The name used was the Wilkes-Barré Meeting House and Bank Lottery, the word "Bank" adding somewhat to the substantial sound of the title but referring, of course, to the river shore in need of repair, rather than to any connection with a financial institution.

The plans of the Commissioners as to the arrangement of tickets, the value of prizes and the method of drawing numbers, were slow in maturing.

Late in 1808, it was announced that tickets were to be of two classes, those of the first-class selling at six dollars each and those of the second-class at three dollars.

Prizes were advertised as follows:

"FIRST CLASS	
One prize of	\$ 4,000
One prize of	2,000
One prize of	1,000
4 prizes of \$500	2,000
10 prizes of 100	1,000
50 prizes of 50	2,500
60 prizes of 20	1,200
200 prizes of 10	2,000
1525 prizes of 8	12,200
<hr/>	
1852 prizes	\$27,900
SECOND CLASS	
One prize of	\$ 2,000.00
One prize of	1,000.00
Two prizes of \$500 each	1,000.00
42 prizes of \$50 each	2,100.00
59 prizes of \$20 each	1,180.00
159 prizes of \$10 each	1,590.00
1783 prizes at \$7.50 each	13,387.50
<hr/>	
3049 prizes	\$22,257.50"

The printed matter of the tickets was, in form, as follows:

"Wilkes-Barre Meeting-House and Bank Lottery.—Class Second.

"No. 1957

"This ticket will entitle the bearer to such prize as may be drawn against this number,—if demanded in one year—subject to deduction of twenty per cent.

Lord Butler, Ebenezer Bowman, William Ross, Rosewell Welles, Matthias Hollenback, Matthew Covell, Ebenezer Slocum, Cornelius Cortright, Thomas Wright, Arnold Colt, Nathan Palmer, Nathan Waller, John Robinson, Comm's.

"Peleg Tracy,

"George Haines,

"Agents."

The total amount of prizes offered, in case all were drawn, amounted to \$50,157.50, less 20 per cent., which was to be deducted at the time each prize was paid, for the benefit of the objects of the enterprise.

The original plan of selling all the tickets in advance of one big drawing was soon found impractical. The entire Susquehanna country was canvassed by agents with tickets to sell. Philadelphia and Easton merchants, doing business with local firms, were importuned to buy. But even with such an impressive prize list as the lottery offered, such sums as \$3.00 or \$6.00, especially in currency, were not quickly obtainable.

In order that prompt action might be obtained by those who had speculated in tickets, and as an inducement for reinvestment on the part of fortunate holders, as well as others whose cupidity might be aroused by the news, hand-bills were distributed and newspaper advertising was used, to inform the public that a drawing for a list of fifty prizes would be held at the Court House, Wilkes-Barré, Saturday, March 11, 1809.

Of ticket holders present, the holder of No. 2069 drew \$20.00, No. 6200 a \$10.00 prize and eight other ticket holders departed with prizes of \$7.50 each. A second and larger drawing was announced for April 7th of the same year, when sixty-eight prizes, the largest of \$50.00, were drawn.

August 11th, witnessed the third drawing, when two hundred and fifty numbers were taken from the wheel, five prizes of \$50.00 each being the largest paid. It is noted of that occasion, that "at this day's drawing the wheel gained \$325.00." On October 21st and November 9, 1809, and on January 5th, February 14th, and March 24, 1810, the drawings continued, and then seems to have followed the denouement. So anxious had been the agents of the lottery to dispose of tickets that, without authority from the Commissioners, they had accepted grain, merchandise of all sorts and practically any other commodity in lieu of cash. Instead of being converted into currency, these supplies were carelessly handled and eventually disappeared.

Moreover, at the last drawing, large prizes were offered without a sufficient number of tickets being sold to cover them, the agents figuring that the wheel itself would draw a certain number of prizes on the unsold numbers and that the sums represented would thus remain in the treasury.

Fortune, however, smiled on the ticket holders, not on the wheel, and the Commissioners were shocked to learn that prizes could not be met by approximately \$8,000. Up until the crash came, the sum of \$1712.50 had been raised by the lottery for its intended purposes. This sum, naturally, could not be touched, and it fell upon the Commissioners to make the shortage good. This they appear to have done by private arrangement among themselves.\*

In 1811, the lottery was reorganized. An advertisement appearing in the *Gazette* of March 20th of that year, states that the Commissioners had appointed Thomas Dyer, Esq., Treasurer and Ebenezer Bowman, Lord Butler and Matthew Covell, Managers of the new organization. Drawings took place at irregular intervals until the year 1814, when all remaining tickets were sent to Philadelphia and the lottery widely advertised.

The plan of conducting the Philadelphia venture seems to have differed in many respects from that under which the Wilkes-Barré drawings were held. Instead of deducting a percentage of prizes paid, two thousand seven hundred and ninety-eight blanks were included among the four thousand six hundred

\*"The agents, charged with the duty of selling tickets, began their work with much energy. Tickets were offered in every quarter where there might be a chance of disposing of them. Among others the Philadelphia merchants took many tickets in exchange for goods, partly to help in a good cause, mainly to increase their trade in this region by gaining the friendship of the people here, and possibly with some small hope of drawing a prize. Tickets were sold elsewhere, far and near, and payments were made in almost anything of value: farm produce, horses, cattle, chaises, wagons and agricultural implements. This method of conducting the business involved the additional task of converting these various commodities into cash to provide for the payment of the promised prizes, and would, even under the most skillful management, confuse the accounts and bring about loss, but under the stewardship of the agents the result was grievous to contemplate. The guarantors relying upon the integrity of the agents paid little attention to the details of the business until the drawing took place, at which time it appeared that there was not enough money in hand to pay the prizes, the deficit being about \$13,000.

The guarantors alarmed by this state of affairs then took charge of the business and made an effort to induce the ticket holders to bear a share of the loss by agreeing to a compromise by which they should receive a less sum than the ticket called for. They succeeded, after much work, in reducing the amount to about \$8000. Most of the Philadelphia merchants readily agreed to the plan in view of the unfortunate circumstances. Some, however, demanded the full payment; one in particular, a man known for his close dealings, refused all overtures. Some one, however, explained to him that in case payment was refused he never would dare to go to Wilkes-Barré to enforce his claim, because the Yankees up there were the men who went to war with the whole state of Pennsylvania; that they were used to fighting Indians, Tories and the British, and that they were a very remarkable people and were not to be coerced. The man relented. Having reduced the sum to \$8000 the guarantors borrowed this amount of the branch bank of Pennsylvania, at Wilkes-Barré, and paid the prizes, dividing the loss among themselves, \$2000 each. It is said that in those days one might buy the best farm in the valley for \$2000. On the day of the final settlement and payment of the loss by the gentlemen who had made themselves responsible, one of the number who lived on Carey avenue, set out for his home greatly depressed by the burden he had assumed, and meeting his wife at the threshold of his home, a lady of many accomplishments, fond of society and very hospitable, he said to her, "no more parties until this debt is paid," and proceeded to nail a broad plank across the front of the door of his house in evidence of his determination to economize, which remained there many years, and was, perhaps, never removed during his lifetime."

From a "History of the First Presbyterian Church," by Sheldon Reynolds, Esq., published in Vol. IV:45, Proceedings of the Wyoming Historical and Geological Society.

and fifty tickets sold at \$6.00 each. As disclosed in Philadelphia advertisements, a copy of which appeared in the *Susquehanna Democrat* of March 18, 1814, the method of drawing was as follows:

"The 10th drawn ticket on the third day's drawing, a prize of 1000 dollars. The 10th do. on the 6th do. a prize of 2000. The 110 do. on the 9th do. a prize of 4000.

"This lottery will commence drawing on the 4th day of May next in the city of Philadelphia, and it must be acknowledged that it holds an ample encouragement to the adventurer according to the scheme. Prizes payable after the drawing is completed; but relinquished for the benefit of the institution, if not demanded within twelve months after the completion of the Lottery.

"Peleg Tracy, } "Agents for the Lottery.  
"George Haines, }

"Note. Three Commissioners will regularly attend the Drawing of the Lottery. Tickets now rapidly selling at Michael Fortune's No. 117 Chestnut street, also at Moore Wharton's No. 58 Chestnut street. George Taylor Jr.'s No. 85 South Second street."

The Philadelphia drawing on May 4, 1814, concluded the unique money raising campaign for the "Meeting House on the Square," to which we must again turn for a brief space to trace that structure to completion.

In the fall of 1811, Joseph Hitchcock was recalled from New Haven, to finish the meeting house which, as architect and builder, he had begun eleven years before.

With funds available from the lottery, together with subscriptions which a greater prosperity of the community permitted in that year, the building with its high gothic pulpit, a lofty gallery and its high backed seats was nearing completion in December.

The "seating" of a meeting house was an old New England custom and a matter of grave importance in popular estimation, as it established the relative social standing of the townspeople. It was usually intrusted to a committee of leading citizens who were appointed by the town government, from year to year, and who assigned the different seats to different families, in accordance with their ideas of the relative precedence of members of the congregation.

In Wilkes-Barré, however, the general custom was not followed, so far as is known. The need of funds was doubtless the reason for auctioning off the pews.

In the *Gleaner* of December 13, 1811, the following notice appeared:

"Pews in the new Wilkes-Barre meeting house are to be sold to the highest and best bidder on January 2, 1812, at 1 P. M. Inhabitants of Wilkes-Barre, Kingston and Hanover and all who wish, are invited to come and procure themselves seats, where preaching is purposed every Sabbath."

While the church structure, with its tall, graceful spire, was to be a matter of pride to inhabitants of the community during the period of half a century that the building survived, its sweet toned bell appears to have made the deepest impression upon those who have written of the edifice.

The *Gleaner* of March 3, 1812, presents the first mention of the bell:

"A handsome new bell has just been purchased and hung in the meeting house of this town. It is the first bell that has ever been provided for religious purposes in the county. The tone is sweet and clear."

No record can be found of who brought the bell to Wilkes-Barré from the foundry of George Hedderly, at Philadelphia. The turnpike to Easton was then open and, while the bell weighed six hundred and eighty pounds and its transportation by team must have been a matter of public interest, the incident escapes authentic mention. The bell, now in possession of the Wyoming Historical and Geological Society, discloses three inscriptions cast in its metal sides as follows:

"George Hedderly, Founder, Philadelphia, August 6, 1811.

"Gloria in Excelsis Deo. Fili Dei Miserere.

"I will sound and resound unto Thy people, O Lord, to call them to Thy word"

In a paper read before the Wyoming Historical and Geological Society, October 9, 1896, by Rev. Nathan Grier Parke, D. D., and called by him "The Bell of the Old Ship Zion," the following account of the migratory history of this prized historical object may be of interest to the reader:

"The church that stood on the Public Square, where the Wilkes-Barre Court House now stands, was the first church erected in Wilkes-Barre; and the bell that hung in the tower of that church and for almost half a century called the people to worship, was the first church bell that was heard within the bounds of what is now the counties of Luzerne, Wyoming, Lackawanna and Susquehanna.

"It was not the first bell calling the people to the worship of God, that was heard within the bounds of the territory once included on Luzerne County.\* Bradford County was originally part of Luzerne, and the Moravians who were the pioneer missionaries to the Indians in Northern Pennsylvania, established a mission in the Wyalusing Valley in Bradford County, as early as 1764. It was an offshoot from their mission established in Nazareth and Bethlehem under the auspices of Count Zinzendorf as early as 1742. A monument recently erected near the mouth of the Wyalusing creek, marks the locality of the mission. Here in 1764 a mission house was erected, surmounted by a belfry in which was placed a bell that called the Indians and their teachers to worship 'on the Sabbath and on other days esteemed holy by the Moravians.' This Moravian mission bell, so far as is known, was the first church bell heard in this part of Pennsylvania. It



BELL OF OLD SHIP ZION

Now in Possession of the Wyoming Historical and Geological Society.

was, however, a small affair compared with the bell that hung in the tower of the 'Old Ship Zion', the silvery tone of which, in its youth, reached as far north as Pittston and as far south as Nanticoke.

"The bell of which I have been asked to write, that was heard for so many years in Wyoming Valley and the surrounding country from the tower of the 'Old Ship Zion' is now in the possession of the Wyoming Historical and Geological Society, after more than half a century of faithful service and a somewhat migratory experience.

"A correspondent of one of our county journals, a few years since, after looking the bell over somewhat carefully, thus wrote of it: 'Our Valley has few more interesting historical relics than this old bell. A dingy, rusty looking object, it is a mere pigmy in size as compared with some of its more sonorous neighbors. Up one side extends a crack, looking as though the bell had once received a heavy blow or had a severe fall during the course of its eventful career. One side of the bell is even rustier and blacker than the other, appearing as though it has been scorched by fire. There is enough metal in it to make one twice its size if it were ever recast, the lips or lower edge being very thick. The nearest approach to the date of the elevation of the bell,' into the tower of the church known to the writer is a statement of Elisha Atherton, who

\*See Vol. I; this History.

was born about the close of the last century. He said to the writer of this paper, some years before his death: 'When I was a boy about twelve years old I accompanied my father to Wilkes-Barre, where he did his trading, as did nearly all the people of Luzerne County at that time, and while I sat in the wagon and held the horses, I saw the mechanics lifting the bell to its place in the tower of the church on the Square.' As he remembered the event, there was a crowd of spectators present and the work, for want of suitable machinery, was tedious and difficult and somewhat dangerous.

"As the church on the square was a Union church, all Christian denominations represented in the town used it for their worship. The venerable Nathaniel Rutter, who came to reside in Wilkes-Barre in 1825, and at that time worshipped with the Episcopalians, says: 'When I came here there were three congregations worshipping in the old church, which was the only church in the town, viz., the Presbyterians or Congregationalists, the Methodists and the Episcopalians, and the same bell served them all.'

"Besides this service for these congregations, it was the curfew bell for the town. Its voice was heard every evening at nine o'clock, virtually saying to young men and maidens who were out, that it was time they were at home. Young men who courted their wives in Wilkes-Barre, fifty or sixty years ago, when the Puritan spirit prevailed to a greater extent than it does now, were not always pleased with this signal 'to leave', after which the window shutters were closed. After ringing at nine o'clock every night it gave the day of the month. Besides this, it tolled at every funeral, and gave the age of the person who was being laid to rest.

"The sexton of the church whose duty and privilege it was to give direction to the service of the bell for some thirty years, was known as 'Old Michael.' Henry Ward Beecher is represented as saying that 'the Lord never made but one good sexton, and he served in his father's church.' But Beecher did not know Michael. Dr. John Dorrance, who knew him well, esteemed him highly and wrote of him tenderly and lovingly when his work was done. Michael had his idiosyncracies, but he was marvelously faithful in all his work; and of no part of his work was he more faithful than in ringing the bell of which he was the official guardian, and its voice was seldom heard except at his bidding. There was no great skill required in ringing the bell, but Michael was only satisfied that the work was properly done when he did it himself. No light-house keeper on our Atlantic coast is more watchful of his lamp than Michael was of this old bell.

"It continued to be the only church bell in Wilkes-Barre, so far as we know, until 1851, when the Presbyterian congregation moved into the house now used by the Osterhout Free Library, in the tower of which a new bell, purchased by Mr. Rutter, Mrs. McClintock and Mrs. Wright, was hung, 'to sound and resound' in calling Presbyterian people to the house of God. The Methodists about this time, completed a new brick church on Franklin street, the predecessor of the elegant church in which they now worship. The Episcopalians had some years previously, in 1822, withdrawn from the old church on the Square, and erected a small frame house on Franklin street, where their commodious and well-appointed sanctuary now stands.

"As a result of these progressive movements on the part of the churches, the mission of the 'Old Ship Zion' and its bell, so far as Wilkes-Barre was concerned, was at an end; and in 1857 they were sold and purchased by Mr. George Hollenback and Judge Oristus Collins. Most of the lumber in the house was purchased, when it was taken down, by W. C. Gildersleeve, who used it in building a barn in the rear of his house on Franklin street. The bell, when being taken down, fell some distance, and was so injured as to very materially affect its market value.

"The Presbyterians of Pittston, who had just completed a new house of worship and were feeling the hard times of 1857 and 1858, proposed to buy for their new sanctuary this damaged bell of Messrs. Hollenback and Collins. It was judged good enough for a young church that had very little money. Mr. Collins, who was not troubled with sentiment, was entirely willing to sell, but Mr. Hollenback seriously objected. The bell was almost as near to him as to the old sexton. It was associated in his mind with all his early life. It had tolled at the funeral of his parents, and that of his friends and relatives who had lived and died in Wilkes-Barre. He did not wish it taken from the town. It belonged to him in more senses than one. In his judgment Wilkes-Barre had no more interesting historic relic. Through the persuasion of his wife, and his sister, Mrs. Chester Butler, who were warm friends and helpers of the Pittston church, Mr. Hollenback consented to let the bell go to Pittston with the understanding, however, that it should not go out of the valley. It was purchased and taken to Pittston. There it did good service until after the sanctuary in which the Presbyterians now worship on Franklin street was completed. Then it came back to Wilkes-Barre. The Osterhout Free Library purchased of the Presbyterians their church building. They did not purchase the bell that hung in the tower, but they (the Presbyterians) did not propose to hang it in the tower of their new church, and it was for sale.

"It then occurred to the pastor of the Presbyterian church of Pittston that the way was now open to return the old bell to the home of its youth. He communicated with Judge Dana, at that time President of Library Board, and proposed to present the bell to the society. The result you know. The Wilkes-Barre bell, taken from the Osterhout Library building, which the Building Committee of the Presbyterian church generously offered to sell for less than half its value, was purchased and placed in the tower of the First Presbyterian church of Pittston, where it is now doing service; and the bell of the 'Old Ship Zion' came back to Wilkes-Barre, to rest in the care of those whose fathers and mothers it served so faithfully in the days of its youth and its advanced life.

"The old liberty bell that called together the men who signed the Declaration of Independence in 1776, and that is so carefully guarded and cared for in our Quaker city, and is associated with the trials and struggles and life of our nation, is among the richest of our national treasures. Money could not buy it. Without its environment of patriotic sentiment it is worth nothing more than any other old bell. With this environment its value to us cannot be computed in dollars

and cents. This old church bell that has done such faithful public service in this valley for three quarters of a century, and of which this Historical Society has become the trusted custodian, has a value here that it can have nowhere outside of Wilkes-Barre. Its voice was not heard in the days of the Revolution in our first struggle with the mother country, when our beautiful valley was baptized with the blood of patriots, but the bell was here in the War of 1812, and its voice was heard in notes of gladness when victory perched upon our banners. To the sons, and daughters, and wives, and mothers of many of those who perished in the Wyoming Massacre, in 1778, its voice was familiar. Some of them never heard any other church bell; and when they rested from their labors, it tolled their death knell.

A letter from Charles I. A. Chapman, published in 1896, in Vol. IV:110; "Proceedings of the Wyoming Historical and Geological Society," deals in part with that historian's recollection of the old bell. The sections applicable are as follows:

"The bell of which you inquire, at the time I was a boy in Wilkes-Barre, was the 'Town Bell,' the 'Court House Bell,' being in evidence only on the first Monday of January, April, August and November, except by special dispensation, first of 'Old Michael,' and second of the authorities at the 'Fire Proof.' Dispensation of Michael Kienzle! Blessed old impersonation of Loyalty-Legitimacy, I had almost said of Sovereignty and Feudalism! Sexton, Burgess, Magister, Bailiff, Town Warden and General Factotum! how shall I describe thy virtues, thy accomplishments! How tell of the blood-curdling effect of thy threat with the uplifted cane, or of the genial old Dutch warmth of the bestowed penny to an unusually peacable gamin! Let me leave the bell a moment while I recall the indignation of your mien when one morning you saw at 'Bowman's Corners' the new sign of B. F. Wells, an interloper from 'Jersey,' who had dared to put up on his house the words 'Meat Market.' 'Take dat sign down Michter Wells! Dere ish but one Market in dish town, and dat ish over yonder!' pointing across to the little, long, one-story brick shed which stood exactly in the center of Market Street, adorned with chopping blocks and great hooks on which hung temporarily the ladders and leather fire buckets, and by which stood the mighty 'Reliance' fire engine, one of the 'Seven Wonders' of my boyhood. 'Take dat sign down or I takes him down!' But the sign kept its place and the triumph of the 'Jersey Man' was the beginning of a long line of defeats and innovations endured by 'Yankeedom,' ending in the banishing of the swamp water from the Square, the immediate death of the frogs, and the prohibition, yea! the tyrannical prohibition! of free cow-pasture on the Square, also the stopping of the 9 o'clock Curfew, and the consequent termination of Michael's reign forever!

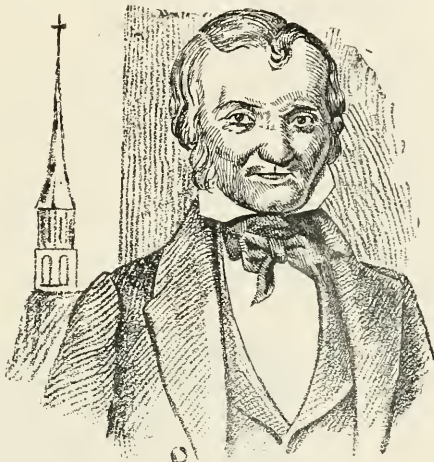
"But the bell. I am away off from the bell. I know nothing as to where it was cast, and have forgotten even the inscription, but the sound is in my ear forever—the hallowed sound that struck my ear on such a September morning as this of my writing, or as on those Indian summer mornings which are close at hand—struck my expectant ear, when with Testament in hand and shoes duly blacked I started at its summons for the little White Church on Franklin Street, to join my class under Judge Conyngham or Wm. Norton or Nathan Rutter, or occasionally wended my way to Mr. Dorrance's Meeting in company with Bert Conyngham or Henry Wells or Frank Butler or Tom Lynch. Oh! those were halcyon days—the days after the Baker Revival. Then—oh then, the bell had a charm, a music almost angelic! I think of it sometimes when I see a magazine picture of angels ringing Christmas bells. You've all seen it. Then how we used to listen to the sound on the night of July 3rd! It seemed as though the whole of Colonial History, the voices of Washington and all his generals were coming to us as we woke from the first nap and heard that bell and listened for the Old Sullivan Gun which soon followed with the first salute! Town of my youth! I have spent with thee but few days of my adult life, but I love thee—how I love thee—how I love and cherish all thy memories, and think of thee amid the wakefulness of these glorious autumn nights."

"The smiles, the tears of boyhood's years, the words of love then spoken,  
The eyes that shone now dimmed and gone, the aching hearts now broken;  
Thus in the stilly night ere slumber's chain hath bound me,  
Fond memory brings the light of other days around me."

While John Miller is named in records of the congregation as first janitor of the meeting house, no early writer of the edifice or its bell refrains from recalling one who, for many years, exercised the functions of that position. He was John Michael Keinzle, who came to Wilkes-Barré from Switzerland, in 1802, and almost immediately became one of the town's best known characters. To his duties as sexton, "Old Michael" or "Old Pickle," by which latter irreverent title he was known to small boys of the neighborhood, added those of high constable of the borough, weighmaster of the Arndt scales, in front of the warehouse on the South River Common, ringer of the curfew bell, at 9 o'clock p.m., after which he would toll the day of the month; and general factotum to the community in general. He lived a secluded bachelor life, in the Arndt warehouse, where comfortable quarters had been assigned him. "Old Michael" was



in his element during the hours of services at the meeting house. It was he who snuffed the caudles; who passed the collection bag, which resembled a fish net on a long pole; who kept a wary eye on small boys in the gallery, and who otherwise fulfilled the duties of the old New England tithing-men; who quieted the restlessness of youth and disturbed the slumbers of age, during services. He may have even furnished some of the "foot warmers" which were frequently brought to the meetings in the unheated churches of that period. Certain it is that the "Meeting House on the Square" was not heated until at least the year 1814. On December 15th of that year, the *Gleaner* published notice of a meeting of the congregation on the evening following "to decide upon some plan for heating the meeting house in this town."



*John Michael Kienzle  
High Constable.*

From a Water Colored Portrait, in Possession of the Wyoming Historical and Geological Society.

The best sketch of "Old Michael" which has come to the notice of the present writer, was accredited to an anonymous contributor to Johnson's "Historical Record" and published in Vol. I: 173 of same. It seems worth recording here:

"He was a small, active man, and the only thing high about him was his temper, and this only when exasperated by the bad boys of the town, by whom he was known and universally called 'Old Pickle.' Naturally he had a kind and tender heart, and was fond of little folks, so long as they behaved well. I can remember being one of a soldier company of which Ned Mallery was captain, and Ned Babb first lieutenant. Our guns were made in the carpenter shop of John P. Babb, of good wood, with a snap spring on the side, which answered our purpose, and were not dangerous. We used to parade on the Saturday half holiday, and generally on the river bank, near old Michael's residence, which was in the Arndt storehouse on the edge of the bank opposite Morgan's tavern. On these occasions Michael would frequently pass along our line as we were drawn up for review and give each of the boys a penny, which, to most of us, was considered quite a prize, and as Michael was a poor man, it showed the kindness of his heart toward us, which we never forgot. He was not only the constable of the town, but was also the sexton of the church, and attended to the opening and lightning, cleaning, bell ringing, grave digging, tolling the bell for funerals, etc. A more faithful servant never had charge of the interests of a town. As a sexton of the church, he had the lamps to keep clean and filled with whale oil. At the mid-week meetings he lighted the candles and attended to keeping them well snuffed. At the church he wore pump shoes, and moved about among the congregation silently with his snuffers reviving the lights at the time of singing, etc. On Sunday he sat in the gallery where he could watch the boys, and woe to any urchin who did not sit still or who made any noise. He rang the bell at 9 o'clock at night in the old Meeting House in the Public Square, as a notice to the merchants to close up, and for all who were abroad to retire to their homes and go to bed, and this he did without pay and in all kinds of weather, and never failed to toll the day of the month after the ringing. He had a pound on the river bank, near his residence, and all cattle found at large at night were driven into it and kept there until the owner paid his fine and took them away. When a drunken man was found lying asleep Michael went for his wheelbarrow and putting the poor wretch on it wheeled him to the pound and then dumped him in among the cows and swine until he recovered his senses. In the winter when the deep snows would cover the coal-ash sidewalks, Michael would be up

while the town was asleep, and, with a snow-plow, drive along the walks and have all the snow off by the time the people got their eyes open; and this he did, as far as I know without any compensation, except the pleasure of doing it for the good of the town. He had the only hay scales in the town at his home on the river bank, where by means of a beam to which were attached long chains which he fastened to the wheels of the wagons raising them and the hay clear of the ground and getting at the weight. He was the weigh master of the town and charged ten cents for the services. He was fearless when in discharge of his duty and many a time he would make arrests and take the prisoner to the door of the jail, and then his goodness of heart would cause him to let the prisoner go after a good scare and the promise of reformation. This, of course, applied mostly to the boys of the town, when he was fortunate enough to catch them. As an example of his nerve, he at one time ascended the steeple of the old church and stood upon the small ball, 125 feet from the ground. If he found a cow daring enough to enter the church yard he would then show his temper, as he generally had to chase her several times around the church before he got rid of her, then he would swear in his broken Swiss until all was blue. Upon one occasion the writer rode up bare back on a horse to get a switch from the willow tree that stood in front of the Episcopal Church. In order to do this it became necessary to ride upon the sidewalk, which was contrary to law, and in reaching up with both hands, totally unconscious of danger or harm, Michael, who was in the church, discovered me, and quietly coming up behind the horse, struck him a whack across the back with his sword cane. The attack coming so unexpectedly, and being altogether unprepared for it, the horse sprang forward and came very near breaking my neck. As soon as I recovered my seat I looked back at Old Pickle, who was swearing gloriously, for he had splintered and broken his cane, which afforded me gratification enough, and I laughed heartily, which only served to increase his wrath. I was wrong for laughing at him and am sorry now as I think of it, that I did it. How well I remember standing by the graves he had dugged and noticing his quiet sympathetic ways as he dropped the dirt upon the coffin lid at the words 'dust to dust, ashes to ashes,' and when, as was the custom then, the bystanders, after the service, would throw in the dirt until Michael would say, 'Dis will do shentlemens' after which he would remain and fill up the grave. I presume if all the reminiscences of 'Old Michael' during his 40 years of service could be collected they would fill a volume. Notwithstanding his many engagements, he found time to cultivate a garden in the lot just below the residence of E. P. Darling, in which he cultivated, besides vegetables, a beautiful display of flowers. He lived entirely alone, having a room fitted up in the beforementioned storehouse. His death (1846) was occasioned by a fall down the stairs by which he reached his bedroom. He was discovered by accident, or he might have died where he fell, but when found he was carefully nursed until he died. An old man faithful to every trust, and vigilant in the discharge of every duty, he was buried in the old burying ground on Market Street, where he had assisted in laying away so many of the citizens young and old, of the town, and the bell which he had tolled so often for others now tolled for him. I do not remember that any stone marked his resting place; and I have often wondered whether any one living could tell where his remains rest at present, since the removal of the dead to the new cemeteries. If so, nothing could be more fitting than to erect some kind of a monument as a slight tribute to his unselfish fidelity and worth."

While Old Ship Zion has been referred to at length as the most famous church of its time in Northeastern Pennsylvania, no history of the Wyoming Valley would be complete without reference to the church at Forty Fort, which is still standing on part of the plot owned by the Forty Fort Cemetery Association. The erection of the meeting house at Wilkes-Barré was begun in 1800, but not completed until the spring of 1812.

The raising of the church at Forty Fort was undertaken after an inspiring address by Bishop Asbury, of the Methodist Church, in the woods, on the site of the present structure, July 19, 1807. Both were union churches, in the sense of accommodating more than one congregation.

All denominations, which had organized congregations, were for many years accommodated in the Wilkes-Barré edifice; the Congregationalists or Presbyterians predominating in numbers and influence. Differences and misunderstandings, between these congregations, approaching violence at times, were to disrupt the affairs of the once united brethren at the Wilkes-Barré edifice, as will later be noted. The church at Forty Fort was built by congregations of Methodists and Presbyterians of the West Side; the Methodists largely in ascendancy as to numbers and initiative. The two congregations of the little meeting house which still survives, dwelt together in harmony until the growth of their numbers necessitated larger and more modern edifices of their own.

The history of the "Old Church at Forty Fort" and a brief reference to the inspiring story of Methodism in the Wyoming Valley go hand in hand.

Much of this early story has come down to us by way of tradition, but sufficient facts are known of it to invite attention. Pearce, in his "Annals" 289, refers to the story as follows:

"The origin of Methodism in Luzerne county was on this wise. Prior to 1778, Anning Owen,\* a blacksmith, erected a small log-house and smithshop, on the great road in Kingston, a few rods above the residence of Colonel Charles Dorrance.† Here Owen toiled at his trade until July 3d, 1778, when he shouldered his musket in common with his neighbors, and went forth under Butler and Denison to encounter the British and Indians. He stood his ground bravely, until compelled to give way in the general retreat. Flying from the lost field, he found himself hotly pursued by a fierce savage, who, with a swift foot, was hastening to bury his tomahawk in his brain. Eternity seemed near at hand, and he called on his God for help and deliverance, vowing, if preserved, to repent of his sins and to lead a new life. Redoubling his efforts, as if inspired with fresh strength and energy, he escaped from his pursuer, and concealed himself in a thicket until nightfall. Under cover of darkness, he made good his retreat to the fort. Sometime after this, being then in the East, he attended a Methodist meeting, where the preacher with great zeal and solemnity reasoned of righteousness and of a judgment to come. Owen remembered his vow to God, and his great deliverance; he confessed his sins, and found mercy through faith in the Saviour. His conversion was complete, and he evinced great sincerity and earnestness in his efforts to save his own soul and the souls of his fellow-men. He received license as an exhorter, and afterwards



THE OLD FORTY FORT MEETING HOUSE.

returned to the valley. Here, in addition to his week-day labor in the smith-shop, he appointed Sunday prayer meetings to be held at his own house, when he exhorted the people to seek the salvation of their souls. The seed, thus sown by a plain and uneducated but pious and zealous blacksmith, took root, sprang up, and began to bear fruit. Similar meetings, at which Mr. Owen exhorted, were held at Jonathan Smith's, in Newport; at the widow Jameson's in Hanover; at Captain John Vaughn's at Old Forge, in Lackawanna; at Lucas', on Ross Hill, in Kingston; at the widow Coleman's, in Plymouth, and at other places in the valley. In 1791, this region of country was taken into the Methodist Conference, and attached to the New York District, under the name of Wyoming. That district then embraced Newburgh, New York, New Rochelle, Long Island, and Wyoming. The Rev. Robert Cloud was that year made presiding elder of the district, and the Rev. James Campbell was appointed to the Wyoming Circuit. When Mr. Campbell arrived at his new field of the itinerancy, he found 100 professors of religion, the fruit of the labors of Anning Owen, and of others. A class was formed in Hanover, and Stephen Burrett was appointed leader. It met once a week, at the house of Aaron Hunt. Another was formed, with James Sutton as leader, to meet at the house of Captain Vaughn. There was also a class in Kingston, one in Plymouth, one in Newport, and one in Wilkesbarre. At ail of these places Mr. Campbell preached, sometimes in private dwellings, sometimes in barns, and at other times in the open air. One of the first Quarterly Meetings was held in a barn, in Hanover, belonging to the widow Jameson, and was attended by Methodists from Briar Creek, in Columbia, then Northumberland county, and from other parts of the country thirty and forty miles distant.

\*ANNING OWEN, the founder of the Forty Fort Meeting House, died at Ullyses, Cayuga County, New York. April 14, 1814, aged 63 years.

†The Owen house stood until about the year 1895, on the east side of Wyoming Avenue, near where the Lehigh Valley railroad tracks cross that thoroughfare.

"Anning Owen was received into the conference in 1795 as a traveling preacher, and was efficient and acceptable until 1813, when he became superannuated.

"According to the regulations of the Methodist Episcopal Church, their preachers itinerate, or pass from one circuit to another every year, or every two years. Therefore, in 1792, Mr. Campbell was succeeded by the Rev. William Hardesty.

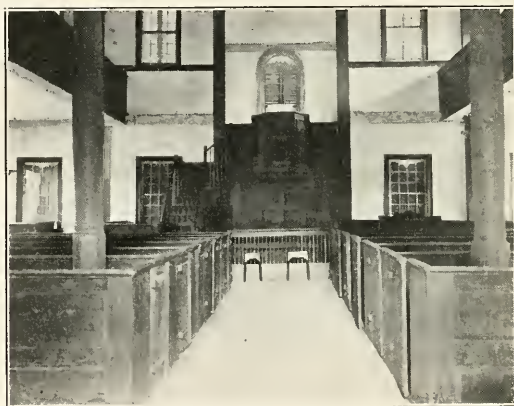
"In July, 1793, Bishop Asbury visited Wyoming and other portions of the district. At a glance his great knowledge of human nature and of the world enabled him to comprehend the character of the people, and the conditions of the country. At the Conference, in August following, he appointed the Rev. William Colbert, and Rev. Anthony Turck, on Wyoming circuit. During this conference year the membership increased from 100 to 183. In 1794, James Paynter traveled Wyoming circuit, and was succeeded by the Rev. A. White, in 1795, who remained two years.

"In 1796, a new district, called the Susquehanna district, the Rev. Thomas Ware, P. E., was formed, extending from Philadelphia to Western New York, and divided into nine circuits. Wyoming was included in it.

"In 1797, the Rev. Roger Benton travelled Wyoming, and in 1798 he was followed by the Rev. William Colbert. In 1799, the Rev. William M'Lenahan was presiding elder, and Wyoming and Northumberland circuits united were traveled by the Reverends James Moore, Benjamin Bidlak, and David Stevens.

"In 1800, Rev. Joseph Everett was presiding elder, and Ephraim Chambers, Edward Larkins, and Asa Smith, were the preachers. In 1801, Ephraim Chambers and Anning Owen, and in 1802 Ephraim Chambers and William Brandon were the preachers.

"In 1803, James Smith became presiding elder of the district, and James Polemus and Hugh McCurdy were appointed preachers



INTERIOR VIEW OLD FORTY FORT CHURCH.

"In 1804, Morris Howe and Robert Burch were the preachers, and the Susquehanna district was transferred from the Philadelphia to the Baltimore Conference. During this year the membership increased from 300 to 446. About this time, the Presbyterians and Methodists in Kingston united and built what is now the old church at Forty Fort.

"This was the first finished church in the county in which religious services were held; for though the church in Hanover\* erected by the Paxton Presbyterians, was commenced before this, yet it was never completed."

That Pearce was incorrectly informed of the date of building this church we now know. A union service was held there June 15, 1888, in commemoration of the centenary of Methodism at Wyoming and the eightieth anniversary of the erection of the meeting house. At the celebration, Hon. Steuben Jenkins spoke of the church from the standpoint of its Presbyterian ancestry, and Rev. Jonathan K. Peck related its traditions and history from the standpoint of Methodism. Data which was available to Mr. Jenkins and used in connection

\*The history of the Hanover Church is referred to in Chapter XXXV.

with his reference to the building itself, is substantiated by all the present writer has been able to find on the subject, and is as follows:

"This building in which we are now assembled, known to the present generation as 'The Old Forty Fort Church,' from the best authority we have upon the subject was projected and subscriptions made for its building, in the year of 1806; and during the winter of 1806-7 the stone for the foundation and the timber for the superstructure were brought upon the ground.

"During the summer of 1807 the timber was framed and the general building completed, so that the interior finish of the pews, pulpit, etc., was completed during the winter of 1807-8, and the whole edifice was ready for occupancy about the first of June, 1808, or as near as maybe eighty years ago. Whether there was any formal dedication of it to the worship of Almighty God I have been unable to learn, but the supposition and natural inference would be that there was such dedication. This was the first finished church edifice in which religious services were held, not only in Wyoming but throughout all Northeastern Pennsylvania.

"The architect and builder was Joseph Hitchcock, a New Haven name, father of Platt Hitchcock, who was Treasurer of Luzerne County, and subsequently Treasurer of Clinton County, Pa., at Lock Haven. Hitchcock was considered a very skillful mechanic. He laid out and framed the building by what was known among builders as the square rule, which was thought to be, in those days, a wonderful feat of skill. Gideon Underwood, a cabinet maker and first-class carpenter, made the pulpit.

The building committee consisted of Benjamin Dorrance, Daniel Hoyt, Elijah Shoemaker, Lazarus Denison and Luke Swetland. The lime used in its walls was hauled with teams from Lime Ridge. The quaint style of construction and arrangement of pulpit, pews and gallery is peculiarly noticeable, and suggest the inquiry as to whence came this style of architecture. That the style is antique and that but few specimens of it now remain there is no doubt. There is a church of this style and finish in Wickford, at the head of Narragansett Bay, R. I., another in Newport, R. I., and one in Richmond, Va., and beyond these, I know of no other."

NOTE. The "Old Forty Fort Meeting House" may be visited during daylight hours by application to the sexton of the Forty Fort cemetery. Traction cars stop directly at the entrance. The Association has taken excellent care of the building, restoring part of the exterior and foundations and treating the wood work of the interior so as to preserve it in its original unpainted condition. The pulpit, approached by a spiral staircase, is on a level with the broad balcony which surrounds it on three sides. The main floor, on either side of the entrance aisle, is boxed off into pews, each seating eight persons, the rear pews being slightly elevated. Brackets for candles or the old fashioned whale oil lamp are attached to the gallery supports and the church today has no means of lighting except by candle or lamp. It is most fortunate that this interesting building, like the Pickering House at 120 South Main Street, Wilkes-Barré, which antedated it by some twenty years in construction, has fallen into appreciative hands. From present indications the old meeting house, under normal conditions, should survive for another century as a shrine for those who appreciate its history.

The summary by Mr. Jenkins suggests that the style of pulpit and pews was antique. But it was not rare, for many of the churches built at that period in this country had the identical features of high pulpits and boxed pews. The style came from England and the Continent.





## CHAPTER XXXVIII

EVENTS OF THE EARLY YEARS OF THE NINETEENTH CENTURY—JEFFERSON'S ELECTION CELEBRATED—PARTISANSHIP OF THE PERIOD—ECHOES OF LAND DISPUTES—THE IDEA OF PERMANENCE OF THE COMMUNITY GAINS GROUND—BUILDING OF THE SECOND COURT HOUSE—THE STONE JAIL—EASTON AND WILKES-BARRÉ TURNPIKE—THE BOROUGH OF WILKES-BARRÉ INCORPORATED—FIRST OFFICERS OF THE BOROUGH—THE STONE "FIRE PROOF"  
—THE WILKES-BARRÉ ACADEMY—VARIOUS SOCIETIES FORMED.

He sighed for the days of his early youth,  
"Those good old days of yore,"  
But he was forced to ride all day in a stage  
And thought it a beastly bore.

He lauded the innocent times of old,  
The pleasures of long ago,  
But he went to an old-time singing bee  
And voted it beastly slow.

He longed for the days when he was young,  
When everything was just right,  
But he kicked when the electric lights went  
wrong,  
And he had to use candle light.

He exalted the youth of by-gone days,  
And fired an employe  
Who was so old-fashioned he couldn't com-  
pete  
With modern energy.

He boarded his modern private car,  
And sped to the salty sea;  
He sat on the deck of his modern yacht,  
And dreamed of the used-to-be.

—*St. Paul Dispatch.*



The Presidential election of 1800, had witnessed the defeat of Federalists, generally, throughout the country, and the vote of the electoral college had been a tie between two Republicans, Thomas Jefferson and Aaron Burr. Thrown into the House of Representatives, Jefferson had finally, on the 36th ballot, emerged with the required votes. Burr, under the rules then obtaining, became Vice President.

Pennsylvania had cast her electoral votes for Jefferson, and its House membership had likewise voted for the country's leading exponent of democracy. The election proved a bitter blow to conservatives, and members of the defeated party at Wilkes-Barré, as elsewhere, were outspoken in their prognostications of national disaster to follow. It happened that while a contributor to the *Pennsylvania Magazine*, XII: 484, was recording some impressions of Wilkes-Barré, in the latter part of 1800, and the early months of 1801, local adherents of Jefferson celebrated his accession to the presidency. The account is rather amusing in its tinge of partisanship:

"Dec. 5, 1800. Arrived at Wilkes-Barre about 2 P. M. It is now in agitation to build a turnpike from here to Easton, sixty miles, and should this be effected, Philadelphia will be the market via this route, which will shorten the distance one hundred miles from what it is by the Lancaster road. The inhabitants emigrated chiefly from Connecticut. There are a number of gentlemen of education residing here, chiefly professional characters of the law, and this being the county town of Luzerne, has rendered it populous. An elegant church with a spire has been built, and during the year a court house will be erected. Some gentlemen are possessed of a large property to the amount of £20,000, and more. A stranger has no reason to complain of the want of friends, or friendly assistance, who falls among them. The Sabbath is observed with great decency.

"Information was received on Tuesday last, that Mr. Jefferson was elected President of the United States. The Democrats are making preparations to rejoice on Wednesday next, the 4th March, when an ox will be roasted whole, cannon will be fired, and probably some whiskey will be drank. They feel important, go with their heads up, assume a new language, are busy in the streets.

"March 5, 1801. Yesterday was celebrated by the Democrats in this place with festivity and rejoicing, that Thomas Jefferson, the infidel, was raised to the Presidential chair. They introduced the French flag and cockade; they stopped and insulted the mail, attacked and abused travellers, and committed many outrages. There are some Democrats of this place possessed of large property, they will do well to keep a good lookout, for they have many brethren who have none at all, and who comfort themselves with the idea of an equal distribution to be made in a short time. This is their glorious millenium, the reign of Liberty and Equality!

"March 12—The inhabitants of Wilkes-Barre are a mixture of good and bad—Lord Butler, Rosewell Wells, Matthew Covil, Putnam Cathin, Ebenezer Bowman, Arnold Colt, Capt. Samuel Bowman, Jesse Fell, George Griffin and others are Federal in heart and conduct. They are men of property, character and morals, and there is a frank, open and friendly appearance in all their conduct. There are others of a different complexion, all Democrats, and consequently are rebels against God and man! I never saw Democratic enmity expressed and acted out in such lively colours as it is in this place.

"The ladies of Wilkes-Barre might perhaps, consider themselves neglected, should I pass them by in silence. Their circle is not large, yet they are a number, who have personal charms and other accomplishments, which render them engaging. Some in a fancy dress, with easy agreeable airs, have appeared to the best advantage, and were highly delightful. Their manners are easy, but not sociable in conversation.

"March 17—This morning my hostess was frying eggs without lard. They stuck to the pan, nor could she turn them without breaking the yolks. She wondered what was the matter. Her husband told her it was because there was no lard in the pan. She said that she knew better, that it portended something very awful that was coming on the Democrats for celebrating the 4th of March, with a roasted ox.

"March 24—Concluding to view the country up the river, I this day left Wilkes-Barre in company with Col. Hollenback. We passed thro' Kingston, and near its northern extremity, he showed me the ground where the Indian battle was fought, in which we lost three hundred men. Col. Hollenback was in the action, and one of the few who escaped."

If a stranger reflected the partisanship of the times, in referring to the community, it might naturally be expected that Federalists at home, voiced their chagrin and rancor whenever opportunity offered. The *Wilkes-Barre Gazette*, republican in policy, published a glowing account of the celebration on the court house grounds in its issue of March 9th. The next edition of the opposing *Federalist* took exception to its rival's description, in the following emphatic terms:

"In the *Wilkes-Barre Gazette* of the 9th instant, is published a very extraordinary account of the proceedings of the (self-styled) republicans in this town, in consequence of the election of Mr. Jefferson as President of the U. S.

"Lest the credulous should be deceived, and led to suppose that 'Order, hilarity and good humor,' (as expressed in that piece) are really meant to convey the ideas generally appropriated to them; we think it our duty to represent facts as they were.

" 'The day was announced by the discharge of artillery and martial music.' This probably might have been the case. But so great has been the noise among them ever since the news of Mr. J's election arrived in town, that it was impossible to distinguish this grand announcement. If every discordant thump upon a drum can be called 'martial music', we acknowledge ourselves indebted for a sufficiency of it.

" 'The procession began to move in the following order.'

" 'Two respectable farmers' !!

" 'One of these 'respectable farmers' we do not know, but the other is a foreigner who makes it his glory and boast that he is not a citizen of America!

" 'The company consisting of about 500 persons then regaled themselves upon an ox roasted whole.'

" 'By what rule 200 men (including women and children) can make 500, we are unable to determine; but conclude by the same process that a raw bull is made a roasted ox.

" 'Not a single circumstance occurred to interrupt the festivity of the day.'

" 'Was not the mail of the U. States stopped and the carrier abused?

" 'Was not a boy abused and struck with a club by one of the leading republicans, merely because he wore a Federal cockade?

" 'Was not the 'festivity interrupted' when among these 500 respectable republicans, only an average of 6 cents could be mustered towards defraying the mighty expense?

" 'We will not ask whether it was an 'interruption' to have a peaceable citizen drove from the public ground by brandishing two or three drawn swords over his head,—neither will we enquire, why the proceedings of this republican assembly were sent to Gov. McKean.

" 'To have observed the proceedings of some of this assembly after the procession was dismissed and they had convened at their rendezvous:—decency would have blushed; and he who, unprejudiced, could have viewed every occurrence of this day, would have exclaimed in the language of the most sublime writer of our age—

" 'Ye gods! what havoc has democracy made among us!'"

Bitter as were the political differences of the early years of the nineteenth century, they were no more acrimonious than were echos of land controversies, which raged in Luzerne County in the same period.

It is not the intention to reopen the subject of these controversies, except for passing comment, as they were discussed at length in Chapter XXXIV of this volume. In fact, neither residents of Wilkes-Barré nor of the territory of the seventeen townships, formerly of Connecticut, were involved in these latter day controversies, only insofar as they held wild lands outside the area of those districts, whose titles were being quieted under the amended Compromise Law of 1799. Thomas Cooper, Esq., Gen. John Steele and William Wilson, Esq., were sitting as a final commission on the settlement of these claims at Wilkes-Barré, July 1, 1801. They made encouraging progress in their work, as they reported from time to time to Governor McKean. But at Athens and neighboring points along the Susquehanna, the spirit of turbulence was still rife. Wyoming was drawn into the controversy at this time, largely because it was still the county seat of the whole area, and secondly, because it possessed the only newspapers, through whose columns contributors voiced their sentiments in no uncertain terms. The *Gazette* advised its readers to assist the Commissioners in hurrying forward their business. The *Federalist*, on the other hand, sided with the Franklin party. Over the pseudonym of "Plain Talk," Colonel Franklin began, in May, 1801, to use the columns of the latter publication in a series of fervid articles, which covered the whole range of Connecticut claims, and were to continue in serial form for several years to follow.

The Pennsylvania land claimants conducted their answers to Colonel Franklin, from the safe distance of the columns of the *Lancaster Journal*.

Tench Coxe, Secretary of the Land Office, and a large claimant to disputed lands of the Commonwealth, upheld the Pennsylvania partisans with tranchant pen. In its issue of July 13, 1801, the *Federalist*, in a burst of heated argument, referred to Mr. Coxe as a "tape-worm," besides casting other aspersions upon his character. Asher Miner, publisher of the *Federalist*, was



thereupon arrested by Col. Abraham Horn, a special officer of the Commonwealth, and placed under bond for appearance at the following term of court.

Thinking, doubtless that Mr. Miner would be intimidated by his arrest, and that the columns of his paper would in future reflect to a less emphatic extent the attitude of the Franklin party, Colonel Horn and his deputies filled the calendar of the November, 1801, term of court to overflowing, with the names of adherents of Colonel Franklin, whose arrests had been caused under the Intrusion Act.

Such results, if anticipated, did not follow. The newspaper retaliated, with less use of personalities, perhaps, but with finer logic, and the cases against Franklin, et al, as has been seen, were eventually dismissed on grounds of the unconstitutionality of the Act.

Hoping for assistance from Congress in their claims, the Franklin party prepared a lengthy petition, signed by some thirteen hundred land claimants outside the seventeen townships, introduced before the House, by Representative Calvin Goddard, of Connecticut, January 5, 1802. The matter, being referred to a special committee, was dismissed on the grounds that the Decree of Trenton had given courts of Pennsylvania jurisdiction of claims, and the whole affair was therefore no business of Congress.

Rebuffed by the supreme law making authority, discouraged by the gradual desertion from their ranks of those who were securing their warrants from the commissioners, and feeling that further opposition to Pennsylvania was useless, the year 1802 began that disintegration of the Franklin party in the northern Susquehanna districts, as had followed three years before in the neighborhood of Wilkes-Barré.

On September 6, 1802, Judge Cooper announced that he would visit the up-river districts for the first time, and would be absent from Wilkes-Barré some six weeks. That his visit met with encouragement, is evidenced by a letter to Governor McKean, written October 20, 1802, in part as follows:\*

"Every claim of every Connecticut claimant under the Law of 1799, and the supplements thereto, has been examined and decided upon, except the cases of townships rejected, and appeals from my jurisdiction. The townships of Bedford and Ulster were not able to make out a title to my satisfaction, under the Susquehanna Company and the law of 1799. I rejected, therefore, every applicant within those townships. \* \* \* In Ulster live Franklin, the Satterlees, and Spaldings, the Bingham, and all the decided and leading characters among the half share men. In that thownship, and there alone will opposition rise, if at all."

By way of further explanation of the situation, the Commissioner wrote again in November of the same year, on this score:

"I cannot be far wrong when I state the utmost force of the Wild Yankees as they are called, at 200 men.

"These are for the most part poor and ignorant but industrious settlers, thinly scattered over a wild country (Wyalusing, Wysox, Tioga, Willingborough and Rindaw), incited and misled by about half a dozen leaders, living chiefly in the township of Ulster, viz: Franklin, Satterlee, Spalding, Bingham, Flower, Kingsbury, John Jenkins of Exeter, and Ezekiel Hyde of Willingborough. In fact, all the active opposition is confined to 3 or 4 miles above and so much below Tioga Point and about a dozen miles East and West of it. \* \* \* Except John Jenkins and Ezekiel Hyde the leaders live near each other, with establishments and families, and in case of necessity might easily be reduced."

In the minds of residents of the settlement, in and about Wilkes-Barré, there seems to have lodged at this time, an idea of the permanence of their community. Nearly all of them had verified their rights to the title of lands upon which they lived, and had accepted from the Pennsylvania Commissioners a certificate, which evidenced that title. They had begun the erection of a com-

\*See "Pennsylvania Archives," 2nd series, XVIII: 487.

modious church, which, by reason of its dependency upon private subscriptions had not then been completed. But the county was rapidly acquiring new residents, its taxables were increasing, and the need of a new public building, with facilities for the housing of valuable records, was imperative. The rude log structure, two stories in height, unpainted and unadorned, had outlived its usefulness as not merely a court house and jail, but a place of general service to those who had occasion to use it. On September 26, 1801, the then County Commissioners, Thomas Wright, Lawrence Myers and Eleazer Blackman took the initiative in proposing a new structure for county use, and authorized advertising that they "would receive proposals for furnishing stone, brick, lime, scantling and boards for building a court house." Before taking this action, however, the Commissioners very wisely sought light on the question as to who owned the lands of the Public Square, on which the proposed building was to stand. Accordingly, a town meeting was called, the minutes of which sum up the action taken as follows:

"At a Town Meeting held agreeably to notice at the Court House, Wilkesbarre on Saturday, the 13th June A. D., 1801.

"The County Commissioners informed this meeting, that they were about to erect a new Court House on the Spot where the old one Stands on the Public Square in Wilkesbarre for the use of the County; but have some doubts about the propriety of so doing unless, the use of the Ground is ceded by the Town for that use, Whereupon on Motion & Seconded,

"Voted, that Matthias Hollenback, Lord Butler & Arnold Colt, esquires, are appointed a Committee on behalf of the Proprietors and Inhabitants of this Township, to lease to the County Commissioners and their Successors in Office, so much of the South Quarter of the Public Square in this Town, being the same square on which the Court House now stands, as shall by them be thought sufficient for the Purpose aforesaid to the Use of them and their Successors in Office for so long time as the same shall be occupied for a Court House."

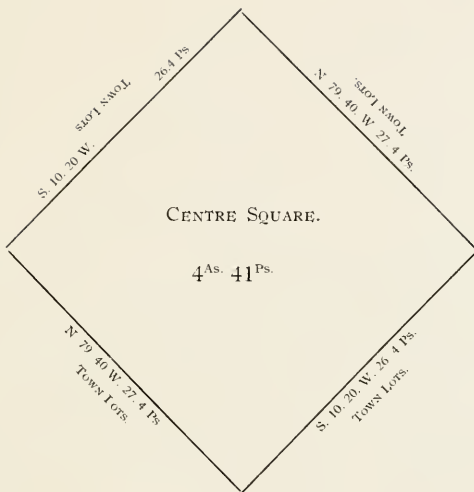
A lease was thereupon executed between the township committee and the Commissioners, which was deemed sufficient to guarantee to the county, the use of such grounds as were necessary for the purpose, and the committee filed with Judge Cooper, a claim, as Trustees under the Connecticut grant, for the tract known as the Public Square, as well as for the larger public lands known as the River Common. Judge Cooper ordered the two tracts surveyed as required under the law, Thomas Sambourne, Surveyor for the Commissioners, completing the work on the 3rd of July, 1801. No further effort seems to have been made to secure a legal Pennsylvania title to the lands until the year 1804, when the State Commissioners turned over to the committee a draft of the survey of the two tracts, as shown on the page opposite and on the reverse side of which appears the following certificate of ownership:

"We the undersigned Commissioners for putting in execution an Act of the General Assembly of the State of Pennsylvania, entitled 'An Act for offering compensation to the Pennsylvania claimants of certain lands within the seventeen townships in the county of Luzerne, and for other purposes therein mentioned,' passed the 4th day of April, 1799, and the supplement thereto passed the 15th day of March, 1800, and the further Supplement thereto passed the 6th day of April, 1802. Do CERTIFY, That LORD BUTLER, MATTHIAS HOLLENBACK & JESSE FELL, TOWNSHIP COMMITTEE ARE the owners as a Connecticut Claimant of THIRTY-NINE Acres and FORTY ONE perches of Land in the Township of WILKESBARRE, one of the before mentioned seventeen townships, BEING THE PUBLIC SQUARE IN THE TOWN PLOT THEREOF, AND THE PUBLIC COMMON ON THE RIVER BANK BETWEEN THE RIVER SUSQUEHANNA AND THE TOWN PLOT, which SQUARE AND COMMON were severally occupied and acquired by a Connecticut Claimant and actual Settler there before the time of the Decree of Trenton, and was particularly assigned to such actual Settler, prior to the said Decree, agreeable to the regulations then in force among such Settlers. The said Land (a Draught of Survey whereof is hereunto annexed) is included in the application of MATTHIAS HOLLENBACK, JESSE FELL & LORD BUTLER TOWN COMMITTEE under the provisions of the acts aforesaid; of which application an official transcript has been transmitted to us from the Land Office of the Commonwealth of Pennsylvania, number 772 of the said Tracts. THE WHOLE IS OF THE FIRST CLASS.

"JANUARY 21st, 1804.

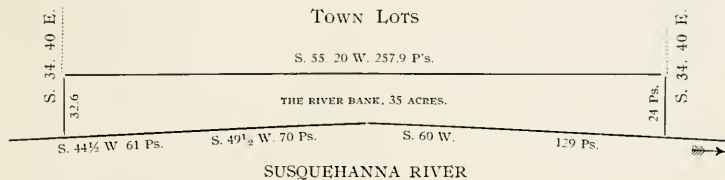
"THOMAS COOPER  
"JOHN M. TAYLOR.\*"

\*JOHN M. TAYLOR had succeeded Gen. John Steele on the Commission in this year.



CONTENTS

AS.	PS.
35	—
4	41.
39	41.



Draft of a survey of the Public Square and River Common, title to which was confirmed by Pennsylvania January 21, 1804.



On December 8, 1801, it was announced that Joseph Hitchcock, who then had the contract for building the meeting house, was the successful bidder for the court house, on plans which had been secured for the sum of \$17.06, of a like building at Fredericktown, Maryland. "The size of the building," according to the *Federalist*, in publishing the announcement, "is to be 63 feet front and 53 feet deep." "It is generally accounted," continued the publication, "to exceed in point of elegance and convenience, any other building that has come to the commissioners' notice. The terms of the contract, it is thought by all who are acquainted with them, to be advantageous on the part of the county; and it is hoped they may prove equally so, on the part of the builder." The site of the contemplated building required the removal of the log structure to another part of the Square, hence it was given a place in the north west triangle, back of the meeting house, and facing out West Market street.

The building, according to the contractor's estimate was to cost \$9,356.06 furnished, including removal of the log structure; and a summary of accounts of the County Commissioners indicates that very little additional money was expended, when the building was completed. What delayed the progress of construction of the new building is not a matter of record. In the December 1st issue of the *Gazette*, in 1800, is found an advertisement by the contractor, as follows:

"The subscriber has contracted to complete the court house in the town of Wilkesbarre. He will be enabled to afford his apprentices an opportunity seldom to be had in this county, of becoming acquainted with the carpenter's trade in all its branches. Two or three lads of good character are wanted.  
JOSEPH HITCHCOCK."

Work actually proceeded the following spring, the timbers being "raised" as was the custom, by volunteer workers, in June, 1801. Pearce, in his *Annals*: 244, relates that "There were thirty-two and one-half gallons of whiskey used at the raising of this building; a fact which demonstrates either the great capacity of the people of that day for ardent spirits, or else the presence of a large number of consumers."

From items in the County Commissioners' accounts, we find that they expended the sum of \$3,582.64 (including the item of whiskey) in the year 1801, also the sum of \$271.74 on repairs of the old log building. In 1802, they spent an additional sum of \$2,373.67 on the new building, and in 1803, the sum of \$784.31, as the building neared completion. In the meantime, court was being held in the log structure. At the fall session, 1804, the new building was dedicated, Judge Rush, delivering a short address, congratulatory in tone, upon that occasion. The building, when completed, was in the form of a cross, with a low tower and belfry, in which, in August, 1805, a smaller bell than that which afterward hung in Old Ship Zion was installed. In a wing, pointing northward, on the lower floor of the building, was the main court room, the judge's bench on one side, and a gallery running the length of the opposite end. Various county offices were situated in the other wings on this floor. On the second story was a large room, which was used as a sort of community center, by church congregations, until the completing of the meeting house; as a dancing school at times and, upon state occasions, as a ball room.

The building was sheathed in one inch boards, grooved to resemble stone, the grooves painted white, the balance of the building red. The cornice was of yellow pine, handworked. The basement of the building was, for a number of years, leased as a butcher shop and later became a restaurant, with bar attached

For more than half a century, the building was used for judicial purposes. Judge John N. Conyngham in his address, in 1856, delivered on the occasion of the laying of the corner stone of the third court house, remarked; "Upwards of fifty years seems a long period for litigation and dispute among an active and a growing people; yet, it is believed, that the scales of Justice have been balanced as evenly within these walls as human knowledge and human frailty would allow."

The judges of the Supreme Court, who sat in this court house and in the original log building, were Justices McKean, Tilghman, Breckenridge, Smith, and Yeates. "There were some ceremonies," says Judge Conyngham, in the address before quoted, "connected with the courts, now entirely abrogated, and which in fact, would be annoying in the present day, which are worthy



LUZERNE COUNTY'S SECOND COURT HOUSE.  
Completed 1804.

of being noted in the records of the past. At the opening of every term, the Sheriff, with his staff of office, attended by the Crier of the Court, and frequently by several constables, waited upon the judges at their lodgings, and then conducted them in formal procession to the court house. Judges McKean, Smith and others, of the Supreme Court, always wore swords when they attended court—some bearing rapiers and others heavier weapons."

"In this secluded spot, the weeks of court, years since, attracted more of interest in the inhabitants than is found at present. They were decidedly, as tradition remembers and brings down to us, gala days, and periods of fun and frolic. The lawyers were assembled from various parts of the state, and, while business was not so burdensome and pressing as it is now, much time was afforded

for amusements. It was but a day or two since, in conversation with a lady of our town, about these bygone days, that she seemed to be young again in the liveliness and vivacity of her recollections, as she described the public and private gatherings, and especially the court ball, which was held every term in the upper room of the court house."

One thing the new court house building did not provide, and that was jail accommodations. The lower story of the log building, even after its removal to a new site, continued to be used for the purpose. The need of a better and more secure place of confinement was emphasized on August 25, 1891, when William Lothrop of Dutchess County, New York, succeeded in escaping, a few days after



LUZERNE COUNTY JAIL.  
Completed 1808.

being sentenced, by Judge Rush, to twenty years in state prison. Sentiment of the time did not favor locating the jail on a vacant portion of the Public Square, hence the County Commissioners purchased a lot about two hundred feet square, on the south side of Center (now East Market) street, extending from the intersection of the present Washington and Market streets, westerly to a point about half way to the Square. The sum of \$538.50 was involved in the transaction for what is now one of the most valuable real estate tracts of the city, the deed bearing date of February 12, 1802. The *Federalist* of March 22nd, of the same year, carried an announcement that the Commissioners, Messers Myers, Blackman and Colt, would receive proposals for "stone of sufficient size and quality to build a goal and goal yard." In the publication appeared a further call for proposals "for plastering the new court house, and furnishing materials and building a fence around the same."

In 1803, but little work appears to have been done in erecting the building, the Commissioners' accounts showing but \$835.70 expended for that purpose. Work progressed more rapidly in 1804, when the work of construction called for an expenditure of \$3,356.62.

From that time forward, until completion of the building in the spring of 1808, the work dragged discouragingly; due in part, as the Commissioners felt called upon to explain, to scarcity of funds, slowness in the delivery of material,

which was quarried on Harvey's Creek, and, at times, to a failure to secure masons familiar with their work. The final items of expense were for the delivery, in February 1808, of an iron door and an iron grate made by Joseph Slocum at his blacksmith shop. The first appointment as jailor for the new prison was Isaac Hewitt, who was succeeded shortly after the building was put to its new use by George Stewart.

In its issue of July 1, 1808, the *Federalist* narrates a story of an attempted escape from the new jail, which rivals the desperate measures of modern times in subterfuge and daring. Under the largest headline which had appeared in that publication since its establishment, the story was narrated as follows:

#### CONSPIRACY!

"Two prisoners have been for some time confined in the Goal of this town on criminal charges. Seward, for passing counterfeit money. Dodge for stealing.

"When Seward was taken, a lady was his companion. She was secured for a few days, and then as nothing appeared against her, was liberated, and has since lived in the neighborhood.

"Seward, for some time past, has been so ill as to require the attention of a physician, and at all times has been treated by Mr. Stewart, who keeps the prison, and his wife, with all the humanity his situation could require.

"Last week, the family who reside in the prison, were two or three times alarmed for Seward, as he was taken with fainting turns, and appeared as if expiring. On Tuesday last, he was so ill that Mr. Stewart left them fire and a candle, to light if necessary.

"About 12 o'clock at night, Dodge called in the most urgent manner for help, as Seward had fainted and was dying. Mr. and Mrs. Stewart ran into the prison, with all possible haste, and found Seward gasping for breath, and with the utmost tenderness, they endeavoured to relieve him, when Dodge seized the stump of a broom, the splinters of which they had burned off, for the purpose, and struck Mr. Stewart over the eyes. The dying man sprung from his bed, and the two prisoners, with the most dreadful threats, ordered Mr. and Mrs. Stewart to the back side of the prison, a smart contest ensued, and Mrs. Stewart, seeing a knife lying upon the floor, which appeared sharpened for the service, and hearing them threaten her husband with death, immediately seized Dodge, and with a heroism that does her the highest credit, dragged him into the street and called for help, and notwithstanding, Dodge beat her in a most cruel manner, she retained her hold, constantly hollering for assistance.

"In the meantime the dying man and Mr. Stewart had struggled to the door of the prison, when some of the neighbors arrived, and the fellows were secured. On searching the prison, a saw, file and other tools were found, and two knives sharpened, with which it is supposed they intended to further their escape, if other means failed.

"The spirited conduct of Mr. and Mrs. Stewart does them much credit."

The fourth and last public building of the time to occupy a portion of the Public Square, was what became universally known as the "Fire Proof."

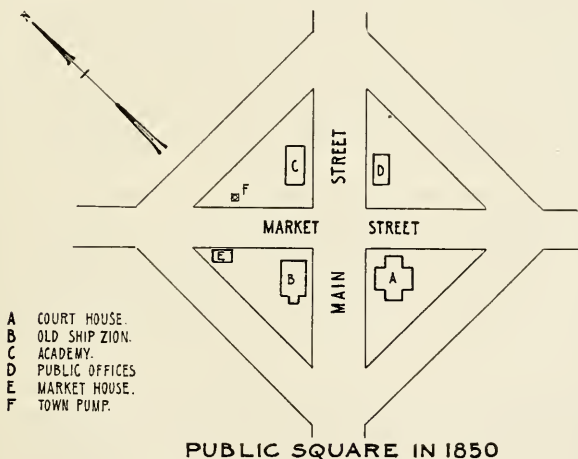
This building was intended to house all offices of the court house, entrusted with the keeping of valuable records. The then County Commissioners, Elisha Harding, Hosea Tiffany and James Wheeler, used the *Federalist* of May 6, 1808, to call for proposals "for a Public Building, Fire Proof, sufficiently large for the accommodation of the several public offices, and safe keeping of the public records and papers of the County."

Its site was selected on the easterly triangle of the Square, and as near the new court house as circumstances would permit. It will be remembered that, at this time, and until the third court house was begun in the year 1856, both Main and Market street continued on through the Public Square, intersecting at its center. Had one stood, in 1808, in the middle of these intersecting streets, where (in 1923) is located the Public Square fountain, he would, by looking down South Main street, have seen Old Ship Zion on his right, with its entrance and graceful spire facing south. On his left would be found the new court house, with its entrance, opening off from Main street, as it passed through the Square. Then, were he to turn facing North Main Street, he would find the foundations of the "Fire Proof" on his right, with its entrance on the Market Street extension, opposite the court house. On his left, with its longer side parallel to West Market Street, he would have found the old log court house, converted into the Academy.



The "Fire Proof," like the county jail, was stone, two stories in height, with shingle roof. The same masons who laid up the jail walls, were continued on the newer structure. Like the jail, and, in fact, like all public buildings of the period, what seems today to have been an unnecessary time was consumed in its construction. It was begun in the early summer of 1808, and was not ready for occupancy until the spring of 1812. It boasted a vault, with an iron door, for the housing of more valuable records, but the inflammable nature of its interior finish, belied its popular name.

As had been noted by an observer, Wilkes-Barré, in the years of 1800 and 1801, "was in agitation to build a turnpike to Easton." The spirit of improvement was in the air. Pennsylvania was leading all other states, not only in mileage of "artificial" roads, as they were then called, but in the scope of work projected in this direction. The Philadelphia and Lancaster turnpike, had been the first of this type of road constructed in the United States. In an address



before the Pennsylvania Historical Society, delivered by J. R. Tyson, in November, 1831,\* it was stated that, "between the years 1791 and 1831, there was expended out of the state treasury, and by corporations on turnpike building, the sum of \$37,000,000."

"Since the year 1792," continued this narrative, "168 companies have been incorporated for the purpose of building turnpikes, and it has been calculated that roads have been made by these societies to the extent of 3,000 miles."

On March 4, 1786, a petition had been presented to the Pennsylvania Assembly, by divers citizens of Northampton County, praying "that commissioners be appointed to examine and lay out the most convenient and direct road from the Wind Gap, or Blue Mountains, to Wyoming."

Nothing, however, seems to have come of the matter by way of securing state aid to the enterprise. The Sullivan road was then considered to offer sufficient facilities of travel, between the two districts.

\*See, "Hazard's Register," VIII: 313.

Colonel Pickering was active in the matter of Wyoming roads while Commissioner. In 1787, in a letter to the Council, advocating improvement of this road, Colonel Pickering gave the distances from Wyoming to Philadelphia via Bullock's, Luce's, Learned's, Heller's, Nazareth and Bethlehem, as seventy miles, with fifty-three additional miles from Bethlehem to Philadelphia, or a total of one hundred and twenty-three miles for the journey. The route thus described, indicates that after reaching the Wind Gap, the Sullivan road to Easton was not then used; another road from Heller's to Bethlehem, being substituted via Nazareth.\*

Colonel Pickering also failed in interesting the Assembly to the point of securing financial aid for the enterprise, although, as has been noted in a previous Chapter, he did secure appropriations from the Commonwealth on an unsurfaced road from Northumberland to Shickshinny, and from a ferry connection with the latter community, westward to the Lehigh River. Neither the county of Luzerne nor its townships, had been remiss, however, in the opening and maintenance of ordinary roads. Judges had been punctilious in the appointment of road supervisors, from the very first session of Court, after the county was erected. In fact, the first record of Court sessions now on file in the Clerk of Courts office, is a small volume erroneously labeled "Road Docket No. 1." Whoever had ordered this volume rebound in the distant past, had turned its pages to discover that most of the contents, in the handwriting of Colonel Pickering, related to roads and their supervisors, and had jumped at the conclusion that it dealt exclusively with that subject.

But no such momentous accomplishment as an "artificial" road, had approached Wilkes-Barré from any direction in 1803. Indeed, the construction of any such highway, excepting along the flat river stretches, seemed a colossal undertaking of the time. Any road to the Lehigh and beyond, meant scaling the Wilkes-Barré mountain through one of its numerous passes; the construction of long portions of the highway through a rough, heavily timbered and uninhabited mountain section, at great expense, and no definite assurance that money invested in the enterprise would ever yield a return.

\*The following account of an overland trip to Philadelphia, in 1795, is taken from a diary kept by John Hurlburt, son of Deacon John Hurlburt, who had occasion to make the journey in that year:

Hanover, Pa., Jan. 20, 1795.—Tuesday commenced my journey to Philadelphia. In the bitterness of the morning a most violent cold day. Warmd at Fell's, (in Wilkes-Barre,) which cost me 11½ d., then on to Chapney's, 5½ d., and at night arrived at Perrinvalts; the roads tolerable good sleighing, but exceedingly slippery, which worried me very much. I wanted good, warm nourishment, but found none but cold meat. Eat but little, was very sick, had hard lodgings, but blessed be God, I was much better in the morning. Paid 19½ d., and went on 3½ miles to Berry's. Took breakfast with a good appetite, paid 1s. 10d. At night arrived at Hiler's found exceedingly good entertainment and the smiles and good deportment of the Land Lady increased my liberality. In the morning I obtained liberty and rode in a sled that was going on my road, whose owner was uncle to Hiler by the name of Diets. He was of uncommon composition made up of a body similar to Doctor Davis, with a Dutch brogue, a humane heart, and a noble soul.

"After I had 4s. 3d, at 11 o'clock, Thursday, 22d, I mounted on four huge sleds and we moved on. The day warm, the ground stony, the sled heavy and the horses lazy. However we reached Bethlehem at 5 o'clock; here I paid 2s, ½d. freight, and on his invitation I again got on board and left town after candle light and rode 12 miles to his own house. Arrived safe at 10 o'clock, almost perished with cold; took refreshments, tasted Dutch cheese. However, was treated with great kindness; had my hands bathed, which was very swelled and painful. Had a present of seed of a plant new to me, to be planted May 1 and poled like beans, which would make a wash good for swellings. At 12 went to bed, slept well and arose at 6 o'clock. Experienced a great deal of kindness from the whole family; had my hand carefully attended to; was compelled to stay to breakfast; the children filled my pockets with apples.

"I left his house in Milford at 9 o'clock on Friday with my body much refreshed and my spirits cheerful, which caused me to sing like Christian when he had found his road. This day cloudy and I traveled fast, the snow melted, the sweat ran, and at night the "Pilgrim" had arrived on his journey 33 miles, paid 2s. 6d. and went to bed. This night I rested well, and in the morning paid 2s. 7d. and travelled to Germantown in a doleful storm of hail, the snow having fallen last night shoe deep. Here I ate the value of the money I paid, which was 2s. 2d. Now the weather grew warmer the wind blew, the snow melted, the rain fell plentifully, and I waded on towards Babylon, that great city.

"At 12 o'clock on Saturday, the 24th of January, 1795, I arrived at Philadelphia, with 4 shillings in hand, one-half of which went from me to get leave to warm and dry with boldness at the stores. And at 4 o'clock took lodging at Col. Farmer's, in company with the most disagreeable gentleman I ever saw.

"At half past ten the house was cleared, the doors shut and I went to my chamber and heard no more until Sunday morning at 7 o'clock; arose and got barber trimmed and went to church. Mr. Green spoke from Isaiah 11:28, in the meeting house, where Mr. Sprout used to preach. I take him to be a Christian. The assembly was thin, but the deportment of the people was sober and becoming. This morning and all day exceeding snowy so that I believe some thousands of men and boys have been engaged in shoveling the snow from the sidewalks in the city. This evening I had a religious conversation with my landlord with none present but ourselves.

"Early on Monday morning went on business; walke dall the principal streets in the city with Esq. Carpenter; saw many magnificent buildings but not many curiosities. I have now formed a superficial acquaintance with the great city of Philadelphia; finished my business; had a fine pleasant day, and now I wish to be in readiness to hasten home.

But the need of such a highway was imperative to the growing settlement at Wyoming, and men came forward with sufficient vision and initiative to undertake it.

There was much correspondence between men of like minds in Easton and Philadelphia, and many trips to be taken by pioneers in the venture, before the preliminaries of incorporation were arranged.

By an Act approved February 11, 1803, a start was made. In its title, the Act purported "*To enable the Governor of this Commonwealth to incorporate a company for making an artificial road by the best and nearest route, from the borough of Easton to the town of Wilkes-Barre.*" The act, in its lengthy terms, named Henry Drinker, Benjamin R. Morgan and Thomas Allibone of Philadelphia; Samuel Sitgreaves, John Herster and Daniel Wagener of Easton; and Lord Butler, Lawrence Meyers and Thomas Wright of Wilkes-Barré, Commissioners of the highway. They were instructed to open three books for the sale of the twelve hundred shares of capital stock of the Easton and Wilkes-Barré Turnpike, at a par value of fifty dollars per share.

The book at Philadelphia, was to be opened for the sale of four hundred of such shares; the Easton book was to be complete when two hundred shares were subscribed, while Wilkes-Barré was given the major task of selling six hundred shares, before its book was closed. The Act further provided that, when any stretch of ten miles of completed highway between Easton and the Wind Gap was thrown open, toll gates might be erected, and the following sums collected for each five miles of travel over the completed portion:

"For every score of sheep, 4 cents; for every score of hogs, 6 cents; for every score of cattle, 12 cents; for every horse or mule, laden or unladen, 3 cents; for every sulkey, chair or chaise with one horse and two wheels, 6 cents; with two horses, nine cents; for every chair, coach, phaeton, chaise, stage, wagon, coachee or light wagon with two horses and four wheels, 12 cents; for every sled or sleigh, 2 cents for every horse drawing same."

There were numerous other charges permitted for vehicles having certain widths of tires. The act specified that, for any similar stretch of completed highway between the Wind Gap and Wilkes-Barré, the cost of construction of which was, of course, far heavier, "double the above rates might be charged."

Numerous provisions of the Act, conferred upon the Commissioners the right to condemn property; certain police powers for the collection of tolls and the protection of its property, and other powers essential to carrying into effect the purposes of the Act.

In June, 1803, the Wilkes-Barré commissioners published in local newspapers appeals to subscribe for stock then being offered. As a special inducement, the announcement mentioned that "due bills of subscribers would be accepted."

From the fact that in September, 1803, the Commissioners admitted in announcements, that they would not be able to get the required number of subscribers at Wilkes-Barré, and then resolved "to attend and open books," at various points up the river, it can be gathered that the going was difficult. In the latter months of 1803, subscriptions, while coming in slowly, seemed to justify the Commissioners in completing the organization of the company by calling a meeting for the election of officers. This was accordingly done, naming the court house, at Easton, as the place of meeting and February 1, 1804, as the date. At this meeting, Samuel Sitgreaves of Easton was elected president, Thomas Allibone of Philadelphia, treasurer, and the following were named on the board of twelve managers: Ebenezer Bowman, Lord Butler, Arnold Colt, Matthias

Hollenback, Lawrence Myers and Williams Ross of Wilkes-Barré; William Barnett, John Herster, Nicholas Kern, John Ross, Peter Snyder and Daniel Wagener of Northampton County.

The year 1804, was a trying period for incorporators of the venture. Money was scarce, times were none too auspicious, individual credit was a matter of speculation, and the sales of stock in the three communities, where permanent stock books were designated, moved discouragingly. Arnold Colt\* was the one man at Wilkes-Barré, who appears to have stuck doggedly at the task of promotion. The time he gave to the undertaking, coupled with his acceptance of unremunerative contracts for constructing parts of the highway in ensuing years, involved his finances heavily. But the road was to go through in spite of hardships imposed upon individuals. The spring of 1805 convinced officers of the company that unless construction proceed with what funds were then on hand, public confidence in the enterprise would probably fail, and the company's franchise would revert to the state. In the *Federalist* of June 8, 1805, is found the encouraging news of work



ARNOLD COLT.

actually begun. To this announcement, the editor lent what argument he could to further the financial affairs of the company in the following article:

"The Easton and Wilkes-Barre Turnpike Road, we have the pleasure to state, is rapidly progressing—more than 150 men are now employed upon it, and there is no doubt but the worst part will be completed this season,—and the residue next summer. The advantages of this improvement to the People on the northern waters of the Susquehanna, and the Gunnessee country,

\*ARNOLD COLT was a native of Lyme, New London County, Connecticut, where he was born September 10, 1760. His father, Capt. Harris Colt, was in Wyoming Valley at various times prior to the Revolutionary War, and, as a member of The Susquehanna Company, was one of the original proprietors of the township of Wilkes-Barré. In 1786, Arnold Colt came from Lyme to Wilkes-Barré, where he located, and was married the next year to Lucinda, daughter of Abel Yarrington, one of the early Wyoming settlers from Connecticut. In March, 1790, Mr. Colt became Town Clerk of Wilkes-Barré, and in 1791, he was appointed and commissioned a Justice of the Peace in and for the township of Wilkes-Barré, to hold office during good behavior. In November, 1798, he was elected Sheriff of Luzerne County for a term of three years, and upon his retirement from this office he served as Commissioner of the county for three years. From June, 1826, to May, 1827, and from May, 1828, to May, 1829, he was President of the Town Council of Wilkes-Barré. He held other local offices, and was for some time an inn-keeper at Wilkes-Barré, at Tioga Point, and then at a point on the Easton and Wilkes-Barré Turnpike, near Stoddartsville. He died in Wilkes-Barré, September 21, 1832.

as well as to Phila., by turning the channel of conveyance, from the dangerous course of the Susquehanna to the secure path of a good road, will be incalculably great.

"In the course of one day last spring, 12,000 bushels of wheat besides large quantities of flour, pork, furs, etc., are computed to have passed this town on the river for the market, but owing to the badness of the water below, considerable quantities were lost.

"Above this place, to the very head waters of the branches of the Chemung, and the main river, the water is safe and good. And many Arks have been built, loaded, and come safely down from streams so small that they had not room to turn round in them.

"The water below this place furnishes striking contrast to the water above,—falls, rocks, and other obstructions threaten the lives and property of the boatman every few miles below Wilkesbarre. Easton and Philadelphia furnish excellent markets for our produce. Every inducement is therefore offered to invite the merchant and farmer, to the use of this valuable improvement, and added to the public benefit, that will result from it, we believe the holders of shares will soon find their stock productive of a handsome interest.

In the same publication, under date of September 7th, is found an advertisement of Arnold Colt for fifty more men to "work the turnpike."

The route of the road, as its sections reached out from Wilkes-Barré to the Wind Gap, followed substantially the trail of the Sullivan road as outlined in Volume II: 1176, excepting that beyond Bear Creek, the new road kept to the right of the last mountainous ridge approaching the Lehigh, instead of turning left through the major portion of the "Shades of Death" swamp as did the old road. In its new course, the road crossed the Lehigh at Stoddartsville, just above the "Great Falls" instead of about three miles south of Thornhurst as the Sullivan road had done.

Beyond the Lehigh, difficulties of transportation of materials and an inability to secure proper quarters for men employed, slackened the progress of construction materially in the year 1806. However, the *Federalist* again comes to the rescue with another enlightening description of advancement in its November 21st issue of that year, as follows:

"We are enabled to congratulate the country on the completion of the most difficult and important part of the Easton and Wilkesbarre Turnpike Road. Twenty four miles of this road commencing at the Town of Wilkesbarre and ending at the Tunkhanna river and covering the whole of the distance which passes over the heretofore impracticable district, emphatically called "The Swamp," are finished; and, as we understand from the report of the Managers who have recently returned from a journey of inspection, the work is executed in a manner quite satisfactory and such as to assure an excellent and permanent road through a wilderness which until very lately has been deemed almost impassable. Here, too, the effects of the public spirited enterprise of the projectors are already visible, valuable improvements are already begun at different stations on the road, and the traveller will soon be as well accommodated on this dreary route as in the most populous parts of the country. We are informed that Commissioners have been appointed by the Governor to view that portion of the road which has been completed and when their report, which cannot be otherwise than favourable, shall have been made the citizens who have advanced their money as Stockholders in this very useful undertaking, will, we trust, be rewarded by abundant tolls, for their public spirit. It is proper to add that the ascent of Pokono Mountain is nearly finished in a most masterly manner and that much work has been done on the Broad mountain in the interval distance. The whole road as far as Mehruveins in Chestnut Hill Township, will without doubt, be completed the ensuing Summer.

The spring of 1807 witnessed the finishing touches to the first twenty nine miles of completed highway from Wilkes-Barré, to a point on what is now called "Effort Mountain," where the Sullivan road was considered in fair shape for travel. Arnold Colt proudly set the milestone where operations were to temporarily cease. It is recorded that in May, practically the entire population of Wilkes-Barré turned out, equipped for gratuitous effort, in making the descent into the Wyoming Valley over "Giant's Despair" or Wilkes-Barré mountain, much more safe and convenient than it had originally been. The toll gate at the Wilkes-Barré end was erected at Georgetown, some two hundred feet east of where the Central railroad tracks now cross the thoroughfare.

Here it was, after the voluntary efforts of residents had ended, that the highway was declared open to traffic, no further formal dedication of the enter-

prise, being of record. That traffic was ready for the road, is disclosed by the fact that on August 1, 1808, a dividend of \$1.25 per share, was enthusiastically declared by officers of the company, and paid to shareholders. In 1809, the finished stretches paid shareholders a most encouraging return of \$2.60 on their investment. In the fall of 1810, through sales of stock made possible by the fact that the enterprise was on a paying basis, the remainder of the highway in its forty six miles to the Wind Gap was finished, at which point it joined the more easily built section to Easton. The whole undertaking had cost over sixty thousand dollars.

It is not the intention at this time, to undertake a description of the turnpike, the hospitality of its taverns, its rollocking stage drivers and the heyday of



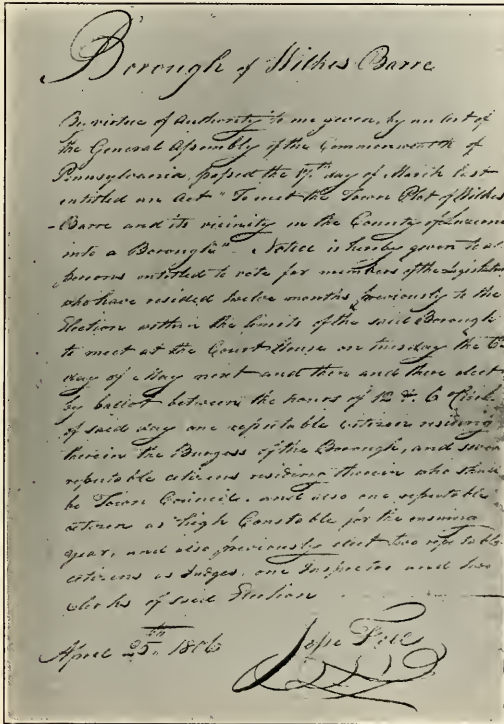
EASTON AND WILKES-BARRE TURNPIKE TOLLGATE,  
At Georgetown

its use. The first decade of the nineteenth century was a period of construction, rather than of enjoyment of the fruits of sacrifice. In proper sequence, all this will be mentioned. At present, we have much to do with the orderly process of events which were to place the community in readiness for development ahead. Next in order, comes the incorporation of Wilkes-Barré proper as a borough, thus to distinguish it at last from Wyoming, as a region, and from the huge acreage of the township of the same name, which then extended from the Susquehanna to the Lehigh rivers.

The population of Wilkes-Barré—particularly of the village, or “town-plot”—increased slowly; but by the beginning of 1806, nearly thirty-seven years after the township had been located and named, the village, in the judgment of its foremost men, had arrived at such a stage of importance and worthiness in its onward progression as warranted its erection into a borough. Thereupon the Hon. Rosewell Welles, in 1805 and 1806, one of the two Representatives from Luzerne County in the Pennsylvania Legislature, introduced a Bill in the House of Representatives providing for the incorporation into a borough of the “town-plot of Wilkes-Barré, together with the adjacent River Common and a strip of land adjoining the north-east boundary of the “town-plot.” This bill was enacted into a law, approved by the Governor, March 17, 1806, the legal title of the new “body politic and corporate” being declared to be “The Burgess and Town Council of the Borough of Wilkesbarre.” The Hon. Jesse Fell of Wilkes-Barré was named in the Act of Incorporation as a Commissioner to issue the proclamation for holding the first election for borough officers.

Under the date of April 25, 1806, Judge Fell issued his proclamation, which was printed in *The Federalist* of April 25th and May 2d. The qualified electors of the new borough were therein notified to meet at the court house on

Tuesday, May 6, 1806, between the hours of twelve o'clock noon and six o'clock in the evening, to vote for one person to serve as Burgess, seven persons to serve as members of the Town Council, and one person to serve as High Constable, during the ensuing year. The electors having assembled at the time and place appointed, and the proper officers for conducting the election having been chosen and duly sworn and affirmed, the votes (less than a hundred in number) were cast, with the following results: The Hon. Jesse Fell was



PROCLAMATION FIRST BOROUGH

chosen Burgess; Col. Matthias Hollenback, the Hon. Rosewell Welles, Lord Butler, Arnold Colt, Esq., Nathan Palmer, Esq.,\* Capt. Samuel Bowman

\*As Nathan Palmer is the only member of the first council of the borough, a sketch of whom has not appeared, as can be found by reference to the index, the following brief outline of his activities is here appended:

NATHAN PALMER was born at Plainfield, Windham County, Connecticut, in 1769. Having been admitted, in 1791 or 1792 to practise law before the Supreme Court of Connecticut, he removed, in 1793, to Pennsylvania, and the next year located in Wilkes-Barré, where he was soon admitted to the Bar of Luzerne County. In 1795 and 1797, he was Clerk to the Commissioners of Luzerne County, and in January, 1800 he was appointed by Governor McKeac, Clerk of the Orphans' Court and of the Court of Quarter Sessions, Prothonotary, Register of Wills and Recorder of Deeds of Luzerne County for the term of three years, to succeed Lord Butler. In 1806, and for several years about that time, he was engaged in mercantile business in Wilkes-Barré, and from 1808 to 1810 he represented Luzerne County in the Senate of Pennsylvania. In December, 1812, he was appointed Treasurer of the county. About 1819 he removed from Wilkes-Barré to Mount Holly, New Jersey, where, until about the time of his death (which occurred July 28, 1842), he edited the *Mount Holly Mirror*.

and the Hon. Charles Miner were chosen members of the Town Council; George Griffin, Esq., was chosen High Constable.

Saturday, May 10th, the Town Council was organized at the court house, Lord Butler being elected President of the body for the ensuing year, and Capt. Peleg Tracy\*, being appointed Clerk.

In announcing in his paper (the *Federalist*) of May 9, 1805, the result of the first borough election, Charles Miner stated: "The person elected High

The the subscribers Jurors of the Election, held on the 5<sup>th</sup> day of May A<sup>d</sup> 1806, at the Court-House in Wilkes-Barre for the purpose of electing the officers of the Borough of Wilkes-Barre, agreeable to the Law, passed for that purpose March 17<sup>th</sup> 1806 do certify that the following persons have been elected to fill the offices to which their names are attached — to wit

Burges of the Borough —  
Sipe Fell —

Town Council —  
Matthews Hallenbach  
Boswell Bellis  
Lord Butler  
Amos Colt  
Nathan Palmer  
Charles Miner  
Samuel Bowman

High Constable —  
George Griffin —

Whose names are }  
John (President) }  
Judges of }  
the }  
Election }

#### RETURN OF FIRST BOROUGH ELECTION

Constable is absent, and it is not known whether he will accept the office."

As previously mentioned, George Griffin† had been elected High Constable,

\*CAPT. PELEG TRACY, the first "Town Clerk" of the borough of Wilkes-Barré, and *ex officio* Secretary of the Town Council, was born in 1775 at Norwich, New London County, Connecticut, whence he removed to Wilkes-Barré about 1803 or '04. In February, 1806, he was appointed Clerk to the Commissioners of Luzerne County. He served as Clerk of the borough from May, 1806, until some time in 1809, when he was succeeded by Sidney Tracy. In August, 1806, he was one of the organizers of "The Wilkes-Barré Library Company," and was its first Secretary, Treasurer and Librarian. He was Secretary of the Board of Trustees of the Wilkes-Barré Academy in 1808, '09 and '10. In 1818 he was Secretary of the Easton and Wilkes-Barré Turnpike Company. Captain Tracy died at his residence at the northeast corner of Union and Franklin Streets, Wilkes-Barré, March 12, 1825.

†The election of Mr. Griffin to the office of High Constable was intended by his fellow-citizens as a practical-joke. He was a graduate of Yale College, in the class of 1797, and in 1806 was a busy and successful lawyer, having been admitted to the Bar of Luzerne County in 1800. He had been married, in 1801, to a daughter of Col. Zebulon Butler. In the latter part of 1806 Mr. Griffin removed with his family to the city of New York, and it has been stated that the immediate cause of his leaving Wilkes-Barré was the perpetration of the abovementioned joke. In the course of a few years Mr. Griffin became one of the most eminent and successful lawyers at the New York Bar. In 1830 the degree of LL. D. was conferred upon him by Columbia College. He died in New York, May 6, 1860—"the Nestor of the Bar; eloquent, learned and painstaking," as he was described by David Dudley Field, himself a great lawyer.



but upon his return home from a temporary absence he promptly and indignantly refused to accept the office. Whereupon, due notice having been given, a special election for High Constable was held June 28, 1806, and Peter Yarrington a blacksmith, and a brother-in-law of Arnold Colt, was chosen.

The original rules and regulations adopted by the Town Council for its government provided that its regular meetings should be held at the court house on the first Saturday of each month, at nine o'clock in the morning; and that a member should be fined two dollars for an absence from a regular meeting, and one dollar for an absence from a special meeting. At the second meeting of the Council, held May 12th, Mr. Miner moved the adoption of the following: "*Resolved*, That it will be an accommodation to the public to have two ferries established, one of which shall be from the Center street (Market street) of the borough." Action on this resolution was "postponed," but the following, introduced by Mr. Welles, was adopted: "*Voted*, That the ferry to be kept by the corporation over the Susquehanna, within the limits of the borough, shall be kept opposite Northampton Street." This was the location of the ferry from earliest times.

At the third meeting of the Town Council, held May 14, 1806, a design for a seal for the borough was submitted by Mr. Miner, and the same was adopted. At this same meeting, Mr. Miner submitted the following resolution, which was adopted: "*Resolved*, That a committee be appointed to endeavor to obtain from the township a release or conveyance to the corporation of the public lands within the limits of the borough; and to stipulate on behalf of the corporation that the borough will expend the avails of it to *the security of the bank from the inroads of the river*, and making such other improvements as may be found necessary."

List of Burgesses and Presidents of Council of the Borough, later the City of Wilkes-Barré, from 1806 to 1840.

## BURGESS

## PRESIDENT OF COUNCIL

Jesse Fell,	elected	1806,	Lord Butler,	elected	May, 1806,
Jesse Fell,	"	1807,	Lord Butler,	"	May, 1807,
Jesse Fell,	"	1808,	Ebenezer Bowman,	"	May, 1808,
Lord Butler,	"	May, 1809,	Jesse Fell,	"	May 6, 1809,
Lord Butler,	"	May, 1810,	Joseph Sinton,	"	May 14, 1810,
Lord Butler,	"	May, 1811,	Jesse Fell,	"	May 15, 1811,
Lord Butler,	"	May, 1812,	Jesse Fell,	"	May 6, 1812,
Lord Butler,	"	May, 1813,	Jesse Fell,	"	June, 1813,
Jesse Fell,	"	May, 1814,	Col. Eliphalet Bulkely,	"	May 4, 1814,
Jesse Fell,	"	May 2, 1815,	Col. Eliphalet Bulkely,	"	May, 1815,
Jesse Fell,	"	May 7, 1816,	Joseph Sinton,	"	May 14, 1816,
Jesse Fell,	"	May 6, 1817,	Thomas Burnside,	"	May 9, 1817,
Jesse Fell,	"	May 5, 1818,	Joseph Slocum,	"	May 13, 1818,
Matthias Hollenback,	"	May 4, 1819,	Ebenezer Bowman,	"	May 6, 1819,
Thomas Dyer,	"	May 2, 1820,	Jesse Fell,	"	May 4, 1820,
Thomas Dyer,	"	May 2, 1821,	Jesse Fell,	"	May 21, 1821,
Thomas Dyer,	"	May, 1822,	Jesse Fell,	"	May 20, 1822,
Ebenezer Bowman,	"	May 6, 1823,	George Denison,	"	June 7, 1823,
David Scott,	"	May 4, 1824,	Benjamin Drake,	"	May, 1824,
David Scott,	"	May, 1825,	Joseph Sinton,	"	May, 1825,
David Scott,	"	May, 1826,	Arnold Colt,	"	June, 1826,
John N. Conyngham,	"	May, 1827,	John W. Robinson,	"	May, 1827,
Garrick Mallery,	"	May, 1828,	Arnold Colt,	"	May 26, 1828,
George Dennison,	elected	May 5, 1829,	Joseph Slocum,	elected	May, 1829,
Josiah Lewis,	"	May, 1830,	Wm. Ross,	"	May, 1830,
Josiah Lewis,	"	May 3, 1831,	Thos. H. Morgan,	"	May, 1831,
Josiah Lewis,	"	May, 1832,	Wm. Ross,	"	May, 1832

## BURGESS

Orlando Porter,	"	May, 1833,
John N. Conyngham,	"	May 6, 1834,
John N. Conyngham,	"	1835,
John N. Conyngham,	"	May, 1836,
John N. Conyngham,	"	May, 1837,
Hendrick B. Wright,	"	May, 1838,
Joseph P. Le Clerc,	"	May, 1839,
Joseph P. Le Clerc.	"	May 5, 1840.

## PRESIDENT OF COUNCIL

Thos. Davidge,	"	May, 1833,
Chas. D. Shoemaker,	"	May, 1834,
E. W. Sturdevant,	"	May, 1835,
E. W. Sturdevant,	"	May, 1836,
E. W. Sturdevant,	"	May, 1837,
E. W. Sturdevant,	"	May, 1838,
Thomas Davidge,	"	May, 1839,
E. W. Sturdevant,	"	May, 1840.

It can be seen, from these early activities of the Borough Council, that the community of Wilkes-Barré was now in a direct line for rapid progress, insofar as its government was concerned. The cumbersome plan of township control had not opened the door to this. Jealousies and conflicting interests of outlying districts, had often interfered with legislation of benefit to the major center of population. Now it was free to legislate for itself.

Many matters of civic improvement are to be noted in connection with an age of constructive development which manifested itself with this turn of affairs. Social and educational activities shares this development, as can be seen by consulting newspaper files of the times. On November 18, 1801, a public ball was held in the "long room" of the Fell tavern, at which tickets of admission, at one dollar each, were sold to some forty subscribers. July 4, 1802, falling on Sunday, the following day was observed as the nation's birthday by members of the Federal-Republican party when, if the account published in the subsequent issue of the *Federalist* can be taken as a criterion, and the length of a list of toasts as a measure of the entertainment, the event must have exceeded expectations. A portion of the published account is quoted:

"The Federal Republicans of this town (conformably to previous arrangements) convened on Monday the 5th inst to commemorate the Anniversary of our Independence. Their table was the earth, their canopy the heaven; the weather was favorable, the repast plentiful; mirth, harmony, and sobriety reigned through the day.

"A dinner was prepared on the occasion by Arnold Colt, Esq., which for elegance and excellence has rarely been surpassed. Jesse Fell, Esq., was elected President, and General Lord Butler, Vice President of the day. After dinner the following Toasts were drank, accompanied by songs, Huzzas, and other demonstrations of joy. Care and sorrow entered not the cheery circle; but the utmost good-humor and happiness prevailed. The day's amusements were closed with an elegant Ball at Esq. Fell's. Some of the toasts were:

"The citizens of Luzerne,—may they be firm and united and always purchase the "steady habits" of virtue, industry, and sobriety, which so eminently distinguished our ancestors.

"Our Constitution,—like the reputation of woman, if too frequently meddled with will be lost; and if lost can never be regained.

"Education,—the nursery of Republicanism, the bane of Aristocracy.

"The American Fair,—may they never support vice by blessing with smiles the *Libertine* or the *Coward*."

A sinister event to be recorded of the year 1804, was an outbreak of malarial fever which extended with unusual virulence over the valley and adjacent country. Some seventy deaths were reported, and it was not until late fall that the epidemic was deemed to be under control.

Through columns of the press on March 23, 1804, Charles Bird announced a "Dancing School", in the following terms: "The subscriber informs the ladies and gentlemen of this place, that he proposes opening a dancing school at the house of Judge Fell, Esq., on Monday evening, 2nd April. He will provide music."

Whatever music Mr. Bird provided, seems to have turned the attention of Eliphalet Mason to the idea of a "School of Music" as is evidenced by an announcement on August 20, 1804 in the following quaint phrase:

"Eliphalet Mason proposes to open a Music school in the Township of Wilkesbarre, at what house shall be thought proper or most convenient by the majority of Subscribers; he will

attend to give lessons to his scholars two afternoons, and two evenings in each week, viz., beginning on Tuesday the 30th day of October and then continue to give lessons every Tuesday and every Friday, for one quarter, for which he is to receive one Dollar for each scholar subscribed. Housy room, fire wood and candle-light, to be at the expence of the subscribers.

"Any Gentleman or Lady wishing to obtain, or be further advanced in the art of music now have an opportunity where they may depend on good order and punctual attendance.

"Subscriptions are open at this office (*Federalist*)."

That skill in debating, was not being overlooked in these tributes paid to Terpsichore and Melpomene, is to be noted in an announcement in the *Federalist* of September 8, 1804, that "the members of the Wilkesbarre Debating Society are notified to attend a regular meeting, on Wednesday evening next. A general attendance is requested, as business of importance is to be laid before the Society."

Those who organized this Society were: Thomas Dyer, Charles Miner, John Evans, Arnold Colt, Nathan Palmer, Josiah Wright, Ezekiel Hyde, Thomas Gráham, Thomas Welles and Rosewell Welles. Absence meant a fine of fifty cents to the offender, while refusing to take part in a debate, if called upon, cost the reticent one twenty-five cents.

In 1809, the name of this organization was changed to the Wilkesbarre Beneficial Society, and it continued in existence until the year 1839, when it and other like societies, then existing, were merged under the name of the Wyoming Literary Society. There is record, also of the Quincun Society, a secret organization, being organized in 1806, but its secrets seem to have been kept insofar as any present record is concerned.

Schools, likewise, were beginning to make headway. On November 12, 1799, Asher Miner announced that he had "undertaken to instruct youth in reading, writing, arithmetic and English grammar." He added that "special attention will be paid to morals and manners of those committed to his care." The Miner school thrived for several years, until its founder became engrossed in other matters, which did not permit his further active connection with the enterprise. It was not his institution of learning, but another originally founded by Abraham Bradley, to which the following disconcerting notice in the *Federalist* of December 24, 1799, related: "On Saturday evening last, the school house in the lower part of this town accidently took fire, and was totally consumed. Take Warning!"

When records of the county as well as Court activities were transferred from the old log structure to the completed court house, in the fall of 1804, only the lower floor was needed as a jail and permission was granted by the County Commissioners, for the use of the vacant second floor as a school. Until the year 1807, however, the matter of organizing and maintaining a place of instruction for the youth of Wilkes-Barré, appears to have been left to individual initiative.

Records are silent as to whether a school was maintained continuously in the three year interval before the Academy was incorporated, or whether teachers as well as schools were periodical in their activities.

The only information on the subject that the present writer has been able to find, is a reference in 1804, to the building being known as the Luzerne County Public Academy—"public" in the sense of it being open to all who could afford the required tuition, but not supported by the county, insofar as any record of Court or Commissioners' office show.

While the "town meeting," in its useful and time honored sense, became a thing of the past with the induction of a Borough Council, residents of the

community were more and more convinced of the inadequacy of school facilities. The subject was one of frequent discussion in the press and several informal meetings of citizens had convened in the court house during the fall of 1806, to devise ways and means for obtaining the object of their desire. To Rosewell Welles, Esq., went the honor of a suggestion which was afterward to lead to a practical plan for securing a competent school. Upon learning that a mistake had been made in setting sundry accounts then existing between the Treasurer of Luzerne County and the Commonwealth, and that a sum of more than \$4,000 had erroneously been paid the county by Samuel Bryan, then State Comptroller, Mr. Welles hit upon the happy expedient of requesting the State to permit the use by the county of the whole or a part of the fund overpaid for the support of an academy at Wilkes-Barré. Being then a member of the Legislature, he drew up a bill incorporating this idea. On March 13, 1807, he succeeded in having his bill, amended as to the amount of money appropriated, passed by the Legislature and approved by the Governor. In part, the Act of Incorporation follows:

"Paragraph 1. That there shall be established in the Borough of Wilkesbarre, in the County of Luzerne, an Academy, or public school, for the education of youth in the useful arts, sciences and literature, by the name and style of 'The Wilkesbarre Academy.'

"Paragraph 2. The first Trustees of the Academy shall consist of: Rev. Ard Hoyt, Lord Butler, Jesse Fell, Matthias Hollenback, Wm. Ross, Rosewell Welles, Ebenezer Bowman, Samuel Bowman, Charles Miner, John P. Arndt, Arnold Colt, Peleg Tracy, Matthew Covell, Joseph Slocum, Benjamin Perry, Thomas Graham and Thomas Dyer.

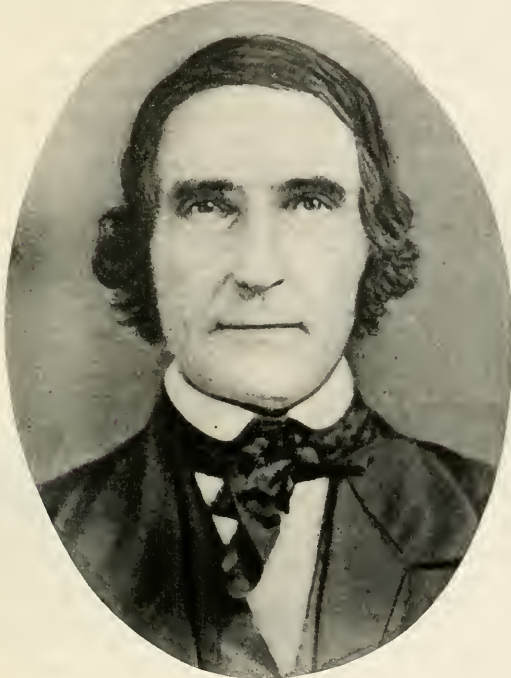
"Paragraph 4. The said Trustees shall hold their first meeting in the Academy in the Borough of Wilkesbarre on the first Monday in June after the passing of this Act; 9 to be a quorum for transacting all business and for electing trustees, electing master and tutors, &c.

"Paragraph 7. The Commissioners of Luzerne County are hereby required to pay into the Treasury of the Commonwealth \$2325 (being part of the money paid them by Samuel Bryan, late Comptroller, through mistake) and on the payment of the sum aforesaid into the Treasury within 2 years, and not otherwise, there is hereby appropriated the sum of \$2000 to the trustees of the Academy of Wilkesbarre, to be paid by the Commissioners of the County of Luzerne in full of the sum of \$4325, paid through mistake."

The list of incorporators above mentioned, is equivalent to an honor roll of those whose public spirit at this period, was bringing the community to a higher plane of realizing its own best interests. No project of the time, whether of a commercial or philanthropic nature, was undertaken unless these men, or a number of them, lent their influence, and usually their money, to the success of the enterprise. No time was lost by them, after their appointment as trustees, in concluding necessary arrangements for opening the school. The log exterior of the old court house was clapboarded, a small cupola added, and a fifty pound bell hung in the cupola. The lower floor, formerly the county jail, was given proper light through a number of windows, the whole interior was cleaned and suitably whitewashed; while benches which formerly accommodated spectators in the court room on the second floor, were cut down for more youthful occupants and installed upstairs and down, at tables intended for books and other school appliances.

The lower floor then became the "first form" for younger children of both sexes, the "upper form" for those more advanced in study, being properly located in the upper story. The school was opened late in the Summer of 1807. In 1808 Garrick Mallery, a graduate of Yale College, became the Principal of the Academy, and under his management the institution advanced to considerable eminence. Soon many students came to the Academy from other localities, and about the year 1810 the little borough of Wilkes-Barré could boast of possessing more learning and literary culture within its limits than any other village or borough of Pennsylvania.

From 1810 to 1812 one of the assistant teachers in the Academy was Andrew Beaumont,\* who like many others associated in a teaching capacity with the institution, was later to hold many offices of esteem and trust.



ANDREW BEAUMONT

"Messrs: Mallery and Beaumont were succeeded by Joel† and Joseph H. Jones," says Pearce in his Annals: 268, "Then follows Rev. Woodbridge, Baldwin, Granger, Orton, Miner, Talcott, Uhlmann,‡ Hubbard and Dana."

\*ANDREW BEAUMONT, the fifth and youngest child of Isaiah and Fear (Alden) Beaumont, was born in 1791 at Lebanon, Connecticut. Isaiah Beaumont was a descendant of William Beaumont, of Carlisle, England, who settled in Saybrook, Connecticut about 1648, and who was a Freeman in 1652.

His son Andrew, the subject of this sketch, came to Wilkes-Barré in the year 1808, being then seventeen years of age, and attended school at the Wilkes-Barré Academy, which had been opened the year before in the old Court House Building. In 1810 he became an assistant teacher in the Academy, being employed by the Trustees at the suggestion of Garrick Mallery, Esq., the principal. In 1811, Mr. Mallery having been admitted to the Bar of Luzerne County young Beaumont registered with him as a student-at-law, continuing, however, to perform the duties of an assistant teacher in the Academy until the Summer of 1812. At the termination of the usual period of study he was pronounced by a competent committee fully qualified for admission to the Bar, but Judge Chapman declined to admit him without further probation and study, upon the ground that his reading had not been pursued for what he (the judge) deemed a necessary period in the office of his preceptor. The objection was a mere pretext, and its effect was to disgust Mr. Beaumont and drive him away from his chosen profession.

In January, 1814, he was appointed, under the administration of President Madison, Collector of Revenue, Direct Taxes, and Internal Duties for the 20th Collection District of Pennsylvania, including Luzerne County. This office he held until 1816, when he was appointed by Governor Snyder, Prothonotary and Clerk of the Courts of Luzerne County to succeed David Scott, Esq., who had been elected a member of Congress. Mr. Beaumont held the offices until 1819.

In 1821 he was elected a member of the Pennsylvania House of Representatives, and again in 1822. While a member of the House he occupied the front rank as a legislator, and devoted his best faculties for the true welfare and advantage of the Commonwealth.

In 1826 he was appointed Post Master of Wilkes-Barré, to succeed Jacob Cist, who had died, and this office he held until 1832, when he was succeeded by Wm. S. Ross.

In 1832 Luzerne and Columbia Counties formed one Congressional District and that year the contest for the office of Representative was a triangular one. The candidates were Mr. Beaumont, James McClintock, Esq., a member of the Luzerne Bar, and Dr. Thomas W. Miner, a Wilkes-Barré physician. The fight was a bitter one, and the result was not

"There are among us," continues this historian writing in 1860, "men and women who can look back thirty, forty and even fifty years ago, with fond recollection to the days when, with bounding youth and health, they assembled with their companions within the walls of the old Academy, or sported on its playgrounds. Some, within its venerated walls, have filled their minds as from a storehouse, with useful knowledge, and have so disciplined their intellectual faculties as to have been able to rise to positions of distinction and profit."

That the increasing reputation of the Academy brought encouraging patronage, is indicated by the following announcement which appeared in the *Federalist* of October 13, 1809:

"The pupils in the Wilkesbarre Academy having unexpectedly increased to so great a number for the two last quarters the Trustees find it necessary to enlarge the building for their accommodation. Hitherto the pupils have been confined to 2 rooms, the first above and the other below.

"To erect this additional building will require considerable money. \* \* \*

"The trustees have thought it proper to fix the prices of tuition for the several branches to be taught in the three several apartments in the following manner, viz. In the 1st branch shall be taught the application of the rules of English Grammar, Geography and the use of the Globes, history, Composition, the latter as far as the four first Eneids, and the Greek language as far as the Four Evangelists, to be at \$5 per quarter;—pursuing the same languages further, Rhetoric, Logic, Mathematics, including natural Philosophy and Astronomy, \$6 per Quarter. In the second, Spelling, Reading, Penmanship, the rules of English Grammar, and parsing, Book-keeping, and Vulgar Arithmetic, at \$3 per Quarter. In the third, Spelling, Reading and Penmanship, at \$1.50 per Quarter."

The addition referred to, was a frame extension added by partially cutting away the westerly log-end of the old building, and erecting a two story structure which almost doubled the capacity of the original building. By referring to a cut of the Academy, here reproduced, the dividing line between the buildings can be seen. The front section, with the cupola, is the incased log structure;



OLD ACADEMY

the rear being the addition of 1809. When the building was disposed of in 1842 to give place to the new or "brick" Academy, it was found im-

known for a week after election, and then it was ascertained that Mr. Beaumont had a majority of eighty-eight votes, and was elected.

Mr. Beaumont served his term in Congress in the midst of the "Bank War," in which he stood by President Jackson in every gap, the President regarding him as one of his most intelligent and reliable friends in Congress. Mr. Beaumont was very much opposed to the Banking system then practiced in the United States, and in one of his speeches he charged that it has "brought more evil on the country than the three scourges of the human race—War, Pestilence and Famine!"

In 1834 he was elected to Congress for a second term, which he served with honor equal to his first. In 1840 President Van Buren appointed him Treasurer of the Mint at Philadelphia, but the office was not accepted. In 1847 he received from President Polk the unsuspected and unexpected appointment of Commissioner of Public Buildings, at Washington. Mr. Beaumont accepted the office and entered upon his duties, which he continued to discharge for some months, when the Senate refused to confirm his appointment. This rejection was brought about by Senator Thomas H. Benton, because Beaumont had refused to retain in a subordinate office one of Benton's friends.

In 1849 he was for the third time elected a member of the Pennsylvania House of Representatives. During this term of service he urged the necessity of direct relations between the State and the General Government, and through his exertions and speeches the first committee on "Federal Relations" was created—of which he was made chairman.

He was one of the organizers of St. Stephen's Episcopal Church in Wilkes-Barre in 1817, and one of the first vestrymen chosen. He was one of the founders, in 1819, of the Luzerne Bible Society, and for a number of years was an officer of the Society.

As a political and epistolary writer he had no equal in Pennsylvania. For forty years, when not engaged in manual labor, or in the discharge of his official duties, his pen knew no rest. His writings—terse, energetic and clear in style—would fill volumes. He wrote some poetry, and one of his poems—"Sons of Wyoming"—was very popular as a song when it was written, on the occasion of the departure from Wilkes-Barre of the "Wyoming Artillerists" for the Mexican War.

Mr. Beaumont died at his residence, corner of Union and Franklin Streets, Wilkes-Barre, September 30th, 1853. Mr. Beaumont married in 1813, Miss Julia A. Colt, of Wilkes-Barre, second daughter of Arnold Colt. She was a very bright and intelligent lady. She survived her husband, and died at Wilkes-Barre, October 13th, 1872. Mr. and Mrs. Beaumont had ten children—six daughters and four sons.

†JOEL JONES became a distinguished lawyer at the bar of Philadelphia.

†DANIEL UHLMANN became a noted lawyer of New York City.

practical to move the log portion. The rear section was in such state of repair, however, that it was moved to south Franklin street and became a part of a dwelling then owned by Col. H. F. Lamb.

Discussions as to a proper school, naturally brought to the attention of the community the fact, that it possessed no public library in any form.

Following the trend of several communications to the press, wherein the advantages of a library were stressed, a meeting of those interested was called at the court house, August 18, 1806. Those present agreed to associate themselves together "under the style and title of the Wilkesbarre Library Company." There were to be two hundred shares to cost two dollars each. The original list of members, with the number of shares subscribed by each, was as follows:

	Shares		Shares
Joseph Sinton	2	Jonathan Hancock	1
John Murphy	1	Peleg Tracy	1
Joseph Murphy	1	G. W. Trott	1
Charles Miner	2	Matthew Covell	1
James Sinton	1	Benjamin Drake	1
Arnold Colt	1	Abraham Bradley	1
John Robinson	1	Thomas Dyer	1
Rosewell Welles	1	Thomas Welles	1
Jesse Fell	1	John P. Arndt	1
John Evans	1	Geo. Haines	1
Godfrey Perry	1	Ebenezer Bowman	1
Peter Yarrington	1	Sidney Tracy	1
Silas Jackson	1	Geo. Chahoon	1
David Landon	1	Jacob Hart	1
Thomas Graham	1	Steuben Butler	1

At a subsequent meeting held September 2d, Judge Fell was named President and Peleg Tracy, Treasurer. Three directors, Thomas Graham, John P. Arndt and Joseph Sinton, were likewise elected, the latter being appointed Librarian.

The by-laws provided, that the library should be kept open from two to seven p. m., every Tuesday and Saturday; that the librarian would be liable to a fine of four dollars if he loaned a book to other than members; that no book should be taken more than three miles from the borough of Wilkes-Barré, and that any member who permitted a book to go outside his own family was open to a fine of one dollar. From the funds subscribed, 102 volumes were purchased. As an indication of what books of the period were in demand, a partial list of those selected by the committee in charge is here given:

"Burke's works, 8 vols.; Travels of Anacharses, 4 vols.; Domestic Encyclopedia, 5 vols.; Russel's Ancient and Modern Europe, 7 vol.; Massillon's Sermons, 2 vol.; Life of Garnick, 2 vols.; The Federalist, 2 vols.; Shakespeare's works, 8 vols.; Plutarch's lives, 6 vols.; Rollins Ancient History, 8 vols.; Don Quixote, 4 vols.; Blair's Lectures, 2 vols.; Johnson's Lives of the Poets, 2 vols.; Savage's Works, 1 vol.; Burn's Works, 4 vols.; Pope's Works and Addison's Works, 1 vol.; Thompson's Works, 2 vols.; Young's Works, 4 vols.; Cope's Travels, 3 vols.; The Wild Irish Girl, 1 vol.; New Jerusalem Doctrine, 1 vol.

The Library Company continued in existence, each member paying a membership fee of one dollar per year, until March, 1826. As only twenty-seven members were then supporting the library, it was decided to disband, each member drawing a number which called for a share of the eighty-two books then remaining.





## CHAPTER XXXIX

TOTAL ECLIPSE OF THE SUN EXCITES WONDER—FIRST BRICK BUILDING  
ERECTED—SHIP BUILDING COMPANY PROMOTED—LAUNCH OF THE  
“LUZERNE”—THE COUNTY LOSES AND GAINS TERRITORY—  
AGRICULTURAL SOCIETY ORGANIZED—WILKES-BARRÉ’S  
FIRST BANK—FINANCIAL REVERSES—EVENTS OF  
THE WAR OF 1812—MILITARY ORGANI-  
ZATIONS PARTICIPATING—A VISIT-  
OR’S IMPRESSIONS—END OF  
VOLUME III.

Genius of Seventy Six awake,  
Once more our freedom undertake;  
Fresh laurels wait to crown thy brows  
You've not a moment more to drowse  
Lo! the Destroyer swaggers round;  
His vast ambition knows no bound.  
His pride presumes to give us Law  
And keep our government in awe.

*Anonýmous.*



Coming to a general chronicle of the times, it is to be noted that a total eclipse of the sun was a matter of considerable marvel on June 16, 1806. Concerning the observation of this phenomenon, the *Federalist* of June 27th, has the following to say:

“Most of the newspapers printed since Monday, the 16th inst., have very sagely mentioned the Eclipse of the sun in their respective neighborhoods. We too, although living in the back country had, (as Mr. Sansom would say) ‘A bird’s eye view of it.’ There has been no period since the discovery of America, when so many of her inhabitants were employed at the same moment—by the same object, that in viewing the eclipse. The Moonites, if their optics are sufficiently acute, or their telescopes good, must have laughed to see such a group as presented itself to their view. Two or three millions of people, with mouths half stretched all at once, squinting through a piece of smoked glass, is an object rarely to be beheld.

“At the commencement of the Eclipse, a cloud of darkness was discovered in the west. As it approached, the air became damp and chill, and the face of nature assumed a yellowish, gloomy appearance. The birds that line the opposite shore of the river from our village, chanted a hymn, but ceased in profound silence at the period of the greatest obscuration. A star in the west shed a feeble ray for a while, but soon immersed in the two fold radiance of returning noon. Terror and dismay were depicted in the countenances of many, and the frantic gestures of some who did



not know the cause of the changed appearance of nature, excited a smile in spite of the awful solemnity impressed by the sublime spectacle.

"As the cloud of darkness receded to the east, the cocks crowed, the birds again struck up a matin in full chorus, and all creation smiled to behold the bright luminary of heaven reassume his empire, and smile forth in his wonted splendour. The weather was comparatively cool. Though I had exchanged that day the shade of my office for the unsheltered cornfield, (for a printer here must hoe his own corn or starve,) I did not experience the usual oppression from the heat. My only thermometer was my feelings, but I cannot be wrong in stating the change in the temperature of the air, a little past the period of the greatest darkness, at several degrees depression. The earth was sensibly wet with dew. Since the eclipse the wind has been high from the west, and the weather cold for the season, and I have remarked in my garden an almost total suspension of vegetation. So much for the wonderful eclipse in Wilkesbarre."

It should not escape mention that, in 1807, the first brick building was erected in all the territory of the Susquehanna purchase. It was built by Joseph Slocum,\* the "village blacksmith," a brother of Frances Slocum, and son-in-law to Judge Fell. It was erected as a residence on the south side of Public Square, opposite what afterwards became the "Fire Proof" and was three and one-half stories high, which was not only the first building of such a height, but as has been stated, was the first brick building to be erected in north-eastern Pennsylvania. This building was occupied as a residence, first by Joseph Slocum and afterwards by his son-in-law, Lord Butler, for sixty odd years; and then having been remodeled, it was devoted to business purposes until its demolition in April, 1906, to make way for the erection of the present building of the First National Bank. In its last years, the first floor of the Slocum building was occupied by a book and stationery shop, at one time owned by S. L. Brown, and then by J. C. Madden.

Later in the same year, another brick building was erected by Benjamin Perry, at the southwest corner of Main and Northampton streets which, about the year 1880, gave place to a business structure.

The subject of business development would not be fully considered without reference to a project which, in the light of later events, was to cause disastrous loss to many residents of the community. It has been stated that Philip and John P. Arndt had established a boat yard on the River Common between Market and Northampton streets. Philip Arndt, the father, had long since passed to his reward. But John P. Arndt was, in the period of which we write, one of the community's most substantial merchants.

In 1807, having become a partner of John P. Robinson in the general merchandising business, he leased the hotel on River street which bore his name to Thomas H. Morgan, so as to permit his attention to be centered upon other business enterprises more of interest to his creative imagination.† One of these

\*For a cut of the Slocum residence and a sketch of the life of its builder, readers are referred to Vol. II, page 1117, of this History.

†The following description of the "Old Arndt Tavern" is from the pen of Miss Emily I. Alexander (hereinafter mentioned) who wrote from memory of it in 1878, the account being published in the *Wilkes-Barre Leader*, June 27th of that year:

\* \* \* "The architecture was simple, but substantial—two stories and an attic; plenty of windows on the sides and ends. A wide porch enclosed with railing ran along the entire front, and there were easy benches or settees against the walls beneath the windows. The whole appearance of the place betokened comfort and good cheer.

"The interior was as simple as the exterior. A wide hall ran thro' the centre; the rooms were large; closets deep and dark flanked the big open fire-places, for in those days wood only was used; and plain strong furniture, principally of walnut and cherry woods, made up all the requirements of living desired by the occupants, for the people of that day were simple in their tastes. \* \* \* It was, for those days a most comfortable and commodious tavern. Just opposite the front door—across the road-way on the edge of the river green—stood the usual tall tavern sign post, with its painted sign-board swinging in a frame, and surmounted by a martin house, modeled after the tavern, and to which the busy birds never failed yearly to come. Further over, on the edge of the river, and quite over the water, stood Arndt's store-house—an unpainted structure looking much like a mill, and with each end in the angle of the roof, a stout beam ran out bearing the blocks and tackle for raising or lowering heavy merchandise.

"The proprietors of these buildings, the Messrs. Arndt did a general and commission business, buying from the River craft, the Durham boats and arks, which at certain seasons of the year came down the river from 'York State' loaded with grain, flour, salt, cheese, potatoes, spinning wheels, etc. They also owned and ran a distillery, which was located below the tavern, and kept a hay scale. \* \* \* Rev. Dr. Peck calls it the 'Old Red Tavern' on the River bank, then kept by James Morgan and subsequently known as the 'Old Arndt Hotel.' He has evidently confounded it with a house farther down the street, built by Capt. J. P. Schott, and often called the 'Red House', but it was a small structure not adapted to the uses of a hotel. The brothers (sic) Arndt—John P. and Philip—came to Wilkes-Barre from Easton, Pa., at an early date and engaged in various business enterprises, becoming prosperous. Among other things, they built and launched, in 1803, a sloop of 12 tons, getting it safely to tide, but their next venture of the kind

was boat building. The demand for arks in which to transport coal was yet to come. But having successfully launched the ocean bound schooner *John Franklin* from his boat yard in 1803, why could not Wilkes-Barré be made an inland ship yard where materials were cheap and labor plentiful?

It may seem a wild dream to us of the 20th century, but to the vigorous, successful John P. Arndt of the first decade of the nineteenth, it became an obsession. Concerned with practically every project for the advancement of the community, it was not a difficult task for him to secure the assistance, financial or otherwise, of those about him. This he did in the organization of the Luzerne Ship Building Company.

Unfortunately for its promoters, the "Company" was never incorporated. As a partnership, each associate was responsible for its debts. Upon Mr. Arndt, this responsibility eventually fell.

No minutes of the company have been found by the present writer, and no list of stockholders remains. It is probable that all papers, relative to the venture, were taken by Mr. Arndt, when he removed to Buffalo and later to Green Bay, Wisconsin, after being forced to part with his property in the valley, in hopes that they might prove valuable in later securing some of the unpaid subscriptions. Several meetings must have preceded that of October 21, 1809, of which the first published notice was given to subscribers in the *Federalist* of the day before. The notice in question is as follows:

"THE SUBSCRIBERS

"To the ship-building Company will take notice, that a meeting will be held at the House of George Taylor in Wilkesbarre, on Saturday, the 21st inst., at 2 o'clock P. M., to elect a Manager in the room of Arnold Colt\* (who has removed out of the county) and to do such other business as may be deemed best for the Company."

"JOHN P. ARNDT,  
"Pres. of the Board."

In the same publication, dated January 19, 1810, stockholders are informed "that workmen are now employed, who are getting out timber for the purpose of commencing the work; and that \$2 on each share is now due."

A third notice was published in the same paper under date of September 14, 1810. It disclosed the interesting information "that the ship is now on the stocks and the work is progressing; therefore the managers have called for the second installment of \$3 on each share."

This notice was signed by Peleg Tracey, Treasurer; John P. Arndt, as before, being styled President.

Elisha Mack, who had been a former neighbor of many early Wilkes-Barréans at Lyme, Connecticut, and later a ship carpenter at Brooklyn, was brought out as foreman of construction, while Captain Joseph Chapman, Sr., who had commanded a ship in the West India trade, was called upon for a final inspection of the vessel and was given the honor of christening her.

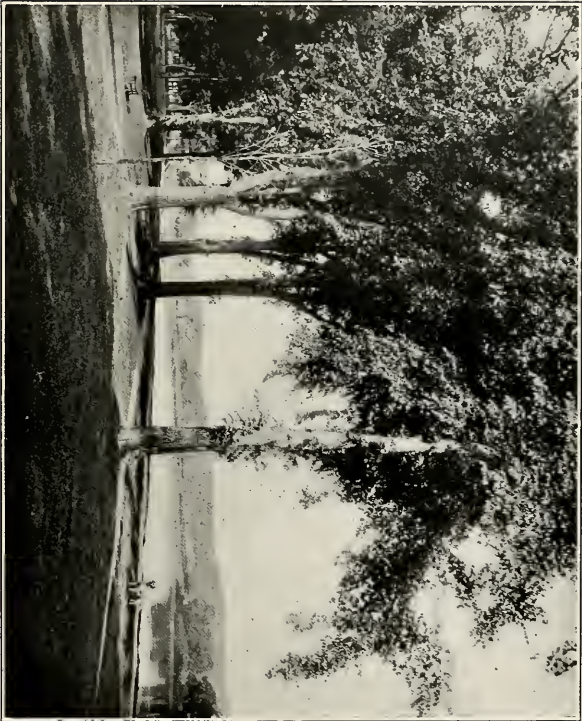
Requiring two years to build, involving a very considerable sum of money, most of it borne by Mr. Arndt himself, and with hopes of the community keyed to a high pitch by the magnitude of the undertaking, it is small wonder that all else was forgotten when the completed vessel was ready to launch. It must

a vessel of 60 tons altho safely launched, in 1812, was broken at the Conawaga Falls, and a total loss. Their experience was the beginning and end of shipbuilding here. Very soon after this failure, they sold out all their interest here and moved to Green Bay, Wis., where their descendants still live.

\*Thos. H. (not James) Morgan succeeded Mr. Arndt, and kept the tavern. He was a popular host and a good business man. He was followed by Maj. Orlando Porter; and shortly after he left it, going to the Phoenix—then new, the fame of the old place waned, and it finally became a simple private dwelling house."

Editor's Note:—This sign, in 1810 and for many years thereafter, bore the picture of a ship. It is frequently referred to as "The Tavern at the Sign of the Ship," just as the Fell Tavern was designated "At the Sign of the Buck."

\*At this time, Arnold Colt, owing to financial reverses, had removed to Stoddardsville, and for three years kept a tavern there at one of the relay stations of the Easton and Wilkes-Barré turnpike.



PRESENT RIVER COMMON, SHOWING APPROXIMATE LOCATION OF THE  
ARNDT SHIPYARD, 1803-1812.



have been an inspiring, as it was unusual sight, for those who passed along River street in the early spring of 1812, to find breasting the River Common, with its carved figure head almost reaching the present street line, and its stern-post quite to the river bank, a vessel of some sixty ton's burthen with tall masts erect, and polished spars in place; a ship that had no place beyond the heaving seven seas. Two stories of the launching are here given. Dilton Yarrington, a son of Abel Yarrington, the ferryman of early Wilkes-Barré, wrote one account many years later. It is given below:

"During the war of 1812, the great ship *Luzerne* was built on the river bank in front of John P. Robinson's stone house. I saw the launch. A thousand or more people were present. The war spirit was rampant at that time, and the people of our town expected that the noble *Luzerne* was going to assist in bringing the "Flag of Great Britain" down. A few days after the launch, a sufficient flood arose and the ship was manned and started down the river towards the ocean, but in passing the Falls of Canawaga, she ran on to the rocks and lay there till the ice in the river broke up the next spring, when she was totally destroyed.

"John P. Arndt was one of the stockholders, probably the largest one, in the vessel. Several others, including my father, had from three to five hundred dollars of the stock. There was great excitement in Luzerne County about those days. The war spirit prevailed to a great extent. There were two recruiting stations at Wilkes-Barre, and the recruiting officers were very busy for one or two years. Business of every description was brisk, and all kinds of provisions were high; wheat, two dollars and fifty cents per bushel; corn, one dollar and twenty-five cents; pork, eighteen to twenty dollars a barrel, and everything else on the line of provisions, proportionally high."

"D. YARRINGTON."

The second account, which survived in the files of the *Gleaner*, of April 17, 1812, is as follows:

#### "THE LAUNCH"

"Last Friday (April 10, 1812) was the day on which the launch of the vessel on the stocks in this Port, was announced. A scene so extraordinary, two hundred miles from the tide waters of the river, raised the curiosity of every one. The old sailors and the inhabitants of the seaboard, whom the vicissitudes of fortune had settled in this sylvan retreat, and to whom such scenes had once been familiar, felt all the interest so naturally excited by events that call up early and interesting recollections. The novelty to those who had never witnessed such a view, excited their curiosity to the highest degree. The importance of the experiment too, did not fail to augment the general solicitude, for on its success, depended the important consideration, whether the timber of our mountains could be profitably employed in shipbuilding, and our country be benefited by the increase of business, which such a pursuit would naturally produce.

"On the Sunday preceding the interesting day, a beautiful new pair of colours were displayed from her stern, according to immemorial usage, as a token that in the course of the week she should be launched.

"From Monday to Friday all was bustle and activity. Early on Friday, people began to gather from all parts of the country.

"The cannon on the bank, at noon gave notice that everything was in preparation. A little after 2, repeated discharges announced that all was ready. The bank of the river far above and below the vessel was lined with persons of both sexes, and it was not among the least gratifications of the day to observe the smile of pleasure, mingled with anxiety for the success of the launch, which was evident on every countenance. A little after 3 the increased bustle and noise around the vessel, and the sound of sledges and axes, gave the interesting notice that they were knocking away the blocks. The vessel was built on the bank of the river one hundred feet from the water, and fifteen feet perpendicular height above it, so that she had considerable distance to move.

"She measures between 50 and 60 tons. Her colours were flying from her stern, and near thirty persons were on board.

"The after block was knocked away—every eye was fixed—all was anxiety, but she did not move. The men on board all gathered near her bow, and then run in a body to the stern. She started—moving for half a minute slowly—the velocity increased and she slid most gracefully into her destined element, amid the shouts of thousands.

"As she met the water, Capt. Chapman christened her in the usual style, '*The Luzerne*, of Wilkes-Barre.'

"Nothing could be more beautiful,—every spectator was amply gratified."

The fate of the "*Luzerne*" was, in a measure, the fate of John P. Arndt. The vessel was anchored for some two weeks in front of the shipyard, awaiting a more propitious stage of water before venturing forth. On May 2nd, river conditions seemed ripe for the voyage, and once again cannon boomed as the anchor was weighed. Very little use of her sails could be made during the journey, nor could the vessel be poled, as was the case with smaller craft. After several

narrow escapes from going aground on ledges and reefs, the vessel piled up on the rocks of the "Falls of Conawago", near Middletown. The receding waters of summer left her high and dry there, but some hope remained with her owners of floating her when the river again became bank full in the fall. In this they were disappointed. The ice came before an expected fall freshet, and by spring no trace of the vessel remained.

Mention is made, in the Yarrington narrative of the launching, that the ship ways stood "opposite the stone house of John P. Robinson."\*

This was the first stone residence and one of the first stone buildings of the community. Its construction was begun in 1803 and finished in the following spring. Its builder was to become one of the community's leading merchants, first identifying himself with the affairs of John P. Arndt and later with the Hollenback interests.

In 1804, it can be mentioned in passing, that Luzerne County lost the first of an enormous acreage, from which four counties were later to be erected. By an Act passed April 2nd of that year, a strip of territory was detached from Luzerne, and annexed to Lycoming County, westward of a line "Beginning at



VIEW ON SOUTH RIVER STREET, NEAR NORTHAMPTON STREET, ABOUT 1861.  
Showing the Lord Butler, Jonathan J. Slocum, and John P. Robinson houses.

\*Under the caption "Another Landmark Going" the *Record*, August 11, 1896, published the following relative to the Robinson house:

"One of the oldest stone houses in Wilkes-Barre, known as the Dr. Mayer residence on South River Street, next to the residence of John N. Conyngham, is being torn down to make room for an addition to the Conyngham lawn and possibly for a new house some day. The house was built in 1803 by John P. Robinson and at that time was considered a fine residence, being one of two houses on the river front, the other being the residence of Jacob Cist.

The house remained a part of the Robinson estate for sixty years and was sold to Dr. Mayer about 1868 for \$6,000. After Dr. Mayer's death it was sold to the Laning estate and a few years ago to Mrs. W. L. Conyngham for \$25,000. John P. Robinson, the builder, came to Wilkes-Barre from Susquehanna County in 1800 and married a daughter of Col. Zehulon Butler. When the turnpike was completed from Easton to this city over the Pocono mountain Mr. Robinson and John P. Arndt kept the leading hotel in Wilkes-Barre, the site being that now occupied by the Darling residence on South River street."

the east side of the east branch of Susquehanna, on the line between Pennsylvania and New York, at such place, that from thence a due south line will strike the north-eastern corner of Clavarack Township; thence by the line of the same township, about a south-west course, crossing the said east branch, to the north-west corner of the said township; thence by the south-west side of the same, to the southwest corner thereof, and from thence by a due west line to the line now separating the counties of Luzerne and Lycoming."

The year 1808, on the other hand, witnessed the addition of a strip of land, formerly a part of Northumberland, to Luzerne County. In this transaction, the act of March 28, 1808, provided "That all that part of Northumberland County, lying northeast of a straight line from the mouth of Nescopeck Creek, to the northwest corner of Berks County, shall be, and the same is hereby, annexed to Luzerne County."

While neither of these transactions was of much importance from a territorial standpoint, an echo of the Susquehanna land controversies can be discerned in the earlier transfer. It was a gerrymandering move, legislature making it merely for the purpose of forcing Col. John Franklin and some of his associates to become residents of Lycoming, rather than of Luzerne County, in hopes of preventing Colonel Franklin from being re-elected to the State Legislature. In this object, as has been stated, the legislature was defeated and Colonel Franklin came again to fight his battles on the legislative floor as a resident of a new district.

The later transfer of territory was, as can be seen from early State maps, merely a measure to straighten out unusually crooked lines between counties.

To those accustomed to the ornate setting of the present Court House, on grounds that were a part of the north River Common, the following ordinance of the borough council, passed August 15, 1809, may be of interest:

"An act to establish a public LUMBER YARD in the Borough of Wilkesbarre.

"Sec. 1st. Be it ordained by the authority of the Town Council of the Borough of Wilkesbarre, That the lot of ground on the bank of the river between Union street and the upper line of the Borough, be, and the same is hereby appropriated for a LUMBER YARD, and all persons are authorized to place their lumber thereon free of expence, on condition of piling it in such a manner as to leave a road along the bank of the river, seventy-five feet wide.

"Attest:

"JESSE FELL, Presdt."

"PELEG TRACY, Clerk."

To students of latter day public finances in particular, the County Treasurer's statement for the year 1807, may prove something of a revelation. Notwithstanding the then area of the county, and taking into consideration the fact that payment was being made in that year on several building projects, the total expenses of county government aggregated only a little over \$19,000. Total election expenses were only \$311. Fees of jurymen aggregated only \$800. There was paid for wolf bounties \$480, and panthers were so numerous that \$104 had been paid for their scalps. Red foxes were numerous. The County Treasurer's compensation was \$767, while the Commissioners (Benjamin Dorrance, Elisha Harding and Hosea Tiffany) earned sums ranging from \$145 to \$225. The entire cost of making the assessments in the large and scattered county of that day, was only \$530. Bridges and roads cost \$1,925; expense of maintaining jail (there was only one prisoner) was only \$420, and Supervisors' expenses for roads were only about \$5,000, this being the largest item of all.

As outlying townships of the county became more thickly settled, frequent complaints reached the Court and Commissioners that, owing to the limited

number of voting places prescribed, the franchise could be exercised by voters in many localities only by travelling considerable distances. At the fall session of Court in 1809, eight new districts were added to the twelve then in existence and the Sheriff in his proclamation for elections that year, named the following twenty districts where voters could assemble:

1. Townships of Nescopeck and Salem.
2. Townships of Wilkesbarre, Hanover and Newport. (Polling place—court house at Wilkesbarre.)
3. Townships of Plymouth, Kingston and Bedford.
5. Townships of Pittston and Providence.
6. Townships of Exeter and Northmoreland.
7. Tunkhannock.
8. Braintrim.
9. Wyalusing.
10. Wysox.
11. Townships of Towanday and Canton
12. Orwell.
13. Harford.
14. Abbingdon.
15. Bridgewater.
16. Townships of Willingborough, Lawsville, and New Milford.
17. Clifford.
18. Rush.
19. Nicholson.
20. Sugar-Loaf.

In January, 1810, the Luzerne County Agricultural Society was first organized, in the court house at Wilkes-Barré. Jesse Fell, Esq., was chosen chairman, and Dr. R. H. Rose, Secretary of the meeting. A constitution was adopted, and the following officers were chosen for the year: Jesse Fell, Esq., President; Matthias Hollenback, Esq., Vice President; Thomas Dyer, Esq., Treasurer; Peleg Tracy, Recording Secretary, and Dr. Rose and Jacob Cist, Corresponding Secretaries. The preamble to the constitution declared the object of the society to be "for the improvement and advancement of agriculture, by introducing improved breeds of horses, cattle, sheep, swine, and the best grain, such as wheat, rye, corn, &c., and the improvement of the soil by lime and manure."

The prominent and efficient actors in this movement were Dr. Rose and Jacob Cist, Esq., possessing, perhaps, a greater share of scientific agricultural information than any other two men in the county.

No proceedings of the Society have been preserved, other than a report made in 1811, on nineteen specimens of cloth, presented by Mr. Ingham, all of which were pronounced creditable. The pieces particularly noticed, were wrought by Miss Luckey, Raphael Stone, R. Ingham, A. Stevens, N. Stevens and Jos. Ingham.

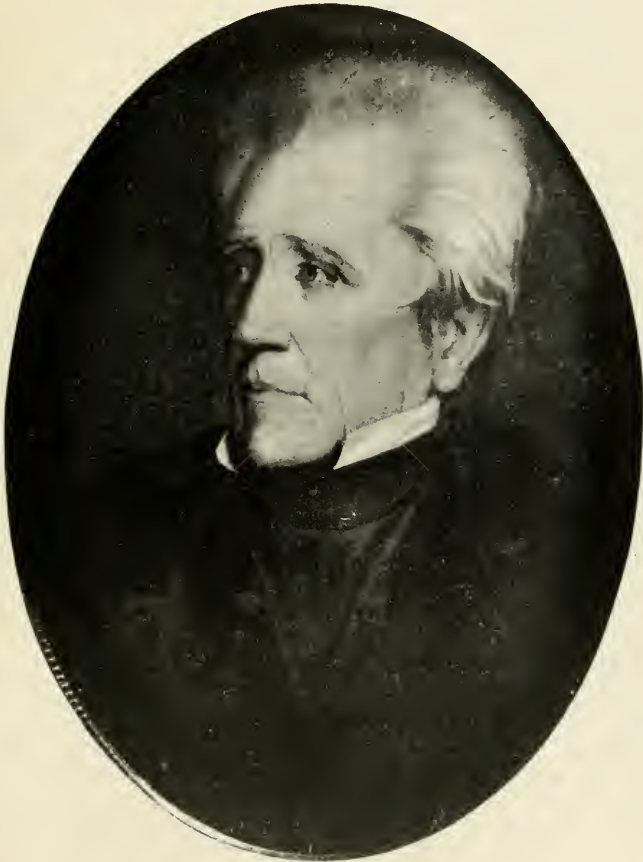
There is preserved also a list of premiums proposed in 1824, as follows:

For the best field of wheat, less than 30 acres, \$5; for the best field of corn and rye, \$5; for the best field of oats or buckwheat, less than 30 acres, \$3; for the best acre of potatoes, \$3; for the best half-acre of flax, \$4; for the best quarter-acre of rutabaga turnips and tobacco, each \$3; best ram, \$3; best ewe, \$3; best bull, \$5; best cow, \$5; best piece of woolen cloth, \$5; second best, \$3; best piece of flannel, \$4; best piece of domestic carpet, \$4; best piece of linen, one yard wide, \$3; best quality of cheese, less than 100 pounds, \$5; best sample of butter, not less than 20 pounds, \$3; best made plow, \$5; best quantity of stone fence, not less than 25 rods, \$5; for a bushel of the best apples or peaches, \$1.50; for the best watermelon, 50 cents.



"For the best essay on the Hessian fly, and preventing its ravages, there was offered a premium of \$5; for the best essay on the various species of curculio, and the mode of destroying them, \$5; for the best essay on agriculture or manufactures, \$5.

Celebrations of the 4th of July, 1810, were heightened by talk of war with Great Britain, which President Jefferson and his advisors were attempting to avert, by every argument at their command. In that year, both the Consti-



ANDREW JACKSON.

tutional-Republicans, as former Federalists were then known, and Democrats, the title now assumed by followers of Jefferson, held imposing rallies. Stories of the two gatherings lose none of their interest by being taken from the files of the press, and may serve to enlighten the reader as to customs in vogue at

Wilkes-Barré more than a century ago. The oft consulted *Federalist* furnishes the following account:

"The anniversary of American Independence was celebrated by the Federal and Constitutional Republicans of Wilkesbarre and its vicinity, in a style worthy of the occasion.

"The dawning of the day was hailed by 13 discharges of cannon. Precisely at 12 o'clock the signal Gun convened the citizens on the Bank of the River. General Lord Butler was chosen President of the day, and Charles Miner, Esq., Vice President. A procession was then formed, and marched to the Meeting House in the following order:

- "1. Martial Music.
- "2. The Committee of Arrangement.
- "3. The American Flag.
- "4. The Young men, two and two.
- "5. The elder citizens.
- "6. The President and Vice President.
- "7. The Orator of the Day, and Clergymen.

"At the door of the Meeting-House, the procession halted and facing in, opened to the right and left, and entered in inverted order. The exercises were opened by singing. The introductory prayer was then made by the Rev. Mr. Thayer. An Oration was then delivered by Mr. Garrick Mallery.

"We will not do injustice to this elegant production, by endeavoring to give an idea of its excellence. The public will undoubtedly have an opportunity to peruse it from the Press. But we may venture to say, that it is one of these productions that will be read hereafter with delight, among the first specimens of American eloquence. \* \* \*

"The procession returned in the same order to a Bower on the Bank, prepared for the occasion, where an excellent dinner was provided by Mr. Arndt. After dinner, TOASTS were drank, accompanied by discharges of cannon.

"Every eye beamed with patriotism—Every heart swelled with joy.

"The Democratic citizens of this place and neighborhood celebrated the day in this Borough. They formed a procession on the Redoubt,\* and marched to the Court House where the Declaration of Independence was read by Mr. George Denison, and an Oration delivered by David Scott, Esq. The company then returned to a Bower prepared for the occasion on the Redoubt, where a dinner was prepared, and a number of toasts drank under the discharge of cannon.

"At the Redoubt a very unfortunate accident occurred. Anthony Anderson, a black man, who was assisting in firing the cannon, hastily threw a cartridge into the gun without wiping, which took fire, and blew off one of his arms, and tore the other considerably. It is hoped he will recover, though fears are entertained for his life."

Wilkes-Barré had existed for a period of forty-one years before any banking facilities were established in north-eastern Pennsylvania. This is not a surprising matter when it is realized that, at the opening of the nineteenth century, there was not a bank in Pennsylvania outside the city of Philadelphia. In 1806, when the borough of Wilkes-Barré was incorporated, there were but eighty-one banks in the whole of the United States. Three of these existed at Philadelphia, then the most populous city of the country. The Bank of the United States, established by the government, over which much controversy had arisen, was one of these. The two others, the Bank of Pennsylvania and the Bank of North America, were chartered under state laws. Under their charters, they could establish branches, and had done so at Lancaster, Reading and Pittsburg. The mints of the United States had coined a limited number of silver coins in the first decade of the century, but had not attempted the coinage of gold. The chief currency in circulation was Spanish pieces of silver and Portuguese gold coins. It was customary for the merchants of Wilkes-Barré, as elsewhere, when a trading trip to Philadelphia was planned, to exchange what silver they had, into notes of the Philadelphia banks for the sake of ease in carrying. By an Act approved March 3, 1809, the Philadelphia Bank, as it became known when its charter was renewed in 1807, was authorized to establish branches, not to exceed "eight in number," which branches were to have all the powers of the parent bank under such restriction as the latter might impose.

\*The Redoubt was an extension of the ridge of Bowman's Hill, east of the present court house, which then reached almost to Union Street. It was an artillery outpost during the mobilization of Sullivan's army.

Pursuant to terms of the Act, the bank announced, in the summer of 1810, that it would establish an "Office of Discount and Deposit", at Wilkes-Barré. Sixteen residents of the valley were chosen directors of the institution.\* These organized September 21, 1810, by electing one of their number, Ebenezer Bowman, President and John Bettle, Esq., of Philadelphia, Cashier.

The bank was opened for business October 1, 1810, in a small two story frame building on River street near Northampton, a vault being installed in one of the ground floor rooms for purposes of security. Many amusing incidents are told of the early days of the institution, when farmers, in particular, came long distances, expecting to find much ready cash for the mere asking. As it was, so much paper was discounted in the first three months of banking, that the parent bank ordered any further discounts to cease for a time and, when resumed, to loan only on thirty or sixty days' time, with at least a ten per cent reduction in the loan at expiration. Depreciation of currency following the War of 1812, and the country wide hard times which ensued, made banking a precarious occupation in the ten years of existence of this branch at Wilkes-Barré. In October, 1820, financial affairs of Pennsylvania were in such condition, that the parent bank decided to close its local branch.

Relative to formalities connected with closing the only bank then within the limits of the Susquehanna purchase, the *Wilkes-Barre Herald* of October 26, 1820 has this to say:

"The president of the Philadelphia Bank, having come to this place, with a view to make arrangements for settling the debts due at this office, all persons indebted to the Institution are requested to call without delay, that an interview may at once take place between the parties concerned. The bank expects payment from all persons in whose power it may be to make it, and where payment cannot be made, that good security be given. FOR SALE, the House and Lot of Ground occupied by the Branch of the Phila. Bank. The Lot is 120 feet front on River Street, and 200 feet depth. The House is in good order, and the Banking room fitted up with suitable desks and counters, and with an excellent Fire-proof vault, well secured by double wrought-iron doors. The property is pleasantly situated, and is very desirable as a place of business or for a private residence.

On January 1, 1821, the operations of the Branch Bank ceased, and Joseph McCoy, late Cashier, was appointed agent to collect outstanding debts. He announced that his office would continue at the late banking house, where he would "attend every day during the sittings of the Court and, at other times every Monday and Wednesday, from 9 A. M. till sunset."

It was not altogether the fault of local enterprise, that financial affairs of the community were in the hands of Philadelphia interests for a decade.

In March, 1814, the state legislature passed a bill, authorizing the incorporation of forty-one independent banking institutions, with capital stocks aggregating more than \$17,000,000. The same Act divided the state into banking districts. Luzerne County comprised one district, to which was apportioned one of these banks. The bank, under its charter was to be known as "The Susquehanna Bank," with Wilkes-Barré named as its headquarters and Abiel Fellows, Noah Wadhams, Cyrus Avery, George M. Hollenback and George Dennison, all prominent in county affairs at that time, as Commissioners to receive stock subscriptions. In August, of that year, these Commissioners were bending their energies in the direction of securing the bank's required capital,

\*The following is the list of directors:

Lord Butler  
Jesse Fell  
Wm. Ross  
M. Hollenback  
Benjamin Dorrance  
Allen Jack

Rosewell Welles  
Charles Miner  
Frederick Crisman  
N. Palmer  
Ebenezer Bowman

Jos. Sinton  
Calvin Wadhams  
Ebenezer Slocum  
Isaac Bowman  
Nathan Beach

but the condition of the country's finances held the task in abeyance. That the Philadelphia branch was then engaged in a considerable business in the community is evidenced by the following from the *Gleaner*, of June 28, 1815:

"During the latter part of May, the office of Discount and Deposit at this place sent upwards of \$26,000 in specie to the Philadelphia Bank. This sum, added to the amount previously sent, makes the total of something more than \$35,000 in specie which the mother Bank has received from this office, besides notes of other Banks, probably to a much greater amount. This sum has been collected from Luzerne and the adjoining Counties during the short time which this Branch has been established here.

"If Banks are either necessary or useful in the Country, why cannot the citizens of Luzerne have a Bank of their own? It is frequently said that we cannot establish a sufficient credit in the city to keep our bills good! Can it be probable that a country which in four years of wars, non-intercourse, &c., could send \$35,000 of specie to Philadelphia, cannot establish a credit, for a Bank of her own?

"If so, let us continue sending our money abroad, and let others share the profits of our trade. But this ought not be so; money may sometimes be profitable to an individual, and it is generally an accommodation. But to borrow money from abroad cannot be profitable to a whole country, if they can have a medium of their own which will answer all their purposes—because the use of interest which they pay for it, goes out of their country. Lending money is always profitable, if the borrower faithfully pays his principal and interest. Why then should we be paying a great interest to the stock-holders of the Phila. Bank, when we might pay it to our own stockholders. It is to be feared that party feelings have prevented the success of the Susquehanna Bank. This is wrong,—party animosity should never be permitted to prevent the prosperity of a country."

Perhaps it was through the appeal of the local paper or more probably, that the general financial horizon was then less clouded, that the fall of 1816 found all the shares of the proposed bank actually subscribed; whereupon a charter was issued. Matthias Hollenback, Stephen Tuttle, Joseph Sinton, Henry Buckingham, Jacob Cist, James Barnes and Daniel Collins were named Directors and Joseph Sinton, a then prominent merchant of Wilkes-Barré, was chosen President. The bank went so far as to have plates for engraving its bank notes made, and its notes printed, but there its activities were again halted by a financial crash, which swept many weaker banks out of existence, and all but wrecked the fortunes of many prominent men both here and elsewhere.

This crash had much to do with the decision to wind up affairs of the Philadelphia branch, from which time (January 1, 1820) to the year 1829, as will later be mentioned, northeastern Pennsylvania was to be again without any banking facilities excepting those afforded by institutions at Easton and Philadelphia.

It has been the intention of the present writer, to confine the loosely woven incidents of each later Chapter of this History, to some definite period of time. In the main, the present Chapter deals with events of the first decade of the last century. Historical incidents, however, have a way of refusing to be bound by time limits. This was true of the issues which resulted in the second war with the British crown.

In the stormy Napoleonic period, France and Great Britain hung on grimly at each other's throats, giving little heed to the rights of neutral nations. Commerce, carried in American bottoms, was challenging the boasted trade of England. By the Berlin and Milan decrees of 1806, Napoleon established his famous "paper blockade" and sought to seize all vessels trading with England or her colonies. Great Britain, retaliating in the same year by Orders in Council, forbade all commerce at French ports or the ports of her allies. If an American vessel touched at almost any port of continental Europe, she was liable to seizure by any British cruiser. On the contrary, if she touched at a British port, she might become the prey of any French craft. Jefferson had abandoned the

policy of Adams, in maintaining a strong navy. He theorized that our harbors could be protected by a single gunboat in each, carrying one gun, and that our shipping was able to take care of itself. While the offensive measures of England and France made the American merchantman a prey to both, England claimed a peculiar power of annoying the United States by searching her vessels for subjects of Great Britain, whether or not they had been naturalized in America. In June, 1807, the insolence of this claim was carried so far that the British-man-of-war, *Leopard*, stopped the United States frigate, *Chesapeake*, off the entrance of Chesapeake bay, fired into her, killing or wounding twenty-one of the crew and carrying off four alleged subjects of the crown. Unprepared for war, Congress passed a stupid and dangerous measure, preventing American vessels from leaving American ports or foreign vessels taking cargoes in our harbors. Thus, by its own embargo Act, the United States did more to injure its own commerce than the combined French and British navies had accomplished. These events were not lost upon residents of the Wyoming Valley.

On August 7, 1807, a general meeting of citizens was called in the Court House, Judge Fell acting as Chairman and Nathan Palmer, Secretary.

A committee consisting of Ebenezer Bowman, Nathan Palmer, Nathan Beach, Benjamin Dorrance and Charles Miner submitted the following resolutions, which were unanimously adopted:

"Resolved—That we view the late wanton attack of the British ship of War, *Leopard*, upon the American frigate *Chesapeake*, as a gross infringement of our nation. \* \* \*

"Resolved—That we sincerely approve of the spirited and patriotic conduct of our fellow citizens at Norfolk and Hampton.

"And on motion of Peleg Tracy,

"Resolved—That the resolutions and proceedings of this meeting be signed by the Chairman and Secretary, and published in the *Lucerne Federalist*."

The Wyoming Blues were quick to catch the inspiration of the public meeting. On September 4th, this organization forwarded the following letter to the president:

"To THOMAS JEFFERSON, Esq.,

"President of the United States.

"Sir: As it has been the unanimous voice of our fellow-soldiers, of different volunteer corps of the United States, to offer their services in defence of their country in this momentous crisis, 'when every nation is looking with an envious eye at the peace and prosperity of the United States,' and more especially Great Britain, who ought to be the last to enter the list; but, proud of her navy, she bids her armed vessels enter into our harbors and rivers, and impress our fellow-citizens while peaceably employed in the commerce of their country. Not content with this, she orders the commanders of her frigates to fire on the armed vessels of the United States, within the jurisdiction of the same, while peaceably pursuing her course to the place of her destination, murdering our fellow-citizens, while she is holding out the olive branch of peace, which brings to our recollection the plains of Wyoming, strewn with human gore by the savages, hirelings of her perfidious government.

"Therefore we, the undersigned, being appointed a committee by the light infantry company called the Wyoming Blues, and through us the said company offer their services, in defence of their country, whenever the government of the United States deem it expedient to call us in defence of the country.

"We are, Sir,

"With profound respect,

"Your obedient servants,

"JOSEPH SLOCUM,

"ISAAC BOWMAN,

"BENJ. PERRY."

The president seems to have given the patriotic expression prompt attention as is evidenced by his reply in his own handwriting:

"To Messrs. Joseph Slocum, Isaac Bowman, and Benjamin Perry, a Committee of the Light Infantry Company called the Wyoming Blues.

"The offer of your service in support of the rights of your country, merits and meets the highest praise, and whenever the moment arrives in which these rights must appeal to the public

arm for support, the spirit from which your offer flows, that which animates our nation, will be their sufficient safeguard.

"Having required, from the governors of the several states, their certain quotas of militia to be ready for service, and recommended at the same time the preference of volunteers under the Acts of Congress, and particularly that of the 24th of February, 1807, the acceptance and organization of such volunteers has been delegated to them.

"Tendering, therefore, the thanks of our country so justly deserved for all offers of service made to me, I must add that it is necessary to renew them to the governor of the state for the purposes of acceptance and organization.

"I salute you with great respect,

"TH. JEFFERSON."

"Sept. 19th, 1807."

Diplomatic arrangements served for a time to avert an open rupture between the two English speaking nations, but England would not abrogate her claim to the right of search and seizure, nor would even the meekest American administration concede it. Late in 1811, after several naval engagements had been fought with some credit to the crippled American navy, a dilatory Congress began to undertake some measures of preparedness. At last, on June 18, 1812, President Madison declared war.

Upon learning of the declaration, the Blues appear to have hesitated in keeping their high sounding promises of five years before, but a volunteer artillery company, known as the "Matross" and organized by Capt. Samuel Thomas at Kingston, embracing in its ranks men of the West side settlements, Plymouth, Pittston and a few members of the Blues from Wilkes-Barré, immediately offered their services. The members began training, awaiting orders. Before war was actually declared, an Act of Congress had set the War Department at work ascertaining the quotas that each state should supply in case of emergency. Under the plan, Pennsylvania was to furnish a corps composed of 700 artillery, 700 cavalry, 1,400 riflemen and 11,200 infantry, a total of 14,000 men. By laws enacted subsequently, if insufficient voluntary enlistments followed the call, men were to be drafted to fill the quotas. The prompt action of the Matross inspired action on the part of other organizations. But the raising of troops for the War of 1812 was not an easy matter, and it has been found a difficult task in all our wars with the exception of that classed as the Spanish-American.

Inland, the trouble seemed to have arisen over the question of shipping, and therefore of interest to tidewater districts only. Partisan rancor had much to do with a dearth of volunteering.

At that period, the 35th Regiment, 2d Brigade, 9th Division, Pennsylvania Militia, was leading a somewhat precarious existence in Luzerne County. There were two battalions of four companies each, Lt. Col. Elijah Shoemaker being in command of the regiment, with Captains Hallock, Fuller, Swallow, Smiley, Van Loon, Sorber, David and Ayers in command of the eight companies.

To this regiment, a troop of light horse, organized at Wilkes-Barré, by Capt. Isaac Carpenter, and the Wyoming Blues, also at Wilkes-Barré, commanded by Capt. Zebulon Butler, Jr. were attached. Captain Carpenter reported, on June 26th, that his troop had volunteered without recourse to the draft, as did Captain Sorber whose company was located at Newport.

The files of the *Federalist* at this time show a strange silence on the subject of the war. Charles Miner, still its editor, was opposed to the whole undertaking, but he refrained from active opposition to measures being taken to meet the enemy. His influence was to be felt, however, when the question arose as to the conduct of the Wyoming Blues, in which he held rank as lieutenant. A meeting of that organization was called for June 20, 1812. It was held at the Arndt tavern and

was the stormiest, and, as it proved, the last meeting of that hitherto famous organization.

Messrs. Miner, Arndt and Stephen King, all strong Federalists, led the opposition against volunteering. Messrs Lee, Bowman, Downey, Nelson and Captain Butler warmly supported the government and, at the close of the meeting, actually volunteered. The *Susquehanna Democrat* took special pains to brand the meeting with emphatic adjectives. It did admit, however, that Charles Miner was the only member of the organization to later appear on parade, when a draft call was issued, "fully equipped, thus showing his willingness to obey the law when he cannot avoid it."

In October, 1812, Capt. Robert Gray, of the 16th U. S. Infantry, opened a recruiting office in Wilkes-Barré for enlistments in that branch of the service. A barracks for training recruits was established on the River Common near the ferry landing, whether in a temporary structure built for the purpose, or in the old Arndt warehouse, is not indicated. About the same time Capt. Thomas A. Helme, of the U. S. Cavalry, reached Wilkes-Barré on the same mission for his branch of the service.

The cavalry rendezvous was on South Franklin street, in a vacant lot approximately where the St. Stephen's Parish House now stands.

Various detachments of partially drilled recruits, largely from points up the Susquehanna river, were sent from these rendezvous to the 16th U. S. Infantry, which later became known as the "Bloody Sixteenth." The regiment was commanded by Col. Cromwell Pearce, and saw active service at Sackett's Harbor and Stony Creek. Later, at the battle of York, in Canada, Colonel Pearce assumed command of the American expeditionary forces on the death of General Pike and received the surrender of the enemy.

No troops, other than those recruited for the regular army, left Wilkes-Barré until the "Matross" battery marched away from Kingston, April 13, 1813. The *Susquehanna Democrat*, published three days later, has this to say of the departure:

"The Luzerne Volunteer Matross commanded by Capt. Samuël Thomas, marched on Wednesday last for Erie. Many of the members, we understand, were absent, having went down the river with lumber before the marching orders were received, which reduced the company very considerably. The members are generally men who have families, to leave which will set particularly hard; but the love of country stimulates the brave. We venture to predict that they will act worthy of the nation and themselves."

The actual membership of this organization, when it marched, was thirty-one men. They departed from Kingston to the eddy at the mouth of Shoup's Creek, in Plymouth. Here they embarked, and went down the river on a raft to Danville. From Danville, they marched over land to Lewistown, and thence to Bedford, where Captain Thomas recruited thirty-seven men. Proceeding westward through Fayette County, he obtained twenty-seven other recruits, and arrived at Erie, May 5th, with ninety-five officers and privates. On their arrival, they were attached to the 5th Pennsylvania Regiment, under Col. Reese Hill.

The "Matross" was an artillery company, and in the cannonading at Presque Harbor, did good execution. They fired no less than thirty shots into the hull of the brig Hunter, and with two long nine-pounders cut away and materially damaged the rigging of the Queen Charlotte.

Preparatory to the battle of Lake Erie, for the purpose of manning Perry's fleet, volunteers were solicited from among the land forces. Among those who

offered and were accepted for this service were William Pace, Benjamin Hall, Godfrey Bowman, and James Bird, of the "Matross." They enlisted on board the Niagara, and during the engagement fought with energy and efficiency. Their coolness and courage elicited the warm commendation of Commodore Perry, who brought the Niagara into action. To each of her volunteers, in this action, the Legislature of Pennsylvania voted a silver medal, upon one side of which was a likeness of Commodore Perry, with the inscription, "Presented by the Government of Pennsylvania—Oliver Hazard Perry—PRO PATRIA VICIT." Upon the reverse side was the following: "To (name engraved), in testimony of his patriotism and bravery in the naval engagement on Lake Erie, Sept. 10th, 1813. We have met the enemy, and they are ours." Pace, Hall, and Bowman, the last of whom was wounded, each received one of these tokens commemorative of their valor, but Bird, kneeling upon his coffin, received his death-shot from the hands of his own countrymen.

"Bird was from Pittston," says Pearce in his Annals, "and was descended from a most respectable family. He was a man of great bodily strength and activity, and was full of patriotic devotion to the cause of his country, but unfortunately his proud spirit boldly rejected many of the restraints imposed by the stern rules of military discipline. He fought like a tiger, and when wounded refused to be carried below. For his bravery he was promoted to the position of orderly sergeant of the marines on the Niagara.

News of the intended attack of the enemy on New Orleans had reached the fleet on Lake Erie, and Bird, ambitious to be in the midst of the smoke and fire of battle, one night when in command of the guard, marched away with several of his men to join General Jackson. He was pursued and arrested at Pittsburgh, from which place he was about to embark with a company of volunteers for the Crescent City. Being arraigned before and tried by a court-martial, he was sentenced, in accordance with the rules of war, to be shot. Had Commodore Perry received intelligence of the proceedings in time, Bird's life would have been spared. It is said that Bird had openly expressed his condemnation of the position and management of the Niagara before she was boarded and brought into action by Perry, and that his free speech in relation to this subject, operated against him when on trial for his life."

The melancholy death of Bird excited much comment in the valley. Charles Miner dedicated a lengthy poem to the unhonored hero, and denunciations followed generally from Federalists as to the treatment of soldiers by the government.

Perry having swept the Lakes of hostile craft, the "Matross" were permitted to return home.\* In reporting the celebration attending their arrival, the *Susquehanna Democrat* of December 3, 1813 had this to say:

"THE LUZERNE MATROSS.

"The members of this patriotic corps were invited by their republican fellow citizens to a supper at Mr. Reeder's in Wilkes-Barre on Monday last. The presence of the valiant volunteers infected a spirit of gladness throughout the whole company, and their return was hailed with the heartfelt welcome of their fellow citizens.

\*The following is the roster of local officers, musicians and enlisted men who served with the "Matross" during the period of absence:

Captain, Samuel Thomas; 1st Lieutenant, Phineas Underwood; 2d, Ziba Hoyt; 3d, Andrew Sheets; Ensign, Edward Gilchrist; 1st Sergeant, Joho Carkhuff; 2d, Jacob Taylor; 3d, Absalom Roberts; 4th, Henry Jones; 5th, George W. Smith; 6th, John Bowman; 1st Corporal, Christopher Miner; 2d, Daniel Cochevour; 3d, Samuel Parrish; 4th, Ebenezer Freeman; 5th, John Blane; 1st Gunner, Stephen Ebans; 2d, Isaac Hollister; 3d, John Prince; 4th, James Bird; 5th, Morris Cramer; 6th, Festus Freeman; 7th, James Devans; Drummer, Alexander Lord; Fifer, Araha Amsden. Privates, Daniel Hoover; John Daniels, James W. Barnum, William Pace, James Bodfish, Godfrey Bowman, Benjamin Hall, Solomon Parker, Ezekiel Hall, Sylvanus Moore, Hallet Gakkyo.



"The picture given by the volunteers of the wretched situation of Detroit, and of the people's joy at the arrival of the American Army, is truly affecting. Many of them have declared that even should they never receive one cent of pay they will not regret their time, because it assisted in the restoration of peace to the frontiers and security and joy to the people. Even those who had opposed their volunteering, and who have repeatedly propagated false tales about them, are now eager to welcome them home by honouring those they have on so many occasions traduced. This is not the proper time to indulge in party reflections, and we are glad to see a seeming return of good will towards those who have nobly vindicated their country's honor. May regeneration continue until opposition to government ceases, and faction be prostrated at the throne of patriotism."

The West Side communities, not to be outdone by Wilkes-Barré in entertaining the "Matross" made arrangements for a formal reception at a meeting held at Kingston, November 29, 1814, and reported in the *Democrat* as follows:

"At a meeting of a number of the citizens of Kingston and Plymouth, at the house of Mr. Archippus Parrish in said Kingston: Capt. Oliver Pettebone was called to the chair: and

"Henry Buckingham was appointed Secretary.

"After some introductory observations resolutions were unanimously adopted: viz.:

"Resolved, That the citizens of Kingston, Plymouth, and their vicinities do give to Capt. Samuel Thomas and the other members of the Luzerne Volunteer Matross and their wives a most cordial invitation to partake of a public Dinner at this place, [Mr. Parrish's] as a mark of respect due to them for their late patriotic tour on the lines in defence of our Country, and to manifest to them our full approbation of their soldier-like behaviour in following where the good of their country called and to bid them a hearty welcome to citizenship with us again.

"Resolved, That as some members of the said Company have not yet returned, the said Dinner shall be deferred on their account, until Tuesday the 14th Day of December next, hoping then all will be present.

"Resolved, That a committee of arrangement be appointed to make the necessary preparations and carry the foregoing resolutions into effect.

"Resolved, That the proceedings of this meeting be figured by the Chairman and Secretary, and published in the three newspapers printed in Wilkes-Barre.

"OLIVER PETTEBONE, Chairman,

"HENRY BUCKINGHAM, Secretary."

In 1814, the northern armies had more than held their own, but the unexpected was to happen insofar as the nation's Capitol was concerned. To stimulate recruiting, Capt. John Baldy and Capt. John Machisney also of the 16th U. S. Infantry came to Wilkes-Barré early in 1814. An "express" from the War Department reached these officers on August 29, 1814, giving the startling information that Washington had been taken, and that the enemy had burned the Capitol, the President's house, War and Treasury offices and destroyed the navy yard.

On the same day this news was published in a special edition of the *Susquehanna Democrat*, (the edition consisting of a small hand-bill) the regular edition of September 2d confirming the news as follows:

#### "CAPTURE OF WASHINGTON CITY.

"On Monday, Aug. 29 last, we issued the following in a handbill. There can be no doubt of its truth; whether the government papers were saved or not we have not learnt.

"We have none but confused accounts of the movements of our troops, or of the enemy. A battle was fought or rather a skirmish, for there was but little blood spilt, at Bladensburg."

The same "express" which brought this news, instructed all the regular army detachments to move at once from Wilkes-Barré to the defense of Baltimore, which was threatened by the victorious British troops of Admiral Cockburn. At this time, as appears from advertisements directed by these officers, the government was offering a bounty of \$124 and one hundred and sixty acres of land to all "able bodied, patriotic young men who are desirous of shouldering a musket to defend the rights of an injured country." On August 4, 1814, several weeks before news of the fall of Washington had reached the valley, a large detachment of regular army volunteers left Wilkes-Barré, enroute to Washington, via Easton.

That brutal force was sometimes urged in connection with handling these detachments, is disclosed by an account appearing in *New York Evening Post* of August 12th, written August 5th by the Wilkes-Barré correspondent of that publication. The account in part is given below:

"CRUEL TREATMENT TO SOLDIERS.

"Wilkes-Barre, Pa., Aug. 5.

"Monday last was a day of unusual excitement in our village. The U. S. troops enlisted in this vicinity were under orders to march. The parting of friends, and the separation of husbands from wives was in no little degree affecting, and this painful feeling was in some cases heightened by the opinion, whether well or ill-founded, I pretend not to say, that some of the soldiers had not been very fairly attached to the service.

"A sergeant by the name of Brack, conspicuous for his knowledge of discipline, and more so by his severity to the soldiers, in the course of Sunday broke his sword over the head of a Mr. Cook, a soldier, and severely wounded him in the arm. Brack was justly turned into the ranks—but the next morning restored to his shoulder-knots, and marched off with the troops as sergeant.

"During the forenoon, after the troops had marched, the whole town was thrown into confusion. A man by the name of McWiggin was said to have enlisted. He protested he had not. Force was used to send him after the troops. He used his stick with such effect that he cleared himself but was again taken, put on horseback under a guard, an officer by his side having 2 pistols, and marched off. To see a citizen thus compelled to march, who solemnly declared he was not an enlisted soldier, awakened feelings in most bosoms that saw it, worthy of freemen. The citizens gathered round. A Habeas Corpus was obtained. The military were forcing the man along as fast as possible, when a number of spirited citizens stepped before the cavalcade and stopped it. The officer presented his pistol to their breast and threatened to blow them thro. One of them seeing Judge Fell called upon him to interfere, that the man might have a legal hearing. The Judge in the name of the Commonwealth ordered them to stop. The Habeas Corpus was served. The case was tried before Judge Gibson, and McWiggin was discharged. Thanks to the formers, the independence and intelligence of the civil authority, our citizens cannot yet be dragged off against their will and impressed into the army. Whether legal associations of the people to protect their rights will not be indispensable to the public safety is a question worthy of solemn consideration. As Monday was a day of agitation and alarm, Tuesday was a day of fearful gloom and sorrow.

"A Mr. Dixon, a civil, inoffensive, but feeble man, who had enlisted and was marching out with the troops, was killed on the mountain by Sergeant Brack. Dixon it is said complained of fatigue and lingered behind the rest. Brack sent for him and he did not come. Brack went back, cut himself a stick, and beat poor Dixon on the head and kicked him in the side till, as he afterwards complained, his toes were sore.

"Dixon was put in a wagon, and died very soon. The people went after him yesterday to bring him in, but he was so bruised he had become too putrid. He has left a wife and four children to mourn for him.

"An inquest was held on the body. Verdict—Wilful Murder! Brack is confined in jail."

Robert Dixon was a recruit from Wyalusing Township, a man past fifty years of age and physically unfit for service. He was buried near the Bear Creek bridge on the turnpike by those who went out from Wilkes-Barré to bring him home. Sergeant Brack was found guilty of murder in the first degree when tried at Wilkes-Barré sometime later. However his counsel secured a second trial for him which resulted in a verdict of manslaughter, whereupon a long sentence of imprisonment was inflicted. Brack subsequently died in the state penitentiary.

The *Gleaner* of April 14, 1815, contains the following account of the second trial of Brack at the spring term of Court of that year:

"The Court now sitting in this place has been closely engaged in business for twelve days past. A good deal of business has been done. Some causes have been tried of a nature to excite great curiosity; others were of a description to awaken feelings of a deeper and more solemn interest.

"George Brack had been indicted for the murder of Robert Dixon in August last. At last October Term he was tried and found guilty of murder in the first degree.

' On motion the Court granted a new trial.

"At January Term, some error having been made in summoning a jury, he could not be tried. On Friday last he was arraigned at the bar, and his trial commenced.

"Messrs. Evans and Mallery were counsel (appointed by the Court) for the prisoner; Mr. Ross on behalf of the prosecution. The trial was managed by the counsel on each side with the ability which is known to distinguish the gentlemen engaged. \* \* \*

"The verdict of the jury was 'murder in the second degree.' Brack received his sentence on Monday—12 years imprisonment in the Penitentiary; 11 of them at hard labor, and one in the solitary cells."

The Commonwealth promptly followed the national government in a hurried call for more troops in the defense of Baltimore. The 35th regiment of the militia was included in the call. By various consolidations of local detachments, two companies representing Luzerne County, were soon ready for field service. That active forces were opposing the draft is indicated by an editorial in the *Susquehanna Democrat* of November 11, 1814, in the following terms: "THE DRAFT.

"This week has been celebrated by the assemblage of the militia detached in pursuance of the Governor's orders, to proceed to Baltimore. We are not sufficiently acquainted with the proceedings to state them in detail and therefore abstain from publishing anything at present on the subject, further than to observe that the conduct of Wilkesbarre, with some few exceptions, is a disgrace to the American name; every pains have been taken to discourage the men, urge them to mutiny and prevail upon them to return home. The Lawyers particularly have set such an infamous example as in any other country would richly entitle them to all the benefits of a halter.

"The troops have suffered and will no doubt continue to suffer, for want of proper means to cook their provisions—but they have generally shown a disposition to act as Americans, and put up with inconveniences which in a new country like this cannot be avoided. Some of the troops we understand, commence the march to-day on their way to Baltimore."

The two consolidated companies which marched in November, to Danville, on the way to Baltimore, were those of Capt. Peter Hallock\* which became the 1st Company of the 35th Regiment, and the company commanded by Capt. Jacob Bittenbender,† composed of men recruited from the southern tier of townships of the county.

When these marched out, seven members of the defunct Wyoming Blues marched with them, their drummer making quite as much martial music as the musicians of the larger units. The detachments of Blues was assigned to Captain Hallock's company as an inspection of the latter's roster will show.

When these troops reached Danville, the tidings of the repulse of the British main army by the gallant defense of Fort Henry was announced. The troops were thereupon ordered to remain at Danville awaiting further orders. The treaty of peace was even then under way at Ghent, Belgium, between John Quincy Adams, James A. Bayard, Henry Clay, Jonathan Russell and Albert Gallatin, Commissioners of the United States and an equal number of representatives of Great Britain. On December 24, 1814 it was signed. By its terms it settled not a single question raised by the war, but evidence had been given to the world that the young American nation was not to be either the catspaw of European politics or to submit tamely to abuse by even the mightiest power of the time.

#### ROSTER OF 35TH REGIMENT, 1ST COMPANY.

\*Captain, Peter Hallock; 1st Lieut., Moses Philips; 2nd, Jeremiah Fuller; 1st Ensign, Wm. Polen; 2nd, George Denison; 1st Sergeant, Stephen Decker; 2nd, John Cortwright; 3rd, Joseph Wright; 4th, John Kelly; 1st Corporal, Ezra Ide; 2nd, Ebenezer Ide, 4th, Isaac Carver; 5th, David Pear; Drummer, Samuel L. France; Privates, Thomas Benedict, Jared Marcy, Samuel Mott, Wm. Osborn, Benjamin Kyron, William Ross, George D. Nash, Benjamin Knapp, Geo. W. Benedict, Wm. Honeywell, Thomas Mulford, Porwell Wheeler, Thomas Lynn, Isaac Neffas, John Huff, Jacob Good, John Thompson, Samuel Carey, Jr., Uriah Rogers, Obediah Smith, Joseph Tompkins, John Hess, William Winters, John Miller, Peter Connor, Abner Wade, Jr., Anthony Fass, John Hunter, John Masco, Adam Steel, John Jameson, Jeremiah Vandermark, Moses Carter, Anson Cascaden, Ithamar Rogers, Aaron Van Loom, Jacob Sorber, Jr., Jacob Sorber, 2nd., John Smith 2d., Redmond Owens, John Ensley, Henry Burkan, Jonah Romig, William Blane, Samuel Weiss, James Reeder, 2nd., Michael Hart, Daniel Sann, Jr., Peter Bellas, John Lutz, Henry Young, Jr., Michael Staunty, John H. Smith, Philip Groupe, Luke Blane, William Caldwell, John Vaughn, Jr., John F. Cisco, Richard Edwards, John Paris, William Love, George Culver, Archippus P. Childs, George Cosnor, Samuel Haug, Thomas Young, Morgan Hughes, Asa Gore.

"WYOMING BLUES." (Attached).

2nd Sergeant, Andrew Yoyle; Drummer, John Davis; Privates, Abraham Hart, John Garrison, Eli Downing, Truman Gilbert, Jesse Downing.

(Certified)

JOZE ROGERS, Adjt.

#### ROSTER OF LOWER END COMPANY.

†Captain, Jacob Bittenbender; Lieutenant, ———; Ensign, John Myers; 1st Sergeant, Jonas Buss; 2d Sergeant, Jacob Boston; 3d do. Henry Long; 4th do. Peter Sutz; 1st Corporal, Williams Smithers; 2d Corporal, David Deal; 3d, Henry Harvey; 4th Stephen Arnold; Privates, George Deal, Henry Snyder, Daniel Snyder, George Rittenback, William Ruth, George Shevey, Abraham Woolever, John Bidlack, Charles Scott, Frederick Levenburg, John Romish, Hugh Cameron, Henry Shraim, Jacob Brader, Benjamin Stucky, Philip Stonebach, Warren Haas, Henry Hanny, Andrew Hanney, William Bitterley, John Walk, Jacob Wenner, Henry Uplinger, Thomas Little, Joseph Henderson, Richard Davidson, Levy Seward, Richard Chrigery, Jacob Bencotter, George Dunty, Miles Sperry, Abner Johnson, John Zimmerman.—44.

The return of local companies and of various detachments which had volunteered at Wilkes-Barré was hailed with great acclaim especially by the Democrats. With the war, was ended the existence of the Federalist party which here, as elsewhere, opposed its conduct. This opposition made that party a target of ridicule and abuse on the part of those who had stood by the administration even in its most discouraging hours.

Under the odd title of "Wilkes-Barré Unroofed," the *Gleaner* of March 24, 1815, lifts the pall of gloom and dissension which had overhung the community during war times and voices happier expectations of the future in the following article:

"The noise of the drum and shrill-sounding fife has ceased in our village. The girls and the boys are getting married, deterred no longer by fears of a militia draft or the terrors of a conscription.

"The old women are anxiously awaiting fresh supplies of their former beverage, Bohea;—and the young ones are as anxiously awaiting the arrival of Mr. Hollenback's wagon, which is to bring up the new calicoes and bonnets. The grog-bruizers are keeping it up at the taverns.

"Our market—what shall we say of our market, or how describe its improved appearance? Our market\*, which during the war was honored only with the presence of dead dogs and cats fancifully and attractively arranged on the hooks, by the mischievous, latin-chopping urchins of the vicinity, now affords many good things for the hungry stomach. We noticed the last market day with no small emotions of pleasure, and secret pride, the appearance on one of the stalls of a very fine, whole, fat hen, being the first within our recollection, that has been brought to our market unquartered. The novelty of the spectacle, as might be naturally expected, drew a considerable concourse of people. It affords us much satisfaction to be able to add, that the worthy proprietor, Mr. Liebhaber Von Speckandeyer, met with a ready sale of the hen to a company of gentlemen who afterwards raffled for her, but we have not been able to learn who became the fortunate possessor."

The writer has attempted to picture the growing borough of Wilkes-Barré and its environs from such records as have been left to us of the present. The recorder of historical fact must confine himself to a narrative based on sure ground, without permitting the play of imagination. Upon others, however, no such restrictions are imposed.

To "see ourselves as others see us," is sometimes worth glancing into the glass. Certain it was that the stranger of 1810 who visited the community in the early spring of that year was no novice at caricature. No inkling is given by the *Federalist*, at the time of publication of this contribution or later, as to who the stranger might have been. His observations, however, must have aroused some consternation in the village and may have led to some reformation in habits, if nothing else. This frank, unvarnished view of Wilkes-Barré at the period of this Chapter, is given for what it is worth:

#### "MEMORANDUM OF A STRANGER IN LUZERNE.

"March 20, 1810. Cloudy day—rain towards night—4 O'Clock, came in sight of a small town in this county—a delightful and extensive valley, sufficiently watered by Susquehanna and its tributary streams. Set this country down rich—the soil undoubtedly will reward the labors of the husbandman with an abundant harvest.

Came down into the town (Wilkesbarre)—found it regularly laid out—handsome place, though too many small houses for beauty. Streets terribly muddy—almost impossible to get along. Wonder the inhabitants don't have a side-walk, at least, so that foot people may not have their legs pulled out by the roots. (Mem.—stone enough on the mountains at a small distance. Query—would not a good pavement raise the value of property sufficiently to defray the expense?)

"Came down into the street—extends north and south (Main street). What! two men running horses!! Mud, knee deep—well, they spatter it agoing bravely. They spout it around like Mount Etna in a fit of colic. Huzza! there goes one man and his horse, heels over head—spatter, dash, souse all over in the mud—Ha! ha! ha!—a new way of dismounting. (Mem.—Never run horses in slippery weather.) Walked up to the centre of the place—saw a meeting-

\*The market was a one story shed, erected sometime in 1810, almost in the center of Market Street as it passed through the Square. It was from this building that the street took its present name, the thoroughfare being known as Center street in the original town-plot. On the outline sketch of buildings on the Square in 1830, the market is shown as having been moved to one side of the street where it was then doing duty as a home for Wilkes-Barré's first volunteer fire department as will later be indicated.

house—good sign, though seldom seen in this country—court-house, an academy, I guess, with one end of it fenced in—a jail probably, by the high yard fence—four public buildings, religion, justice, knowledge, and iniquity—curious compound. Wonder what old huge, antique stone-building that is with new roof and windows—[the stone "Fire Proof"—contrary to Scripture—put no new cloth upon an old garment. (Query—Is this not what they call the Gothic order of architecture? Mem.—never build in that style—looks like the devil—This is the first building that bears such strong marks of antiquity, and which appears to have been too rough for the devouring jaws of time, which I have seen in America. I can find no date upon it—conjecture, built about the time of the second Olympiad. Went a little further—stopped at I cannot tell whose house—found six great, strong robust men playing cards without any concealment. Inquired if they had any laws in this state, or, perhaps their magistrates are blind, like Justice of old. Went down to the river—a delightful bank, save the mud, which, for the purpose of brevity, I wish might always be excepted, when this place should be mentioned hereafter. A big house on the bank—foundation all gone from one end—a little more will tumble it down the hill [the Arndt store house]—a good simile for the government of the U. S. A. Saw a man drunk—he had business on both sides of the way. (Mem. There was once an insurrection in this state on account of taxing whiskey.) Saw another man moving with great obliquity—made inquiry afterwards—found he was candidate for sheriff. Do all sheriffs in Pennsylvania step quick two or three times, and then with a long side-way stride? The river is wearing away the bank very rapidly—from appearance it seems to incline side-ways, like the man I saw just now.

"Two men rode up from the river—one horse kicked up and threw the rider head and heels in the mud—the people all flocked around just as they do to see dogs fight—made inquiry, and found the man was a Methodist minister. Well, if I remember right, this sect of Christians hold to *falling*. (Mem.—It may do well in theory, but it is hard enough in practise.)

"I went down a little further—saw a tavern with the sign of the vessel [the Arndt tavern] (Mem.—Look in the morning, and see if this be a seaport town.) Heard a bell ring—made inquiry, and found there was a Methodist meeting. After tea went, and found a great many people there. The minister delivered a forcible, impressive, eloquent, and scriptural sermon. Under such preaching there must be many Christians. Returned to my lodgings very weary.

"N. B. Get up early in the morning and buy cloth for a coat.

"March 21. Rose at 6—walked out upon the bank—saw only one man up, and he, from his looks, will be down before night. At 7, went to the store opposite the ferry—found all closed and silent—perhaps this may be holy time with them—inquired if they be Jews and this be the Passover. Walked on—saw a new white house—very handsome situation—fence all gone around it [the Pickering House], (Query—has it not been a hard winter here?) What! the printing office [*Federalist*!—O yes—where that important agricultural information came from—information so complete that it had only one fault, and that the trifling one of having no application on this side of the Atlantic. Saw another store [Hollenback's]—went on, found it open and doing business—good many people in— inquire if this man does not tend his own store, and, of course, make more money. Going back, saw a man without a hat—his hair pointing to every quarter of heaven—his mouth open, and both hands working daylight through his yet closed eyelids—hope he has a large patrimony to doze over. Returned to the tavern—found a good many men come in to get their morning charge. Query—Arn't these men ashamed to let their wives and families know how much they drink? After breakfast walked round town—at 11 o'clock went by the academy—steep as big as an eel basket—saw a number of great tall boys gaping, and leaning against the side of the house, and stretching as if for victory. (Query—Are they preparing to stretch hemp without anything to stand on?) Heard a man talk very loud within—

" "With what a braying noise he muttered,  
And thought, no doubt, hell trembled as he uttered."

"Went on—saw many things which I shall never forget, but which I must not at present mention. Returned to my lodgings sick—evening pleasant—many people came in, and as they poured down the whiskey, they drowned out the politics. (Query—If they should drink less, talk less, and read more, wont they understand the subject better?) Went up street—going by the court-house heard a stamping, like that of a livery stable in fly-time—made inquiry afterwards and found there was a dancing school kept there. Mem.—

" 'He that will not work, by right should not eat,  
And he that has no head may use his feet.'

"March 22. In the morning—Over! Over! over! Halloo, ferryman!

P. S. I shall return this way."

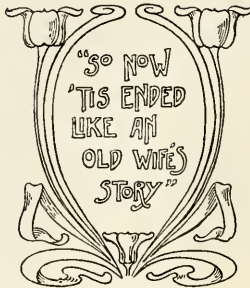
With a conclusion of the record of events of the early years of a century that now seems buried in the dim past, much of the mystery and tradition which attended the beginnings of Wilkes-Barré and the Wyoming Valley has been cleared by the two writers whose pens have been engaged in the task. There is a feeling of regret that this "Age of Romance", as it might be termed, is about to close. The final volume of this History will deal in largest measure with that gradual development of industry to which the present community is indebted for its marvelous expansion.

But in closing Volume III, the vision of a poet comes to mind as a striking prophecy of the future of the valley. In 1803, Alexander Wilson an eminent ornithologist, visited Wilkes-Barré on his way from Philadelphia to Niagara. His poem, recounting his adventures, published under the title of the "*Foreshooters*" refers in the following lines to Wyoming, the last stanzas of which were to be fulfilled in far more striking degree than perhaps the poet ever imagined:

"And now WYOMI opened on our view,  
And, far beyond, the Allegheny blue  
Immensely stretched, upon the plain below  
The painted roofs with gaudy colors glow,  
And Susquehanna's glittering stream is seen  
Winding its stately pomp, through valleys green.

"Hail charming river! pure transparent flood!  
Unstained by noxious swamps or choking mud.  
\* \* \* \* \*

"Thy pine-brown'd cliff, thy deep romantic vales,  
Where wolves now wander, and the panther wails.  
In future times (nor distant far the day)  
Shall glow with crowded towns and villas gay."



END OF VOLUME III.

















