

Odds and Ends of Local History.

It will be very generally conceded, I believe, that the four or five histories of Lancaster county which have been given to the public during the past sixty years have covered the field fairly well, both in their fullness of detail and their accuracy in the statement of facts. There are a good many things in some of them that might have been left out, and some things that have been left out that we might care to see there. But these things are inseparable from all writings of that kind. We don't all place the same estimate on the importance of this or that fact or occurrence. A question arises, for example, concerning which we would like fuller details. We refer to the history at hand, find the fact recorded, but the details are missing. Of course, we feel that the author made a mistake in omitting them, but it is well to remember that everything cannot be put into the book and that something more important may have taken the place of what we sought, and that the history is better than we are willing to allow.

Then, again, history is not a completed thing. It is continuous, progressive, and never will be finished. There is here and there a hiatus which cannot be filled, that is, not now, but later investigations and discoveries may supply the missing link and the completed chain be forged at last. There is consolation in that thought, for we are all aware that many doubtful questions have come before us from time to time which the discovery

of some document or other unknown record will in time clear up. During our brief existence as a society, a number of such papers have come to the light which have added not a little to our stock of local historical knowledge. Many more such I doubt not will in time come to the light, so that when the next county historian comes to the front he will be supplied with a stock of unused materials that will enable him to improve on the work of his predecessors.

Provinces and Colonies.

I beg leave at the outset of this somewhat discursive paper to recall to your minds a fact that is not always observed in speaking and writing of the Colonial period in our history. We are accustomed to say "The Thirteen Colonies," when, in fact, there were only eleven Colonies and two Provinces, the latter being Pennsylvania and Maryland. The difference between the two kinds was this. The Provinces were grants of Territory from the King to single individuals who were by their charters the sole owners and given the right to be Governors thereof themselves, and to select Deputy Governors to rule in their stead. In Pennsylvania, William Penn was proprietor and could exercise the authority of Governor, or delegate that power to others; he did both. The Calverts exercised the same rights in their Province of Maryland. In the case of the Colonies, however, the Governors were the appointees of the British Crown and subject to removal by the same authority. The proprietary dependencies were far more independent in their forms of government than the Colonies. Most of the acts passed by the Provincial Assembly became laws without the ap-

proval of the Crown, no action having been taken in regard to them by the latter.

Penn's Special Privileges.

In some respects the Legislative process in Pennsylvania differed from that of all other British dependencies in America. The acts of the Council could be vetoed by the Governors and Deputy Governors, but if approved by them, then, by the terms of Penn's charter, they had to be submitted for final approval to the Council of the King, and those rights were exercised on both sides down to the period of the Revolution. Such laws, however, became operative from the time of their enactment. If the King's Council failed to act upon or dispose of them within the period of six months after their submission, then by another provision in Penn's charter they became as valid as if they had received the King's approval. The reason for the insertion of this proviso in the charter was to prevent the enactment of any legislation that might be inimical to royal prerogatives or the interests of the realm.

Our Local History.

Lancaster county has had a wonderful history during the nearly two hundred years it has been known as such. No other county in the State, except Philadelphia only, can equal it. The records at Harrisburg, published and unpublished, show that. They are too voluminous for any ordinary history to take in, and some must, from the very necessities of the case, be left out. It has occurred to me that a selection of a few "Odds and Ends," scraps, as it were, of our local history, which have for the most part been omitted by historians in their books, may be re-

called. Some of them may even be new to all of us. The following, therefore, have been dug out of their quiet resting places and been thrown together to take the place of something better. There has been no attempt at systematic arrangement as to subjects or otherwise, but the different excerpts are presented as dug out of their resting places in our history, not even the chronology being observed.

Discrimination Against Foreigners.

All immigrants coming into Pennsylvania that were not British subjects in Europe were for a long time denied the privilege of naturalization. Germans came into this country as early as 1709. They soon discovered that as long as they were not naturalized residents they were under many disadvantages, and they consequently at an early period prayed the authorities to grant them that privilege. Their petitions were treated with the utmost indifference by Governor Sir William Keith from 1721 to 1724, when a bill to that effect was passed. Governor Gordon, who succeeded him, was more liberal. Before naturalization was granted them they were obliged to swear to the value of their possessions and declare their religious views. They were denounced as being peculiar in their dress, religion and notions of political government and resolved to speak their own language, and acknowledge but the great Creator of the Universe. Governor Gordon, however, was a man of broad views, and when he laid the petition of a large number from this county before the House in 1730, he used this language: "It likewise appears to me by good information, that they have hitherto behaved themselves well, and have generally

so good a Character for Honesty & Industry as deserves the Esteem of this Government, & a Mark of its Regard for them."¹ But they kept coming in such numbers that a tax of 40 shillings per head was laid on them.

It appears that prior to 1730, fully twenty years after the first settlers entered Lancaster county, there was no road to Philadelphia. In that year the Grand Jury, the magistrates and others petitioned that a road should be laid out and that resulted in the well-known King's Highway.

Troubles With Lord Baltimore.

Prior to the erection of the county, in 1729, no English settlers had crossed to the other side of the Susquehanna. By 1732, however, a number of families settled there, who acknowledged fealty to the Pennsylvania authorities. Unfortunately, Lord Baltimore claimed the same lands under his own grant. Trouble arose out of the situation, and deeds of violence were done by both sides. The notorious Thomas Creasap was the leader among the Marylanders, and committed many outrages, but finally the Pennsylvania authorities captured him. An almost interminable correspondence was carried on between the authorities of the two provinces, and the case was not settled finally until Mason and Dixon's Line was run, in 1766.

A curious incident resulted out of those early frontier troubles. One Joseph Evans, a citizen of this county, had crossed the Susquehanna, cleared a tract of land and built a good two-story dwelling. He was taken prisoner by Lord Baltimore's people and put into jail at Annapolis. He was re-

¹Col. Rec. Vol. 3, p. 374.

leased, and returned to his home on the night of November 21-22, 1737. His house took fire, from which he, his wife and two small children narrowly escaped. In consequence of these misfortunes, he was granted permission by the council "to ask and receive the charitable contributions of well-disposed Persons within the several counties of this Province for the space of three months."² It seems odd that legislation should have been deemed necessary in such a case. .

Bounties for Indian Scalps.

Although it is a matter not relating to Lancaster county especially, yet it concerned us, along with the rest of the frontier counties, therefore, I direct your attention to the fact that, almost driven to desperation by the continual Indian raids and depredations along the Blue Ridge range of mountains, and as a means of putting an end to them, if possible, as late as 1764, John Penn, the then Governor, recommended to the Council that a bounty be paid for the scalps of Indians. Council regarded the Governor's suggestion favorably, and on July 6, 1764, it was agreed "that in order to prosecute the Indian War with the more vigour, and to spirit up the People to pursue and harrass the Savages in their own Country, it would be necessary at this time to offer great rewards by Proclamation, for all Indian Enemy Prisoners & Scalps that shall be taken within this Province. Whereupon it was agreed by that Board that the following Premiums be offered by Proclamation, for Prisoners & Scalps of the Enemy. Indians that shall be taken or killed within the Bounds of this Province, as follows:

²Col. Rec. Vol. 4, p. 259.

“For every Male Indian Enemy above ten Years old taken Prisoner and delivered to the Officer of any Fort garrisoned by the Troops in the pay of this Province, or to the Keeper of the common Goal of any County Town, within this Government, One hundred and fifty Spanish Dollars.

“For every Female Indian Enemy, and for every Male Indian of 10 Years old and under, taken & delivered as aforesaid, 130 Spanish pieces of Eight.³

“For the Scalp of every Male Indian Enemy above the age of ten Years, produced as Evidence as aforesaid, 134 pieces of Eight.

“And for the Scalp of every Female Indian Enemy above the age of 10 Years produced as Evidence aforesaid, 50 pieces of Eight.

“And that there shall be paid to every Officer or Officers, Soldier or Soldiers, in the pay of this Province, one-half of the above Rewards.

“And that the Six Nations, or any other Indians in Amity with the Crown of Great Britain be excepted out of the said Proclamation.”⁴

The Proclamation.

On the following day Governor Penn issued a lengthy proclamation embodying the above programme. The provocation was great and the spirit of the times was different from that of our own day, but even under that view of the case the measure was unworthy of a people who claimed to be governed by humane and Christian sentiments. How shall we reconcile it with the sentiments that appeared twelve years later in our Declaration of Independence, which

³The Piece of Eight was the Spanish Silver dollar of eight reals.

⁴Col. Rec. Vol. 9, pp. 188-89.

reads as follows: "He has excited domestic insurrections among us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions." He did all that, but he offered no bounties for scalps!

Great Britain Discourages Colonial Industries.

In proof of the fact that the mother country did all she could to prevent the Colonies from embarking in such manufactures and industries as would compete with her home ones, the following example may be quoted. She was fearful the Americans were going to make iron, steel, glass and other articles.

In 1750, the English Parliament passed "An act to encourage the Importation of Pig and Bar Iron from his Majesties' Colonies in America, and to prevent the erection of any Mill or other Engine for Slitting or Rolling of Iron, or any plating Forge to work with a Tilt Hammer, or any Furnace for Making Steel in any of the said Colonies," and it was further enacted that after June 24th of that year, every Governor, Lieut. Governor and Commander-in-Chief of his Majesties' Colonies in America should forthwith transmit to the Commissioners for Trade and Plantations a particular account of every mill or engine for slitting and rolling iron and every furnace for making steel erected in the colonies and the place of their erection, with the names of the proprietors and the name and number in each colony.⁵

⁵Col. Rec. Vol. 5, pp. 457-8.

Lancaster County's Report.

In accordance with that act, Lieut. Governor James Hamilton, on August 16, 1750, issued a proclamation directed to the Sheriff of every county in the Province to present himself to the Governor, at Philadelphia, on or before September 1 of the same year, to make known and certify to the number of such iron and steel mills and furnaces.

In accordance with that mandate, I find the following reply from Andrew Work, the then Sheriff of Lancaster county:

"To the Honorable, the Governor of Pennsylvania.

"May it please the Governor.

"On Receipt of Your Honor's Proclamation, relating to Slitting Mill, etc., I immediately published it, and made it my Business to enquire whether there were within this county, any such Mills as are there described, and on the strictest Enquiry, I do hereby certify to your Honour, that there is not within the county of Lancaster any mill or Engine for Slitting or Rolling of Iron, or any plating Forge to work with a Tilt Hammer, or Furnace for making Steel. Witness my hand and Seal, this Third day of September, in the One Thousand Seven Hundred and Fifty.

"ANDREW WORK Sheriff (L.S.)."⁶

Soldiers and Their Dogs.

At the breaking out of the Indian hostilities in 1764 and as Colonel Boquet was getting ready to begin his march westward to chastise them, Mr. James Webb, then Barrack master in this city, was ordered by Joseph Shippen, Jr., to clean out the Barracks

⁶Penna. Archives, Vol. 2, p. 55.

and get them ready for the accommodation of some companies of provincial soldiers who were ordered to rendezvous at Lancaster about the first of July in that year. By the way, I almost forgot to mention that the Governor and Commission gave notice that they "have agreed to allow Three Shillings per month to Every Soldier who brings a Strong Dog that will be judged proper to be employed in discovering and pursuing the Savages, and recommended to procure as many as they can, not exceeding Ten per company. Each Dog is to be kept tied and led by his Master."⁷

The companies of soldiers alluded to above were mustered into service in this borough on July 23, 24 and 25, 1764. There were thirteen companies, and they numbered 532 men, exclusive of officers.⁸

The Conestoga Massacre.

For a long time prior to the murder of the Conestoga Indians at Conestoga Manor and in the Lancaster workhouse, the opinion prevailed that these same Indians, if not themselves guilty of certain thefts and murders on the frontiers, were in close alliance with those who committed the outrages. However, as there was no proof of the charge, and as the Government could take no steps in the matter without evidence, the "Paxton Boys" at last took the matter into their own hands, with results known to all here. But that was not the only result. Not long after that, the State authorities had brought down from their homes at Bethlehem and Nazareth about 140 friendly Indians, and placed them for greater security on

⁷Col. Rec. Vol. 4, p. 180.

⁸Penna. Archives, Vol. 4, pp. 495-6.

Province Island in the Delaware river. Not content with having wiped out the Conestogas, the same frontiersmen from Paxtang, Hanover and Lebanon townships now conceived the idea of marching down to Philadelphia and doing on Province Island what they had done at Conestoga Manor. Great consternation prevailed. The 200 pounds reward which Governor Penn had offered for the capture of any three of the ring-leaders in the massacre was not productive of results. Where all the inhabitants were of the same way of thinking, and perhaps nearly all equally guilty, there could hardly be any informers.

The Demonstration on Philadelphia.

News reached Philadelphia that a large band of armed men were about to march on Philadelphia. The news received further confirmation from the affidavit of one Benjamin Kendall, a Quaker merchant of Lancaster, who testified before the Board of Council and in the presence of Governor Penn, that two days before, on January 26 (1764), when about two miles east of the Hat Tavern, kept by Samuel Smith, he met with Robert Fulton, a citizen of good repute. This Robert Fulton was the father of Robert Fulton, the inventor, who built the first successful steamboat in America. Fulton told him, Kendall, that one Captain Coultas had been appointed to raise and command 500 men to guard and protect the Indians at Philadelphia, and that he, the said Fulton, was very sorry to hear it, because in ten days fifteen hundred men would come down to kill the said Indians, and that if fifteen hundred were not

enough, five thousand more were ready to join them, and that Fulton requested Kendall to notify Captain Coultas that he, Coultas, should make his peace with heaven, because he was not likely to live two weeks longer. To that Kendall replied that he was sorry to hear Fulton talk in that manner, and, as he knew that Fulton had much influence with the people who intended to go down to Philadelphia, he requested him to use that influence in persuading them to desist from their design. To that request Fulton responded that if Gabriel was to come down from heaven and tell them they were wrong, they would not desist, for they were of the same spirit with the blood-ran, blood-thirsty Presbyterians who cut off King James' head. Kendall then said to Fulton that he had heard they intended to kill the Quakers, to which Fulton answered: "No, God forbid, but they or any others who should oppose them, they would kill." Another man who accompanied Fulton also declared that somewhere in his own neighborhood, where he had lately been, there was a store in which there was a magazine containing three half-barrels of gunpowder and one hundred small arms.

King's Troops Ordered to Lancaster.

As a result of that affidavit, the Council advised the Governor to order the officer in charge of the Philadelphia barracks, one Captain Schlosser, to fire upon any body of armed men who might come to try to force their way into the barracks. They also advised the Governor to order the royal troops stationed at Carlisle, consisting of three companies of Highlanders, to march at once to Lancaster. In accordance with that advice Governor Penn

sent the following letter by special express to Captain William Murray, in command of His Majesty's troops at Carlisle:

"Philadelphia, 29th Jan., 1765.

"Sir: Some time ago several daring tumults and insurrections in the County of Lancaster obliged me to apply to His Excellency, General Gage, for the aid of His Majesty's regular Troops in this Province, to support the civil Authority in the Execution of the Laws, whereupon he was pleased to favor me with the enclosed order to the Officer commanding His Majesty's Forces at Carlisle, dated the 6th Instant, directing and requiring him to pay due Obedience to all such Orders as I should judge necessary to transmit to him, to effect the above mentioned Purpose. I was in hopes I should not have occasion to exert the power the General has put into my hands, but the public Security and the preservation of His Majesty's Peace now lays me under the disagreeable necessity of doing it, and of desiring, that you will, immediately, on the receipt hereof, March with all His Majesty's Forces under your Command, with the greatest Expedition, down to the Burrough of Lancaster, where you are to take quarters in the Barracks, & there remain until you shall receive my further Orders, holding yourself always in readiness to march from thence to such places and in such Services as the preservation of the Public Peace may make it necessary for me to require you.

"I am Sir

"Your most Obedt. humble Servant.

"JOHN PENN."

Philadelphia's Alarm Perhaps Justified

But the excitement was not yet ended. This action led to meetings in the frontier counties at which a protesting proclamation was drawn up, signed by Mathew Smit and James Gibson, representing themselves and the inhabitants, in which their Indian grievances were related at length. Delegates were also appointed to go to Philadelphia and bring the matter to the direct notice of the Governor and the Council, and a body of these men did go. They were the army spoken of in the affidavit of Quaker Kendall. It is denied that they were bent on a warlike mission. Egle ridicules the idea, but we are tempted to ask why a few men would not have been enough, instead of the considerable force that accompanied Messrs. Smith and Gibson. Egle was all his life the sturdy advocate of the Paxtang murderers, and his views of the situation must be received with caution.⁹ Besides, is it likely that the Government would have placed the Indians under the charge of the regular troops, fortified the position where they were kept, and mounted eight pieces of cannon thereon, if they did not believe this large concourse of frontiersmen was not bent on mischief? Are a thousand men, or even five hundred, necessary for such a peaceful errand as has been claimed for them? The question would seem to answer itself.

First Names of Our Wards.

It is within the memory of some persons in this room to-night when we had only four wards in the city. Our city manual tells us that at first there were only two wards. All that portion lying east of Queen street was

⁹Egle's *Hist. of Penna.*, pp. 115-22.

called East Ward and all that to the west of Queen street the West Ward. In 1818 the city was divided into four district or wards—the Northwest and Northeast, and the Southwest and Southeast wards. Some here remember, also, when High Constable John Myers presided over their united destinies. But there was still another division, with another nomenclature, few of us ever heard.

By an Act passed by the General Assembly, on September 20, 1765, it was enacted "That the said borough shall be and hereby is divided into four wards in the manner following: That is to say, all that part of the said borough to the north of King street and to the east of Queen street shall be called King's ward; and all that part of the said borough to the north of King street and to the west of Queen street shall be called Queen's ward; and all that part of the said borough to the south of King street and east of Queen street shall be called Prince's ward; and all that part of the said borough to the south of King street and west of Queen street shall be called Duke's ward."¹⁰

At the same time the Burgesses and Assistant Burgesses were authorized to put up lamps at such places as they saw fit, and also appoint, hire and employ as many watchmen as they shall judge necessary, and that wages be paid to them. The watchmen were to be on duty from ten in the evening until four in the morning.

Under the same Act the Burgesses were required to inquire into the condition of the pumps in the streets and alleys of the borough, and if they got out of order, and the owners refused to repair them for the space of three months, then forever thereafter the

¹⁰Penna. Statutes at Large, Vol. 6, pp. 442-3.

said pumps should become the property of the corporation, to be maintained at the public charge. The owners of pumps who kept them in good condition were allowed six shillings yearly. To break a pump handle or carry it away subjected the offender to a fine of five pounds for every offense. For breaking a lamp or extinguishing it, the fine was 40 shillings.¹¹

No Factories of Any Account.

Reference has already been made to an inquiry by the English Board of Commissioners for Trade and Plantations in 1750. On January 27, 1767, Governor Penn replied to that inquiry. He says no public encouragement was ever given in the Province to the establishment of manufactories of any kind. He says a factory for making sail cloth, tickings and linens was set up by a stock company about three years previously, but the projectors sunk money and had given it up. There was another one, he writes, "A glass manufactory, which was erected about four Years ago (that would make the date 1763), in Lancaster County, seventy miles from this City, by a private Person; it is still carried on, tho' to a very inconsiderable Extent, there being no other Vent for their Ware, which is of a very ordinary Quality, but to supply the small demands of the Villagers and Farmers in the adjacent inland country."¹² Governor Penn could certainly not have been well acquainted with the products of Stiegel's glass factory, for some of the wares made there are of superior excellence.

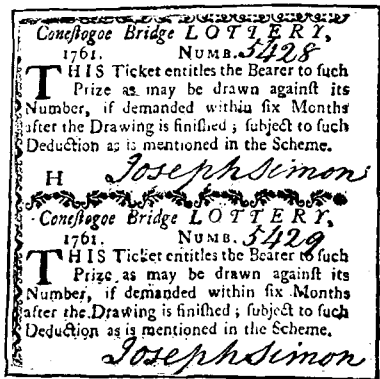
¹¹Penna. Statutes at Large, Vol. 6, pp. 449.

¹²Col. Rec., 1st Series, Vol. 9, pp. 353-4.

An Early Lottery.

On August 23, 1769, Council passed "An Act for raising, by way of a Lottery, the sum of £3,543.15.0; one Moiety or half part for erecting a Bridge over Conestoga Creek, where the road crosses the same, leading from Philadelphia to Lancaster; and the other Moiety for paving the Streets of Lancaster. the Distance of the first Squares from the Court House."¹³

There is, I believe, no evidence anywhere, at least I have been unable to discover any, to show that this lottery was ever drawn. We do know the proposed bridge was never built, and we also know that no part of East King street was macadamized until 1800. In all probability the lottery was given up. The accompanying cut



was made from specimens of the tickets prepared for the lottery, and now in the possession of President Steinman.

¹³Col. Rec., 1st Series, Vol. 9, p. 621.

Powder and Election Fraud.

An Act passed January 22, 1744, prohibits any and all persons whatsoever from keeping in house, shop, cellar, store or other place within this borough more than 25 pounds of powder at one time, to be kept in the highest story in the house, unless the latter be 50 yards from any dwelling house, under a penalty of ten pounds.¹⁴

In 1749, James Webb complained to the General Assembly that a person had been elected to that body by fraud. Recourse was had to violence. Many persons voted as often as five and ten times each, so that 2,300 votes were made out of 1,000 voters. The Assembly confirmed the election, but reprimanded the election officers. The repeaters escaped. It appears that in those good old times ballot-box stuffing was as well understood as now.¹⁵

On March 4, 1763, an act was passed authorizing the borough authorities to erect a house of correction, "for correcting and keeping at hard labor all rogues, vagabonds and sturdy beggars and idle and disorderly persons."¹⁶

An Assortment of Laws.

Under an act passed July 8, 1763, every innkeeper keeping an inn or house of entertainment on any public road was compelled to keep sufficient quantities of hay, oats, Indian corn or rye for the uses of the horses and servants employed in the King's service and were obliged to furnish them at the following rates: Three shillings and six pence for 100 pounds of hay; hay for one horse for one night eight pence; for oats, three shillings per bushel; for Indian corn, three shillings

¹⁴Col. Rec., 1st Series, Vol. 8, p. 364.

¹⁵Mombert's History, p. 150.

¹⁶Penna. Stat. at Large, Vol. 6, p. 281.

and six pence per bushel, and the same price for a bushel of rye.¹⁷

On March 9, 1771, the Assembly declared the "Conestoga as far up as Mathias Slough's mill dam a public stream or highway for purposes of navigation up and down the same," and commissions were appointed for making "the said river navigable." It is safe to say they never did so.¹⁸

On March 21, 1772, an act was passed authorizing the inspection of all leather, and that no hide of tanned leather should be sold or worked up in the borough of Lancaster or within two miles thereof, unless it had been inspected. Michael Hubley was appointed searcher and sealer to examine every tanned hide offered for sale to see whether it was perfectly tanned, curried and dried.¹⁹

I find that sewers were being made in 1773-4 in King, Queen and Water streets. It is stated the digging of wells is often difficult and expensive, and that the borough was badly supplied with water in case of fires, and that "some attempts having lately been made with success towards conducting the water from certain springs by pipes into King street, so that a constant stream of spring water is now conveyed in and along Water street in such a manner as to discharge itself into King street." It was also proposed to sink cisterns at various places to collect water for use in case of fires.²⁰

Graft Not Unknown.

It seems "graft" and speculation were as common in the eighteenth century as to-day. At least that is the inference

¹⁷Penna. Stat. at Large, Vol. 6, pp. 295-6.

¹⁸Penna. Stat. at Large, Vol. 8, p. 37.

¹⁹Penna. Stat. at Large, Vol. 8, p. 224.

²⁰Penna. Stat. at Large, Vol. 8, p. 363.

to be drawn from the tenor of an act passed on March 21, 1773, which reads in part as follows: "Whereas, on full examination and inquiry it appears to the Assembly of this Province that the several and respective persons hereinafter named, late commissioners, assessors and clerks for assessing and levying and keeping the accounts of the provincial and county rates in and for the County of Lancaster, have to the great injury of the public and evil example of others, received and illegally and unjustly detained the several and respective sums of public money following, being part of the provincial and county rates." Then follow the following names of the grafters, with the respective sums that each got away with. They were: John Hay, George Leonard, Samuel Street, William Jones, Henry Walter, John Miller, Christian Hildebrand, John Smith, Michael Grimes, Joshua Anderson, David McPherson, James Wilson, George McCullough, James Gibbons, Casper Core, Isaac Saunders and James Webb, Jr., seventeen in all. Their peculations amounted to from £5 to £87. The County Commissioners were instructed to proceed against them. It was further enacted that eight shillings per diem should be allowed to five men, who were to appear as witnesses against the offenders, for every day they attended the Committee of the Assembly, or were engaged in serving notices or citations.²¹ They were Robert Armor, Robert Whitehill, Michael Diffenderffer, Christian Wertz and Bernard Hubley.

A law passed in 1774 provided for the election of supervisors of highways in the borough and assessors.

²¹Penna. Stat. at Large, Vol. 8, pp 179-80-81-82.

If any man thus elected should refuse to serve, he was to be fined £10.²²

Protecting Shad Fisheries.

In those days every stream abounded in fish of many kinds. Shad, herring and salmon ran up the Conestoga and its tributaries, Mill Creek, the Little Conestoga, Cocalico and Muddy Creek, supplying the people in the interior part of the county with an abundance of this excellent fish. But when mills came along, dams were built that prevented the ascent of these fishes to their usual spawning grounds. This deprivation was seriously felt because the pioneers salted them down for winter use, so that when Stephen Atkinson built a fulling mill at much expense on the Conestoga, below the city, the dam he was compelled to build kept the fish from ascending that stream. The people on the upper waters came down and tore down his dam. He then put in a 20-foot wide sluiceway so that the fish were once more able to go up the stream.

As early as February 22, 1774, there was legislation to regulate the fishing in the Conestoga river. Then, as now, there were water grabbers, men who erected dams across the stream for mills or other purposes, which prevented the usual run of shad and other fishes toward the headwaters. On the date mentioned a law was passed compelling all persons erecting dams in the river or who had already erected them, below the mouth of Muddy Creek, to make open and leave the space of ten feet in width near the end of the said dam, at least fourteen inches lower than the other part of the stream, as far as the mouth of the

²²Penna. Stat. at Large, Vol. 8, pp. 350-351.

Cocalico, and from that part to Muddy Creek, a space five feet wide and fourteen inches lower near the end of the dam than any other part thereof, so that there should be at least twelve inches of water during the months of March, April and May in every year. The penalty for non compliance was £100. Seines could be drawn anywhere in the stream except within twenty perches of these fishways.²³

President Washington's Fisheries.

It is a long step from the banks of the Conestoga to those of the Potomac, but I will make it to show that the Father of his country was in season a dealer in fish as well as in armies and lands and tobacco. In a letter to a friend he writes concerning the Mt. Vernon property: "The river which encompasses the land is well supplied with various kinds of fish at all seasons of the year, and in the spring with the greatest profusion of shad, herring, bass, carp, perch and sturgeon. Several fisheries appertain to the Estate; the whole shore, in fact, is one entire fishery."²⁴

From his diary I cull the following extracts: "April 7, 1786, Mr. George (Augustine) Washington went to Alexandria and engaged (sold) 100,000 herring to Smith & Douglass (if caught) at five shillings per thousand."

"April 11, 1786: Rode to the Fishery Landing where 30 odd shad had been caught at a haul; not more than two or three at one time before this."

On April 20, nine days later, same year, he records: "The shad began to run to-day, having caught 100, 200 and 300 at a draught."

²³Penna. Stat. at Large, Vol. 8, pp. 386-7.

²⁴Arthur Young.

On Sunday, March 23, 1794, he writes from Philadelphia, to his overseer, William Pearce, as follows: "Mr. Smith has, I believe, been furnished with fish from my landing, and if he will give as much as another he ought to have the preference; but before you positively engage enquire what the other fisheries are disposed to sell at. 4 (shillings) per thousand for Herrings and 10 (shillings) per hundred for shad is very low. I am at this moment paying 6d apiece for every shad I buy." If the Virginia pound was the same as that of Pennsylvania, and I infer it was, as he quotes both in his letter, then he was selling his herring at about 54 cents per thousand and his shad at \$1.35 per hundred! To-day the dealer gets as much for a single pair as Washington got for one hundred.

Salt peter Made Here.

During the Revolution all manner of warlike stores were made in Lancaster for the use of the patriot forces. Among the most active men in supplying such was Paul Zantzinger. On May 2, 1776, he advised the Committee of Safety that he and his partner, Mr. Kuhn, had shipped seven cakes of salt peter, weighing 480 pounds, and made in their own works, to Philadelphia.²⁵

On July 16, 1776, the Committee of Safety issued an order on favor of Adam Zantzinger for £163.15 which, with another order on Robert Towers to deliver 200 pounds of gunpowder, was in full payment for 855 pounds of salt peter manufactured in Lancaster for the use of the committee.²⁶ Four days later the Committee gave per-

²⁵Penna Archives, Vol. 4, pp. 742-3.

²⁶Col. Rec., Vol. 5, p. 647.

mission to Brigadier McKinley to purchase 50 rifles in Lancaster.²⁷

On November 8, 1776, Col. Curtis Grubb was authorized to impress a sufficient number of teams in this county to transport the cannon he had cast for Congress to the city of Philadelphia.²⁸

On November 20 Sheriff William Parr, of Philadelphia, "was directed by the Council to remove all the Records and Public Papers in his Possession to Lancaster."²⁹

Council on December 9, 1776, "Resolved that our Treasury and the books of that office be removed to Lancaster, and that a wagon be purchased for that purpose."³⁰

Arms, Ammunition and Teams.

On December 11, 1776, the British being every hour expected to seize Philadelphia, John Hubley, a member of the Council, advised Ludwig Lauman, of this place, that he had sent by wagon for the Provincial Council, an iron chest containing several thousand dollars, and a cask of "our most valuable Papers, with another iron Chest belonging to John M. Nesbitt, Esq., which please put into some safe place in your house."³¹

On December 21, ten days later, Mr. Hubley writes from Lancaster to the Council of Safety that Governor Mifflin had arrived here and intended on that day to address the Militia, in order to inspire them to turn out against the enemy. He adds that the soldiers who had already marched to Philadelphia had been badly accommodated by the tavern keepers along the road in the way of provisions and

²⁷Col. Rec., Vol. 5, p. 651.

²⁸Col. Rec., Vol. 10, p. 781.

²⁹Col. Rec., Vol. 11, p. 23.

³⁰Col. Rec., Vol. 11, p. 41.

³¹Penna. Archives, Vol. 5, p. 102.

lodgings. He advised that if they did not mend their ways after being warned, the soldiers should be allowed to kill cattle and keep themselves, after giving receipts for the same to the owners. Thus early in the struggle were there men who held back in their assistance for fear that they would never receive pay for the same.³²

By an act of the Assembly the burghesses of Lancaster borough were authorized to be justices of the peace for the city and county and to have equal power with the other justices of the peace of the county, without any further commission for that purpose.³³

Hessians to be Hired Out.

On March 3, 1777, the Council of Safety at Philadelphia wrote to the local Committee that they were informed "the Barracks in your town are rather crowded, and have agreed that such of the Hessian Prisoners as can be usefully employed, may be employed in the manner following: That they be intrusted with such persons in your County as you can confide in, to keep them comfortable and safe, and that they continue subject to your call at any time. We also recommend it to you to be exact in having a return of the names of the persons who employ them, and the names and occupations of the Prisoners you shall inlarge in consequence hereof."³⁴

On March 25, same year, the Supreme Executive Council wrote to William Atlee that Mr. Christian Wirtz had informed them that owing to the recent riots in Lancaster, a number of persons had threatened

³²Penna. Archives, Vol. 5, p. 128.

³³Penna. Stat. at Large, Vol. , p. 44.

³⁴Penna. Archives, Vol. 5, p. 251.

his life. The local committee was instructed to enquire into the matter and grant him such relief as the nature of the case would admit.³⁵

On April 5, 1777, John Hubley, who was at that time a member of the Executive Council, wrote a letter to that body stating that inasmuch as he had been commissioned to superintend the erection of a Powder Magazine and other Military Store Houses at Lancaster, his time would be so taken up in that business during the summer that he would be unable to attend to his duties as a member of the Council, and he therefore tendered his resignation.³⁶

Wagons Needed for the Army.

On April 6, 1777, the County Committee advertised for proposals for several hundred wagons with four horses and a driver to go to Philadelphia immediately, in order to remove the great quantity of valuable stores in that city, as it was expected the enemy would shortly attempt to take the place, and that prudence required that these supplies should be removed. Thirty shillings per day was offered for this service, the pay to run from the day of leaving their homes until the date of their return. The inconvenience of sparing teams at that season of the year was admitted, but the situation was urgent, and, if the teams could not be had by persuasion compulsion would be resorted to.

Three days after this advertisement appeared Mr. Atlee replied to Ower Biddle, chairman of the Board of War of Pennsylvania, that seventeen four horse wagons, with driver to each had already been sent off, and tha

³⁵Penna. Archives, Vol. 5, p. 266.

³⁶Penna. Archives, Vol. 5, p. 295.

many more could go during the next few days.³⁷

On April 14, 1777, the Board of War wrote to the State Board of War as follows: "The Board of War have considered your Letter on the subject of Prisoners of War in this city (Philadelphia) & are of the Opinion the Continental Prisoners of War should be immediately removed to Lancaster. General Schuyler will furnish a guard if a Military Escort cannot be had, tho' the latter will be more eligible, as there are few Continental Troops in the City. You will be pleased to distinguish between such as are confined as Prisoners of War and those charged as Tories or Traitors. This Board have only the direction of the former and desire your assistance in getting them conveyed away."³⁸

Trouble With Non-Combatants.

On May 19, 1777, Bartram Galbraith, in a letter to President Wharton, speaks of a rumor that the Mennonites would resist the measures of the Council to embody the militia, a report that was fully realized a short time later, as will be seen. A couple of weeks later he again referred to this question and says that as the law requires that if men refuse to march to the seat of war he should find substitutes, he would like to know what he should do as a bounty of ten pounds per month will not procure any.

By June, 1777, Continental currency had depreciated so much that gold was at a great premium. James Lang wrote to the Board of War, from this place, that "a certain Paul Zant-zinger had paid £30 for a doubloon

³⁷Penna. Archives, Vol. 5, pp. 301-2-3.

³⁸Penna. Archives, Vol. 5, pp. 306-7.

(\$16), and a half joe (\$8) was sold at from £15 to £20 and a guinea for \$6. He says: "The Mennonists refuse to sell their produce unless for hard cash, & when they bring any market stuff to town will carry it from house to house & sell it very low for hard cash, but will carry it home again sooner than sell it for Congress currency. I am informed this is done every market day."³⁹

Resort to Force.

On June 26 John Bayley, a county magistrate, wrote to President Wharton as follows: "The opposition given to the laws by the Dutch, at length hath Broken out into open Rebellion, they had threatened so much and bound themselves to each other, that any constable would not go without a guard of armed men, accordingly on the 25th Instant Colonel Lowrey sent an Officer and six men with the Constable, by order of a Magistrate, to levy for the fines due by one Sam'l Albright, who had got intelligence of their coming, and got together Twelve men and a number of women. Armed with Sithes Coulters & pitch forks the first stroke given struck one of the guard with a coulter, behind his back which split his skull 4 or 5 Inches, the rest of the guard thought they were all in danger of their Lives, were forced to fire on the Rebels, and shot three of the ringleaders, but having no more amunition but what first loaded their Pieces, and some had none at first, was obliged to flee for their Lives till they would get amunition. Yesterday we got Evidence against the twelve that were at the rescue. Likewise 23 more that were in League with them. These three that are Shott are of these Consientious People menoneasts who

³⁹Penna. Archives, Vol. 5, pp. 396-7.

Preten non resistance, and Persive (passive) Obediance, and there is about 15 or 20 more of the same sect in the publick Cabal. But I think the greatest part of that sect together with Zealous friends (Quakers), are secretly fomenting the whole."⁴⁰

On the same day Lieutenant Colonel Bartram Galbraith wrote a long account of the same affray to President Wharton. The purpose was to collect some fines which these men had contracted by not being present on muster or battalion day. Colonel Atlee's account agrees in all respects with that of Magistrate Bayly.⁴¹

So far as I have ever heard or read, the foregoing was the first and only actual resistance to the militia laws that stands against the people of this county. Doubtless the fatal results of that first attempt had much to do in preventing further attempts. At the same time it must be admitted that Lancaster county had many men who inclined to the British cause. Everybody knew it, and a close watch was kept on these people, but, despite every precaution, there was continual communication and intercourse with the enemy.

Hessian Shoemakers Set to Work.

On January 6, 1777, Christian Wirtz was appointed Town Mayor of Lancaster by the Council. On the same day it was resolved: "That the Committee of Lancaster direct a sufficient number of aged or infirm Persons who are unfit to bear the fatigues of the Campaign, to be enrolled under the Town Mayor, for the purpose of guarding the Prisoners in the Barracks, the Amunition and Stores in Lancaster,

⁴⁰Pennsylvania Archives, Vol. 5, pp. 405-406.

⁴¹Pennsylvania Archives, Vol. 5, pp. 407-408.

during the absence of the Militia."⁴² Five days later, July 11, the Council "Resolved, That John Hubley, Esq., be authorized to employ all the Shoemakers amongst the Hessian prisoners at Lancaster, in making Shoes for this State, for which purpose the sum of two thousand pounds shall be advanced to him or his order, for the purchase of leather and other materials for making them; and he is to pay them a small allowance for their labour, for which Service Mr. Hubley is to have a reasonable compensation."⁴³

Bad Conduct of Our Militiamen.

On the same day Mr. Hubley was appointed "Commissary of the Continental Stores in this State at Lancaster, with the Rank and pay of a Major." On the following day it was "Resolved, That John Hubley, Esq., a member of this board, be directed to endeavor to prevail on such of the Militia to return and to assure them that this Council have, and ever will warmly interest themselves in behalf of their Countrymen, the Militia of this State, etc." There had been many desertions from the ranks of the militia. But in the present case a number of the county militia returned to their homes upon receiving hasty orders to march when they were ill supplied with provisions and other necessaries. Two days later the following action was taken by the Council: "Resolved, That the officers of the first battalion of Lancaster county, and the few men who remained with them when they were deserted by the greater part of the Battalion, on the 12th inst., deserve the warmest acknowledgment of this Board for their endeavors to prevail on their

⁴²Col. Rec., Vol. 11, p. 76.

⁴³Col. Rec., Vol. 11, p. 85.

Countrymen to stay, though these endeavors proved unsuccessful; and that the conduct of those who basely deserted at that time, without applying to this Council, and waiting for redress, if they thought themselves aggrieved, is highly reprehensible."⁴⁴

A few days later many of the Associators of Col. Hunter's Berks county battalion did the same thing. Col. Hunter was directed to collect all his well affected men, seize the ringleaders of this defection and send them under guard to Philadelphia, according to certain resolutions passed a month previously.⁴⁵

Various Matters.

On January 17 it was ordered that Michael Hubley have the rank and pay of Captain, as Barrack Master of Lancaster County.⁴⁶

On June 25, 1777, Town Mayor Wirtz wrote a letter to the Council, in which he represented that the British prisoners confined at Lancaster threatened to destroy the town and that the inhabitants were much alarmed. He advised that the prisoners should be sent elsewhere.⁴⁷

On August 16, 1777, William Augustus Atlee was commissioned the Second Judge of the Supreme Court of the Commonwealth.⁴⁸

The first or Chief Justice was Thos. McKean, afterwards Governor of the State, and the third was John Evans, Esq.

On September 15, 1777, Council received information that there was a treasonable design on foot to levy men to destroy the public stores at Lancaster, York and Carlisle, and that John Ferree, of this county, was ac-

⁴⁴Col. Rec., Vol. 11, p. 90.

⁴⁵Col. Rec., Vol. 11, p. 94.

⁴⁶Col. Rec., Vol. 11, p. 93.

⁴⁷Col. Rec., Vol. 11, p. 236.

⁴⁸Col. Rec., Vol. 11, p. 270.

tively concerned, and that Daniel Shelly, of Shelly's Island, in this county, was also implicated and had been arrested, but was willing to give evidence against his accomplices in the conspiracy. Council agreed not to punish him if he made a confession of all the facts.⁴⁹ Col. Galbraith was ordered to send 100 county militia immediately to Lancaster.

Artisans Excused From Soldiering.

On October 30, 1777, Col. Grubb notified the Council that his furnace was in blast for the purpose of casting salt pans, but he could not proceed because his manager, founder, carpenter and colliers were absent with the militia. They were ordered to be released forthwith.⁵⁰

On December 5, 1777, on the application of William Henry Gingerich, John Eberly, Christopher Oberholtzer, Henry Mayer, Casper Hallum, Adam Deterer, Michael De Riener and George Radfang were excused from going to camp in case they continued to work for Mr. Henry at making arms. It was also ordered "that John Jordan be appointed Wagon Master of the County of Lancaster, in room of Ferdinand McElvain, and he is authorized and directed to nominate a suitable number of deputies to make out a list of waggons in the said County, & to take order that the Waggons employed from time to time in the public Service perform their duty in their turn, & proceed therein agreeable to such directions as he shall receive from time to time from this Council."⁵¹

On October 1, 1777, the Council met for the first time in Lancaster. It remained here until the following June,

⁴⁹Col. Rec., Vol. 11, pp. 307-8.

⁵⁰Col. Rec., Vol. 11, p. 335.

⁵¹Col. Rec., Vol. 11, p. 380.

its last meeting having been held on June 20, 1778, when, the British having evacuated Philadelphia, it returned to that city and held the first meeting after its return on June 26.

The Council Meets Here and Returns to Philadelphia.

On January 29, 1778, "A Petition of a number of respectable Germans, praying for some assistance in establishing & circulating a German Newspaper being now read & considered; thereupon, ordered that council do take & distribute 500 German Newspapers Weekly, at the same price at which they now pay Mr. John Dunlap for the English Paper and that Mr. Bayley (Francis Bailey), printer of this Borough, be informed thereof."⁵²

This German newspaper was called *Das Pennsylvanische Zeitungblatt*. The first number was issued on Wednesday, February 4, 1778, and the last number on June 24 of the same year.⁵³

On June 19, 1778, "Council decided that as it was about removing to Phila. the publishing of a newspaper at the Public expense was of course not absolutely necessary; it was therefore ordered that Mr. Dunlap be informed that the Council decline taking any more of his papers on the public account; & that Mr. Bailey be informed that the Council decline taking any more of his Papers after next week."⁵⁴ The name of Mr. Dunlap's newspaper was *The News*.

Hangings in the Early Days.

There were hangings in those early days as well as in our own times. A negro named York having been con-

⁵²Col. Rec., Vol. 12, p. 409.

⁵³Seidensticker's *First Century of German Printing*, p. 101.

⁵⁴Col. Rec., Vol. 12, p. 52.

victed in the local Court, Council directed that he be hung on Saturday, December 15, 1781, between the hours of ten o'clock in the forenoon and two in the afternoon.⁵⁵ Col. Slough's negro Cato fared better. He was convicted of larceny and sentenced to pay a fine, but his master presented his case to the Council, which, thereupon, "ordered that the fine adjudged to be paid to the use of the State by the said negro Cato, be remitted."⁵⁶

March 13, 1778.

It was enacted by the General Assembly that all murders, treasons, manslaughter, felonies and offenses, whatsoever, committed in the counties of Philadelphia, Bucks and Chester, or that may be committed there, should, after this date, be tried in the Court of Oyer and Terminer and general jail delivery, to be held in the borough of Lancaster, by indictments, inquests and verdicts to be taken of good and lawful men, inhabitants of the said county of Lancaster, in like manner, and form as if the fact or facts had been committed, perpetrated or done in the said county of Lancaster; any law usage or custom to the contrary, notwithstanding. The expense of such Courts were to be paid by the counties in which the crimes were committed.⁵⁷

Public Officials Required to Take Their Pay in Grain.

I believe that very few in this audience, the lawyers included, know that on November 27, 1779, an Act of Assembly was passed by which the payment of fees was made payable to public officials in wheat or in cash. Among those who could be paid in

⁵⁵Col. Rec., Vol. 13, p. 52.

⁵⁶Col. Rec., Vol. 14, p. 109.

⁵⁷Penna. Stat. at Large, Vol. 9, 221.

grain were the Attorney General, the master of the rolls, the Prothonotary of the Superior Court, the Sheriff and Coroner of each county; the Justices of the Peace of the Orphans' Court, and of the Common Pleas of each county; and the Clerks of the General Quarter Sessions, Orphans' Court and Common Pleas of each county; the Register for the Probate of Wills, the Recorder of Deeds, attorneys at law, jurors and witnesses, the constables and the court criers, supervisors of roads, and, in fact, all public officials.⁵⁸

The price of a bushel of good merchantable wheat, weighing at least sixty pounds, was reckoned at ten shillings. Provision was also made for the fluctuations in the price of that grain.

What would our lawyer members present here to-night say if early some morning they were roused out of their slumbers by a client, who informed them that the fee of \$100 due for legal advice or for defending a case in Court was at the door, and upon going to receive it, found it consisted of a four-horse wagon load of wheat or two similar loads of corn? If lawyers' charges were the same in those days as now, every lawyer of large practice and reputation would be compelled to equip himself with a big warehouse or two to hold his fees.

⁵⁸Penna. Stat. at Large, Vol. 10, pp. 40, 41.

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