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Wyoming and its Incidents,

A PAPER

READ

GARRICK M. HARDING,

EDUCATOR

Wyoming Valley Chapter

Department of the American Revolution

WILMINGTON, PA.
1877

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Wyoming and its Incidents,

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READ BY

GARRICK M. HARDING,

BEFORE THE

Wyoming Valley Chapter,
Daughters of the American Revolution.

WILKES-BARRE, PA.
1901.

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INTRODUCTION.

(From the Wilkes-Barre Record.)

"It is a frequent saying that the history of Wyoming has been written about so much that it has become threadbare. This is an error in three ways. First, new material is being constantly discovered; second, old ideas are undergoing modification, and third, there is always the opportunity for interpreting local history,—that is, the presentation of the philosophy of the narrative rather than the recounting of mere facts. It is this philosophizing which gives charm to any history. We become interested in studying causes and the effects which follow them.

"Among the contributors to local history who have had a special gift for treating the facts in this philosophical manner is ex-Judge Garrick M. Harding. In the paper which follows, read by him before the Daughters of the American Revolution, November 18th, 1901, he interjects into a brief narrative of the early settlement of Wyoming an admirable study of the conflicting English charters to America—a conflict which cost Wyoming much treasure and blood—and he not only interests us with the story of the granting of the royal charters, but he gives us a picture of William Penn that is most fascinating. While the great Quaker is credited with being a good man in the main, he is yet shown to be none the less an enterprising colonist, not slow to resort to worldly methods to accomplish the ends he sought.

"The pages of Wyoming history are stained with the annals of conflict between the rival claimants under Pennsylvania and those under Connecticut, and it is not everybody who understands the real inwardness of that fierce struggle. Judge Harding's trained legal mind has enabled him to take the mass of literature on that subject and from it weave a concinct and easily understood narrative of what

it was all about and how it was all ended. Our titles to land rest on the historic Decree of Trenton, by which a committee from Congress declared that Connecticut had no sufficient claim in the controversy over Wyoming, and that Pennsylvania was the rightful owner. Few descendants of the Connecticut claimants can bring themselves to admit that this was right, but Judge Harding—himself a descendant of an ill-fated Connecticut pioneer—is willing to grant that maybe it was all right and perhaps it was a material factor in the subsequent marvelous development of the portion of Pennsylvania in which our lot is cast. Judge Harding's narrative is certainly a most interesting one and readers will be abundantly repaid for familiarizing themselves with the facts there so entertainingly presented."



WYOMING AND ITS INCIDENTS.

BY HON. G. M. HARDING.

Of the original colonies, Connecticut was conceded to be among the first for order and pure government. Her people were exceptionally distinguished for learning and morality. They were enterprising, brave, hardy and industrious. The boundaries of the colony on the north and east having been permanently established and occupancy taken to the adjoiners, the attention of many of her people was turned to the supposed rights of the colony westward under the original charter of Charles II. granted April 20th, 1662. Literally construed, these rights were not limited by any boundary westward short of the "South Sea." The Indian claim, however, of the Six Nations to the lands lying west of the Delaware River, though embraced within the charter, had always been recognized by the people of the colony not only as natural, but just. Its extinction was regarded as necessary, yet no contemplation of effecting this by conquest was ever entertained. On the contrary, the peaceful method of purchase at a price satisfactory to the natives, was the common determination. Accordingly an association was formed in July, 1753, by some eight or nine hundred New England people, mostly of Connecticut, however, with a view of attaining this end. The general affairs of several of the British colonies, particularly with respect to Indian claims of territory, had been in great confusion for some time previously, and hence for the purpose of adjustment, and with the assent of the English government, a species of Congress had been called to meet at Albany during the next ensuing year. Full representation seems to have been had at that Congress, as well by the colonies interested as by the Indians known then as the Six Nations. The greater portion of the territory now included within the boundaries of Pennsylvania, excepting such parts as had been purchased of the Indians by William Penn during his short stay of two

years at Philadelphia, or from the summer of 1682 to the summer of 1684, was claimed by the natives, and their claim seems to have been undisputed.

Prior to the assembling of this Congress, the association before referred to had taken the name of the Connecticut Susquehanna Company, and under that name, on July 11th, 1754, in open treaty, and in presence of those representing the Pennsylvania colony, a purchase was made of the Six Nations of a portion of the lands lying west of the Delaware River, and embraced within the original Connecticut Charter. It is not necessary here to recite in detail the boundaries of this purchase. They may be found in full, again and again, in the many histories of subsequent events growing out of that transaction. It is enough to say that the lands embraced in the purchase covered all of the Wyoming and Lackawanna valleys; and further, that they were also within the boundaries of the later charter granted by Charles II. to William Penn, dated March 4th, 1681.

It is equally true of all the grants of territory by the sovereigns of England in which is now the more northern section of the United States, that their respective boundaries were very indefinite, even impossible of certain or correct alignment. The grant by Charles I. in 1634, to Lord Baltimore, included not only the present State of Maryland, but with respect to boundaries, its terms were so vague and uncertain that Lord Baltimore laid claim, both before and after the subsequent grant to William Penn, to almost the whole southern part of Pennsylvania. Personal interviews between his lordship and William Penn in this country, and appeals to official authority in England, alike failed to still the contention. Indeed, before a line was projected that permanently fixed the boundary between Maryland and Pennsylvania, both Lord Baltimore and William Penn had been many years lying in their graves. But without further reference to original royal grants, other than the Connecticut Charter and the Charter to William Penn, the former being nineteen years earlier than the latter, it would seem, apart from other considerations, that the legal Latin maxim,

prior in tempore, potior in jure—first in time, more powerful in law—should have been recognized as conclusive of conflicting ownership under them, particularly as this doctrine was enforced by the fact that, as far as the Wyoming and Lackawanna valleys were concerned, no possession whatever was taken, or attempted by any claimants under Penn's Charter, from its date up to 1762, a period of upwards of eighty years. On the other hand, as early as the year last mentioned, a distinct and intended permanent settlement was begun in Wyoming by claimants under the Connecticut Charter.

A brief digression at this point with respect to William Penn may be pardoned. He was a man of many and eminent virtues, but yet he was no saint. Historians, except Lord Macaulay, and biographers, mostly, however, of Penn's religious faith, have dealt with his character and reputation more kindly, perhaps, than strict truth would seem to warrant. Born in comparative affluence, and liberally educated, he might have attained distinction in walks of life other than that which in early manhood became his choice. To the extreme disgust and great rage of his father, he joined a then downtrodden sect denominated Quakers. Some years afterward, paternal recognition was accorded. Under existing laws of Parliament at that time, Quakers, Puritans, Roman Catholics, and indeed all dissenters from the Established Church, were subjected to grievous oppression. The Puritans, to some extent, had already sought a haven on the shores of Massachusetts, where they could indulge in worship suited to their own notions. The Roman Catholics, following the lead of Lord Baltimore, had found comfort and the exercise of liberty of conscience within the distant Province of Maryland. The idea of like enjoyment in some faraway wilderness for Quakers, had long been entertained by George Fox and other leading men of Quaker faith. The project had not yet been possible of execution. It remained for Penn to bring to fruition what had long been only a hope. Penn's father had been for many years in the service of the crown. He was a naval officer, and ranked

as admiral. Charles II. was largely indebted to him. His salary as admiral had been unpaid for some time; besides, he had loaned the government sums of money for naval purposes, which likewise had been unpaid. He was a creditor, at the time of his death, of the crown to the extent of some sixteen thousand pounds. The exchequer of Charles II. at this time was in an empty condition. His court and his favorites were shamefully expensive. Payment in money to William Penn, the heir of the deceased admiral, was practically an impossibility.

Grants of great sections of country in the distant wilderness of North America had, on many previous occasions, been a characteristic of royal bounty, but in no instance thus far had grants of this character been made either for the payment of royal indebtedness, or for a direct money consideration. Penn was well acquainted with the financial condition of the crown. The idea of his people and of himself that religious liberty could best and only be attained by a retreat into possessions of the crown far away in foreign lands, took a new and vigorous hold in Quaker thought. The means of acquiring, not as a matter of favor but of right, the requisite territory for the common purpose, Penn conceived he possessed. Accordingly, in 1680, he made his petition to the king, asking for a grant of land in America in payment of the indebtedness of sixteen thousand pounds, describing in his petition the territory thus: "Bounded on the east by the Delaware River, on the west limited as Maryland, and northwards as far as plantable." This description was broad enough certainly to carry his northerly line well on towards the North Pole; it was certainly broad enough to compass the whole territory lying west of the Delaware River, a large portion of which, nineteen years before, had been covered by the grant known as the Connecticut Charter. When the petition came before a committee of the privy council, the fact was seen and recognized that a grant so unlimited northward, and so indefinite in other directions, would infringe upon not only the earlier grant to Lord Baltimore, but the still earlier New England grants. The wrong

of this, no matter how well understood, had but passing consideration; the liquidation of the king's indebtedness was of higher moment; the wish of Charles II. and of his brother, the Duke of York, likely soon to become James II. could not be overlooked; Penn's petition prevailed; over forty thousand square miles of territory passed to his ownership, possibly, in description not in exact conformity with his petition, but practically so. On the 4th of March, 1681, the king affixed his signature to the grant, and upon it also the Great Seal of England was impressed. Thus was outlined what is now one of the foremost States of the American Union.

In a short time after Penn received his charter he sent an agent across the Atlantic to take possession of his new estate. With a view of securing control of Delaware Bay, and also of the Delaware River to its confluence with the ocean, thus enabling him more successfully to antagonize the sweeping claims of Lord Baltimore, Penn added to his domain, by purchase from the Duke of York, all the land now embraced in the State of Delaware. He made no haste, himself, to go to his distant possessions, remaining in England until the summer of 1682. Preparing a suitable constitution for the government of his province, occupied his attention meantime. He sent over commissioners, however, who laid out roads and performed other duties essential to the proper beginning of a great settlement. Indeed, his commissioners themselves laid out the City of Philadelphia, following doubtless such instructions as were possible for a man to make who had never looked upon the location and its surroundings.

Penn's first voyage to his province was a long one. He did not reach Philadelphia until the autumn of 1682. After his arrival there he made some changes in the location of the city, but its general features he allowed to remain as arranged by his commissioners.

During the summer of 1683 Penn made three purchases from the Indians. One of these gave rise to what is known as his "memorable treaty." Benjamin West, the artist, painted the scene purely from imagination. The whole

affair is, however, destitute of historic authenticity or fact. It had the effect nevertheless of making Penn famous throughout both the Old and the New World. The bargain between the Indians and Penn was probably characterized by strictly fair dealing, accompanied by mutual promises of peace and lasting good will. It furnished, besides, an example which was observed in the future dealings between Penn's successors and the Indians for upwards of seventy years afterwards. Indeed, savage outbreaks on the part of the Indians were unknown in Pennsylvania until the beginning of the French and Indian wars in 1755.

During the two years of Penn's residence in his province at this time, he was of inestimable service to his people. His attention to their interests was constant. He spent a small portion of his time in traveling over limited sections of his domain, going once only into the interior no further than the Susquehanna River, probably, in the vicinity of Columbia, and once up the Delaware River as far as Easton. Trouble about the boundary between Maryland and Pennsylvania increased between Lord Baltimore and Penn. The latter became greatly uneasy. No adjustment seemed possible through personal interview. Each had determined on an appeal to the proper English authorities. Lord Baltimore had already sailed for England. Penn followed him in the autumn of 1684. During the winter of 1684-5 Charles II. died, and was succeeded by his brother, the Duke of York, as James II. Penn at once took position as a courtier at court, and continued thus for five years, or until James II. fled to France in 1688. To the amazement of Penn's friends, Quakers and others, both in England and Pennsylvania, he became a supporter of the despotism of James II., although the latter was a persistent and unrelenting foe to religious liberty. The attempt to Romanize Protestant England was the chief feature of the king's policy; the result was the loss of his crown. The coming in of William III. was the end of Penn's position as a favorite courtier. His intimates and associates during the short reign of James II. were, to a great extent, some of the most

infamous men of the time. His loyalty to the new king was more than doubtful. He was suspected of conniving for the return and restoration of James II., and was arrested more than once charged with treason. In one instance, he was so fearful of arrest and conviction that he went into hiding, and so continued for three years. At last he appeared openly, was arrested, tried and acquitted. The evidence adduced against him justified at most nothing greater than violent suspicion. Amongst his many other troubles about this time the government of his Pennsylvania province was taken from him by the crown. This was probably done more as a war measure than as a direct punishment of Penn. A distant colony of Quakers might have been a too tempting prize for the French, with whom the English were then at clash of arms. The province was returned to him, however, by William III., in 1694. Penn was rarely ever idle in the midst of his difficulties. He went about doing good, preaching to his people in England and in Ireland. He had led an extravagant life, for a Quaker, while he was a courtier at the Court of James II., thus wasting his substance largely. His anxiety to return to Pennsylvania was great, but the means of doing so were wanting. He applied to his people at Philadelphia for a loan of ten thousand pounds. His application was refused. In the autumn of 1699 he was enabled, through other sources, to leave the shores of England westward. Great changes had been wrought meantime, as well in Pennsylvania as in England. His colony was fortunate in his return. He instituted good works, giving his whole time and energy to the furtherance of the interests and welfare of his people. He visited various sections of his own territory, and also parts of New Jersey, New York and Maryland, scattering friendships and good will wherever he went. In October, 1701, he left his province, never to return again. The following year William III. died. He was succeeded by Queen Anne. Penn resumed his position at her court as a courtier, but his former influence in that capacity under her father was gone. Besides, he staggered at this time under a huge load of in-

debtedness. His creditors began to pursue him. His surviving children, by his first wife, gave him anxiety and sorrow. William, the son, went to the bad apace. Letitia, the daughter, had become the wife of a man who brought neither comfort nor satisfaction to her father. One of Penn's creditors, a supposed honest Quaker, but in reality otherwise, brought suit against him, recovered judgment, sold away from him the Pennsylvania province, leased it afterward to him, sued him again for unpaid rents, recovered another judgment against him and sent him to a debtor's prison for a period of nine months. The rapacious fellow finally died, but his heirs claimed the Pennsylvania province, and sought to have governmental recognition accorded them as rulers of it. A compromise was finally effected with them by Penn's friends in his behalf, by the payment of seven thousand six hundred pounds. Thus the province was restored to him.

In 1713 Penn was stricken by mortal disease. Before his affliction reached fatal determination he had completed an arrangement to sell Pennsylvania to the crown for the sum of eighteen thousand one hundred and fifty pounds. There had been paid on the sale one thousand pounds, and a deed had been prepared for execution. Penn's infirmity of mind stayed the completion of the transaction. He had become so far a mental wreck that proper execution of the deed was impossible. He died of paralysis in 1718. His second wife, who, as a maiden, was Hannah Callowhill, took charge of affairs after the death of her husband. She was a most excellent and lovely wife and mother, and a business woman of rare capacity. Under her care and management the heirs of Penn became the recipients of great wealth. The father, however, during his lifetime, never received any monetary gain from the original grant of Charles II. On the contrary, according to a letter written by him towards the close of his career, he fixes the excess of expenditures in connection with the province over and above his receipts from it, at thirty thousand pounds.

William Penn was certainly a most extraordinary character, but summing all his faults and setting opposite the good he accomplished, the conviction follows irresistibly that he was one of the great men of his day.

I am indebted for the material of this brief sketch of Penn to Macaulay's History of England, to some of the early and late biographies of Penn, but especially to the more recent work of Sydney George Fisher, entitled "The True William Penn."

But to recur to Wyoming: It is difficult to determine with certainty the exact location of the improvement first begun by some thirty of the Connecticut people in 1762. It was, however, just below Wilkes-Barre, probably along the present Careytown road. The native trees at that point—and indeed generally throughout the valley—were mostly small yellow pines. Whether a larger growth had in past ages preceded them is but a matter of conjecture. At all events, little difficulty in felling and clearing away whatever timber then standing upon the ground, was encountered. A respectable acreage was planted with corn, and larger blocks were sowed with winter grain, chiefly with wheat. Temporary shelter was constructed for then existing needs, but the building of houses and barns was not attempted. Later on, in the fall of the year, these original beginners returned to their eastern homes, intending of course to come back in the following spring, and to bring with them their families and their limited household goods, together with such additional companions as might choose to seek homes in the new and fertile lands. The spring of 1764 opened early and favorably. Large additions were made to the number of settlers of the previous year. All brought along their whole belongings, including such stock and teams as they possessed. The summer was propitious. Broad acres were rapidly subdued; houses and barns, of course of primitive character, were erected; products of the fields were abundant; plenty and comfort were not only the then present reward, but their continuance in the future seemed well assured.

This improvement did not escape the notice of the Proprietary Government at Philadelphia; and although no interference was attempted during the summer of 1763, yet as early as September of that year arrangements were made there to send forward a force to drive off the New Englanders, and to destroy the ripening corn and recently sowed winter grains. The dastardly purpose did not, however, become necessary. On the afternoon of the 15th of October following, an unexpected large body of savages swooped down upon the unarmed workers in the fields, and upon the affrighted women and children around the firesides. The rifle, the spear, the tomahawk and the scalping knife made quick and bloody work with this hive of peace and industry. Few of the settlers, less of the women and children, escaped. The bodies of the slain were without burial; they became food for wild beasts; their bones were scattered along the paths of panthers, catamounts and wolves.

It is unnecessary to refer in detail to the many fierce and bloody conflicts, begun after 1763, and continued up to 1771, between the Connecticut claimants on the one side, and the Pennsylvania claimants on the other. They are fully set forth in the pages of the several local histories that have place in the private libraries of most of us, and, indeed in the general libraries throughout the land. It is enough to say that, up to the date last mentioned, victory attended the New Englanders in so far as possession of the Wyoming and Lackawanna valleys were concerned. Had Connecticut furnished arms and munitions of war to her people engaged in these conflicts during this period of eight years, the harvest of sorrow and death would have been less abundant. Connecticut, however, did nothing of the kind as a government. She waited until the valor of her sons had driven off the competing foe. Then, and not till then, was governmental control assumed on her part over the territory thus won. And even then the assumption was not full and direct in character. Practically the victors, under the more immediate supervision of the Connecticut Susquehanna Company, carried on whatever civil government there was in

Wyoming for three years afterwards. In 1774, Connecticut, however, came more directly to the front. The towns and County of Westmoreland were organized, and representation in the General Assembly of the colony was accorded. But defense against the continued murderous attacks of the savages, and likewise against the further encroachments of the Pennsylvania claimants, was left to the settlers alone.

Such was the general feature here until the rising of a war cloud began to overspread all the colonies alike. The government of England was preparing to strike a blow which portended the destruction of American liberty. The issue of course outmeasured all other issues. Hand in hand all the colonies went forth to meet it. In April, 1775, the clash of arms began at Lexington. Bunker Hill followed two months later. Soldiers were enlisted in Wyoming to do battle in the ranks of the Continental Army, and every one of them was credited to the quota of Connecticut. Wyoming was a settlement then far on the frontier. Her power of self-protection had been drawn away to distant fields of conflict. The situation had continued thus for three preceding years. In the meantime a triple enemy, the British, the Tories and the Indians, had gathered for her destruction little more than a hundred miles northward. A few days march, and this combined force was within her boundaries. The fatal 3d of July, 1778, followed. The mournful memories which had their origin in the events of that terrible day will never die.

The great struggle, known as the War of the Revolution, had its termination at the field of Yorktown on the 11th of October, 1781. The Proprietary Government at Philadelphia became merged in the Commonwealth of Pennsylvania on the 27th of November, 1799. This merger brought no relief to Wyoming. On the contrary, it may be said that it brought a multiplication of woes to Wyoming. The State of Pennsylvania entertained the fixed opinion that Penn's Charter excluded all claimed rights under the Connecticut Charter. Speculators in land swarmed in Philadel-

phia, and, indeed, in other localities within the State. Together with the Pennsylvania authorities they formed a plan whereby, as they conceived, a peaceful settlement, favorable to their interests, and at the same time destructive to all rights under the Connecticut charter, could be reached. It consisted of an offer to Connecticut to refer the whole matter to a commission, to be appointed by Congress. The offer was accepted by Connecticut without first conferring with the settlers in Wyoming. The delegates in Congress from the two States mutually agreed upon the members to constitute the commission, and they were forthwith appointed. All of them were honorable men. Five of their number, constituting a quorum, met at Trenton in the autumn of 1782. They spent upwards of forty days in examining the questions presented by the agents selected by Pennsylvania on the one side, and Connecticut on the other. The presumption is violent that, during all this time, a majority of the commission was constantly surrounded by a strong Pennsylvania atmosphere that had been wafted up the Delaware to Trenton. No witnesses at all were called from Wyoming. On the 30th of December, 1782, an award was reached and delivered, known since that time at the "Decree of Trenton." It was, substantially, in these words: "We are unanimously of opinion that Connecticut has no right to the lands in controversy, but that they belong to the State of Pennsylvania." No reasons whatever were assigned for the decree, very probably because no warrantable reasons existed. It was a decree springing doubtless from the views of a majority of the commission as to public policy, and from previously conceived ideas of right in the premises. But unanimity in the finding was not a fact. There was a minority in the board, but whether of two to three or four to one, was never known either by the contestants then, or by the public afterwards. A letter written by one of the most prominent members of the commission in 1796 threw a glimpse of light on the question. The language of the letter is thus: "That the reasons for the determination should

never be given; that the minority should concede the determination as the unanimous opinion of the court.”

The decision of so important a case was heralded throughout the country with all the speed possible at that day. The officials of Connecticut, and the horde of speculators at Hartford and New Haven, when the news reached them, were astounded; their confidence that the finding at Trenton would be favorable to them had all along been solid and unshakeable; their disappointment at the end was of the highest possible character; jurisdiction of the State westward of the Delaware River was lost; financial gloom overspread the speculators. The settlers in Wyoming heard of the decree with sorrow intermingled with rage. It meant to them, one and all, the loss of home and fireside; it meant to them poverty and destitution.

But a few days intervened afterwards, when the State authorities at Philadelphia were invoked to send a force to Wyoming, numerous enough and strong enough to dislodge and drive away every person who asserted claim under Connecticut. Like applications continued to be made for more than a year succeeding, and though many times granted, still the “Yankees,” as they were called, maintained the ground resolutely and defiantly. They argued—and not without reason—that the tribunal at Trenton was erected without notice to them or desire on their part; that they were not parties before it in any legitimate sense, and therefore were not bound by its decree. More than that, they exhibited a determination to fight to the last in defense of their rights. Henceforth they met every force launched against them with a courage that at all times deserved success. Conflicts were variable and often bloody. Approaches into the valley by their antagonists in arms were often made, but generally accompanied by a show of civil authority in the shape of a justice of the peace to issue warrants, and a sheriff or coroner to execute them, and once upon the ground, arrest and deportation of the settlers to imprisonment in distant jails often occurred. An instance of this character may be briefly mentioned. In the summer of 1784 a force under the imme-

diate direction of one Alexander Patterson and the somewhat notorious Col. John Armstrong, both in the service and pay of Pennsylvania claimants—the former a man of ordinary intelligence, but gorged with insolence and an adept at cruelty, the latter a man of marked ability, but treacherous and untrustworthy—forcibly and violently dispossessed one hundred and fifty families in and near the vicinity of Wyoming, setting fire to their dwellings, and avowing the further purpose of dislodging and driving off every other person in the valley who claimed adversely to Pennsylvania. This outrage aroused the settlers to the commission of retaliatory acts of violence upon Pennsylvania claimants residing in other places near at hand. The whole region round about was in dangerous disorder. The Executive Council of Pennsylvania ordered the civil authorities of Northumberland County, accompanied, as usual, by a justice of the peace, a sheriff and a coroner, to go forward at once and quell the disorder. The settlers learned that this seeming civil force was to be strengthened by a body of armed men recently gathered east of the Delaware River, and in the pay, of course, of Pennsylvania land claimants. Accordingly Captain John Swift of Kingston, a brave and judicious man, called around him thirty picked men, and on the morning of the 1st of August all started forth to intercept and drive back the additional enemy. They hurriedly passed over the Sullivan road, reaching a plateau across the Lehigh River and on the highland about two miles northwesterly from Locust Hill. There they encamped in the high timber and a thick undergrowth of laurel. The day was not nearly spent, and Captain Swift and Waterman Baldwin, his chief aid, pushed on to reconnoiter and discover, if possible, the enemy. Success attended the effort. They found them just going into camp at the spring which bursts out at the northwesterly foot of Locust Hill. The ground there was slightly undulating and somewhat narrow. On the southwesterly side, a large and impassable tamarack swamp jutted up along the base of Locust Hill, leaving only a space wide enough for the Sullivan road. This road passed in a north-

westerly direction towards Wyoming for about a quarter of a mile, and then down a small depression, through which the waters of the swamp found their way to the Lehigh. On the opposite side the road ascended a short and sharp elevation to a flat or level spot of ground densely overgrown with timber and laurel. The swamp made it impossible to pass northwestward except along the road and through the hollow or narrow depression at the foot of the hill. Swift and Baldwin selected this point for the proposed attack the next day. They returned then to the camp of their comrades, whom they found cooking a slim supper over fires smothered and practically smokeless. On the morning following Captain Swift and his party were by daylight at the selected position of the previous afternoon. They had not long to wait. Swift, with half the number of his men, took his stand in the thicket on one side of the Sullivan road, and Baldwin, with the other half, on the opposite side. Music was soon struck up by the enemy as they left their camp, marching towards Wyoming in number far in excess of Captain Swift's force. The depression in the road was reached, the small creek carrying the waters of the swamp to the Lehigh was crossed, when thirty rifle cracks resounded from the thicket a few rods in front and above them. Several of the advancing force were wounded; the unhurt at once sought the shelter of adjacent undergrowth, and formed in as complete order of battle as was possible amidst the surroundings. Again and again the enemy fired into the undergrowth ahead of them whence came the first and rapidly continued shots of yet unseen adversaries. At last a charge was determined upon; the whole undisaabled part of the force rushed towards the top of the rising ground; it was promptly met by Captain Swift and his comrades; the view was less encumbered now than it had been previously; one of the advancing force, Jacob Everett, fell dead; the remainder fled precipitately along the Sullivan road southeasterly, scarcely stopping until they were safely beyond even the sound of a rifle. There were several of Captain Swift's men wounded, none of them severely. A much larger number of

their assailants were wounded also, but not severely enough to impede a hurried rush back towards Easton. The Kingston party did not reach home until the day following. The return march was somewhat delayed by aid necessarily given to such as had not escaped the moderate sting of the enemy's bullets.

Within a week afterwards, Col. Armstrong—continuing in the service of Pennsylvania land holders—appeared in Wyoming with a force numbering upwards of four hundred, and issued a proclamation declaring that he came in the name of the Commonwealth, as a commissioner of peace, to restrain further violence in all quarters and from all sources, and promising justice and protection to all concerned. The inevitable justice of the peace, Alexander Patterson, was also on hand. The "Yankee" leaders, though distrustful of Armstrong's good faith, grounded their arms, as did also the forces under their control. Armstrong at once had his followers seize the arms thus grounded, and the arrest of the disarmed soldiers forthwith followed. Every one of the Locust Hill party was put in irons, and next day the whole of them were handcuffed, tied by twos to a long rope, and then driven like beasts over the mountains, along the Sullivan road, and lodged in the jail at Easton. Some of them made their escape on the way thither, and some of them afterwards escaped from the jail. Eleven of them, however, were kept in prison several months awaiting trial on the charge of murder—the killing of Jacob Everett at Locust Hill. An indictment embodying the charge was finally presented to the grand jury of Northampton County; the jurors made short work of it; they immediately ignored the bill, and the prisoners were discharged. While they were held in prison the friends of the man who fell at Locust Hill communicated the information that he was not an enlisted man of the party marching to Wyoming to aid in the oppression of the settlers; but, on the contrary, that he was a firm sympathizer with the latter, and had accompanied several of his acquaintances who were members of the enlisted invaders, simply for the purpose of seeing the valley, and of

ascertaining in person the real and true extent of the outrages alleged to be in constant perpetration there by Pennsylvania claimants and land speculators. This information, whether true or false, produced a strong impression on the prisoners, who, when returning to their homes at Wyoming, as they reached the location of the Locust Hill fight, each placed a stone on the spot where Everett fell. And during several of the after years, whenever any of them traveled to and fro over the Sullivan road, an additional stone was invariably placed on the pile thus previously begun. Fifty-two years ago, when I first passed by the place, the heap or mound of stones had reached the size of a small hay-cock. In more recent years, however, the land has been purchased by strangers who have no interest in the early affairs at Wyoming. In clearing off an adjacent field for agricultural uses a huge pile of stones has resulted, and now covers the spot.

At the same time when the arrest of Captain Swift's men was made, some fifty others of the settlers were also arrested. For some days they were shut up in barns and outhouses, and an armed guard was assigned to watch over them. They finally were tied with cords and led off to the jail at Sunbury, in Northumberland County, where they remained for some length of time. They were never tried, but when, in the minds of their persecutors, the proper time had arrived, they were discharged.

The Assembly of Pennsylvania, under the first constitution of the State, was decidedly prejudiced against the Connecticut settlers. The latter were looked upon as a lawless class of adventurers who had taken possession of a large and valuable territory of land, to which, as matter of both law and fact, they had actually no right at all. It was the duty, therefore, of the State to dispossess them at all hazards and at any cost. Force, both military and civil, was to be used for that purpose. Upon this theory the officials of the State acted for a series of years. Experience at last taught them not only that they had misjudged the "Yankees" but that the State, with all her force, civil and military, was

unequal to the task either of dispossessing them, or of driving them away. Conciliation was then attempted. Legislative acts were passed, called "Confirming Acts" practically impossible of observance on the part of the settlers. A later act was ultimately passed, offering a species of compensation to Connecticut claimants who had entered upon lands prior to the Trenton decree, but for the many who purchased after that event, divisions of lots, small or large, according to the schedule of the Connecticut Susquehanna Company, and made homes and valuable improvements upon them, there was no relief; their loss was absolute.

A large number of the settlers, however, perhaps a majority, particularly those who were worn down with suffering and hopes deferred, at last concluded to accept the offer made by Pennsylvania, and begin life anew. There was an almost equally as large a number who took an opposite view, and who were not only willing to continue the common contest inaugurated years before, and still existing, but to fight on by themselves to the death for what seemed to them their just rights. At the head of the latter party was Col. John Franklin, justly styled the "Hero of Wyoming." He kept alive the warlike sentiments of the many who would "do or die" in his lead. He made repeated visits to Connecticut to confer with the Connecticut Susquehanna Company. Through his efforts the company had enlisted another notable man, Gen. Ethan Allen, the "Hero of Ticonderoga," in their service; a service, too, that properly designated, meant nothing less than war. The scheme undoubtedly was to carve out another State in Pennsylvania, consisting of the territory as originally claimed under the Connecticut Charter. The situation of Pennsylvania at that time, both in a military and financial sense, was by no means one of unexampled strength, besides the people all along her northern and eastern border counties more or less sympathized with the Connecticut claimants; hence, it is at least possible that the scheme referred to might have been attended with success. Pennsylvania had, however, at the time a citizen and resident at Wyoming, Col. Timothy Pick-

ering, a man of great ability and experience. He saw the danger that was at hand, and knew well the source from which it originated. A remedy had to be applied forthwith, otherwise civil war—father against son, and brother against brother, the saddest of all spectacles—was imminent. Accordingly he caused the prompt arrest of Col. Franklin, though no overt act had yet been committed by the latter; he had Franklin hurried away to Philadelphia, and imprisoned there for many months. The home leader being thus disposed of, his adherents and compeers gradually joined their former associates in the acceptance of Pennsylvania's offer. Peace was the result; prosperity followed apace.

And, after all now, ought we not to honor the memory of William Penn for his purchase of a vast domain, even though he knew at the time that a large portion of it had previously been granted to others and belonged to them? Ought we not to pardon the commission at Trenton, though they pronounced, possibly, an unjust decree? Ought we not to excuse Col. Pickering for the arrest and imprisonment of the "Hero of Wyoming?" Surely, the result of the first two of these events, and, probably, of the third also, the Great State of Pennsylvania exists to-day, unshorn of a single acre originally within the grant to Penn.

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