

Claims of Connecticut to Pennsylvania Territory.

When William Penn, on January 5th, 1681, obtained from Charles II., the then King of England, the charter for the valuable grant which afterwards was to be known as the State of Pennsylvania, it was broadly understood to comprise all that area included in three degrees of latitude, by five of longitude, west from the Delaware. More precisely, it comprised all that part of America, islands included, which is bounded on the East by the Delaware river from a point on a circle twelve miles northward of New Castle town to the 43rd degree north latitude if the Delaware extends so far; if not, as far as it does extend, and thence to the 43rd degree by a meridian line. From this point westward five degrees of longitude on the 43rd degree parallel; the western boundary to the 40th parallel, and thence by a straight line to the place of beginning. The great Quaker could not have foreseen the angry disputes that would arise in fixing these apparently simple boundary lines, the questions that would arise over prior grants conflicting with his own, and the bloody controversies which had to be fought out before the present limits of the State became absolutely fixed. In the life time of the Lord Proprietor, the dispute with the Duke of York about the New Castle District of Delaware was adjusted. The Maryland boundary question was for a time taken out of controversy by a decree of King James' Council, which ordered that "for avoiding further differences, the tract of land lying between

the Bay of Delaware and the Eastern Sea, on the one side, and the Chesapeake Bay on the other, be divided into equal parts by a line from the latitude of Cape Henlopen to the 40th degree of north latitude, the southern boundary of Pennsylvania by charter; and that the one-half thereof lying towards the Bay of Delaware and the Eastern Sea be adjudged to belong to His Majesty, and the other half to Lord Baltimore, as comprised in his charter." Under this compromise, the northern line of Pennsylvania was moved southward to latitude 42 degrees instead of 43 degrees. At the same time it absorbed five degrees in length of the Connecticut western belt. It is the purpose of this paper to briefly review some of the salient points of the acrimonious and at times blood-thirsty struggles that grew out of the rival claims of the Connecticut and Pennsylvania plantations.

The colony of Connecticut had been always loyal to the Stuart dynasty, and when the Restoration occurred in England, the time was considered ripe to secure a liberal charter from the King. This was obtained at the hands of Charles II., and it was almost limitless in the liberality of its grants. As will be seen by reference to a copy of the charter now on file in the records of this society, it included all that part of New England "bounded on the east by Norrogancett River commonly called Narrogancett Bay, where the said river falleth into the sea, and on the north by the lyne of the Massachusetts plantation, and on the south by the sea, and in longitude as the lyne of the Massachusetts Colony, runinge from east to west; that is to say, from the said Narrogancett Bay on the east to the South Sea on the west parte, with the islands thereunto adioyninge."

In effect, this charter made the bounds of Connecticut on the west the

Pacific Ocean, taking in the southeastern corner of New York State and the northern two-fifths of Pennsylvania. The difficulty about the portion of New York included in the grant was removed by the recognition on the part of Connecticut of a later grant of this strip of territory by Charles II. to his brother, James. The Connecticut Colonists feared to offend the King, and they ratified this break in the continuity of their territory. To this accident Pennsylvania is much indebted for the successful contest waged for the holding of the territory in dispute.

To understand how large a slice of the present State of Pennsylvania would have remained to Connecticut, it needs but to be stated that it would include all the land lying north of a straight line, entering the State about Stroudsburg, just north of the Delaware Water Gap. If we examine a map of Pennsylvania, we can see that this division would have deprived us of all the great northern coal, iron and oil fields, and would have permanently displaced Penn's Commonwealth from her present proud supremacy among her sister States. From New Castle on the west, through the Clearfield lumber district and the oil regions of Butler, the division line would have gone, and the Governor of Connecticut would be concerned about a miner's strike in the great anthracite regions in and near the counties of Lackawanna and Luzerne.

This large expanse of northern Pennsylvania did not become an object of contention until the middle of the eighteenth century. The Penns were kept busy defending their rights southward, and Connecticut was spent with the labor of safe-guarding her home territory. In 1754, an attempt to colonize the Wyoming country was begun, by the organization of the Susquehanna Company. This consisted of about 700

members, 90 per cent. of whom came from Connecticut. They bought on July 11, 1754, from the Five Nations for the sum of £2,000, a tract of land beginning at the 41st degree of latitude, the southerly boundary of Connecticut; thence running north, following the line of the Susquehanna at a distance of ten miles from it, to the present northern boundary of Pennsylvania; thence 120 miles west; thence south to the 41st degree and back to the point of beginning. This purchase was formally approved by the Connecticut General Assembly, and inferentially must have been acquiesced in by Pennsylvania. The latter State was represented in a meeting of the commissioners from the various colonies in Albany in 1754, when no objection was registered against the claim on the part of Massachusetts and Connecticut that their western dominion ended at the South Sea.

We find in the London Magazine for 1753 note of the fact that several hundred people of the Connecticut colony had agreed to purchase a large tract of land from the Six Nations of Indians of the Susquehanna, about 300 leagues to the westward, lying within the bounds of their charter, to settle upon it, expecting in a short time to set up a distinct government. It is quaint reading that we have in the minutes of the Susquehanna Company preserved in the Pennsylvania Archives. Herein is produced a copy of one of the recitals in their agreement: "Whereas, we being desirous to enlarge His Majesties English Settlements in North America, and further to spread Christianity, as also to promote our own temporal interest, etc."

That they intended to form themselves into a distinct colony is confirmed by a reference to the minutes of the meeting of January 6th, 1768, wherein it is noted that one Eliphalet

Dyer was commissioned to go to England to secure "His Majesty's confirmation of our said purchase, and formation into a distinct colony for the purpose of civil government."

The first settlement on the Susquehanna purchase was made in 1762. Six years later Captain Zebulon Butler, with forty settlers, most of them veterans of the French and Indian war, set out for Kingston and built the famed "Forty Fort," which was to figure in the massacre of ten years later. Butler and his colleagues locked horns with the settlers who claimed under Penn's heirs. The Penns had not sold these lands, but had leased them with the stipulation to the tenants that they defend the lands against the Connecticut claimants. Then began a series of fights for the land. The Pennsylvania claimants put up a stiff argument with a four-pounder gun, which enabled them to hold possession. In 1770, the Butler party returned, captured the four-pounder, and, backed by the incoming tide of Connecticut men, held the country. This they continued to hold until the outbreak of the Revolution, when the colony is supposed to have numbered 3,000 souls.

It is strongly probable that, if the Revolution had been delayed a few years longer, and a form of popular government had not succeeded the Penn administration, the claim of Connecticut to this region would have become well established. The minutes of the Susquehanna Company from July 18th, 1753, to May 42th, 1774, deal chiefly with the rights of the settlers as between themselves, the manner of payment for land and its fair division. There seem to be no minutes recorded from 1774 until 1782, from which time there is a strenuous insistence upon their rights as against the Pennsylvania claimants.

The articles of Confederation adopted

in 1781 empowered Congress to appoint Courts of Arbitration to decide disputes between States as to boundaries. Pennsylvania promptly applied for a Court to decide the Susquehanna dispute. Connecticut wanted more time in order to get papers from England. Congress over-ruled the request and it was ordered that the Court meet in Trenton in November, 1782. The argument consumed forty-one days, at the end of which the Court came to the unanimous conclusion that Wyoming, or the Susquehanna district, belonged to Pennsylvania and not to Connecticut.

In the minutes of the Susquehanna Company, under date of July 13th, 1785, we find the chief arguments in defense of their claim set forth in no uncertain language. At that meeting it was formally resolved

“First. That the purchase they made of the Indian native proprietors of said land, was fair bona-fide, and for a valuable consideration, paid previous to any other purchase of said land from said Indians.

“Second. That at the time of Making Said purchase there was not, nor ought there ever to have been, a doubt respecting the right of Connecticut to the jurisdiction and pre-emption of the Territory, the charter and Letters patent of Connecticut being in fact eighteen years prior to the patent to Sir William Penn, which in terms most Explicit did cover said land.

“Third. That in confidence in the Charter of Connecticut, which they judged to be sure and sacred as the Solemn acts of any public body Can be, and with the Countenance and approbation of the Colony of Connecticut, they made the purchase and Settlement aforesaid; and have at vast Expense of blood and treasure purchased and defended their possessions against the Common enemy, to the great emolument and Security of the United States.

“Fourth. That although the Court Constituted to determine the right of jurisdiction between the States of Connecticut and Pennsylvania have astonished the world with the decision in favor of Pennsylvania, yet our right to those lands in possession, are founded in law and Justice, is Clear and unquestionable, and we cannot, and will not give it up.

“Fifth. That the Conduct of the State and people of Pennsylvania towards the proprietors of the lands on the river Susquehanna in consequence of the Decree of Trenton in A. D., 1782, was impolitic, unjust and tyrannical and has a tendency to interrupt the harmony of the States.”

It would exceed the limits marked out for this paper to take up in detail the struggles that took place between the rival claimants during the succeeding fourteen years. Congress ended it all in 1799 by the passage of an act which confirmed the title of the actual settlers. The feelings of the Susquehanna settlers were salved to an extent by the confirming to Connecticut of a tract of about 3,500,000 acres in northeastern Ohio, which was known as the Western Reserve of Connecticut. In his history of Connecticut, A. Johnston thus describes the plight of the claimants under the Susquehanna Company: “The unfortunate Wyoming settlers, deserted by their own State, and left to the mercy of rival claimants, had a hard time of it for years. The militia of the neighboring counties of Pennsylvania was mustered to enforce the writs of the Pennsylvania Courts; the property of the Connecticut men was destroyed, their fences were cast down, and their rights ignored.”

There is a touch of pathos in the resolution adopted at the final meeting of the Susquehanna Company held on October 23, 1801, in the dwelling house of Stephen Tuttle in Athens, Pa. Its

manly assertion of what it firmly believed to be its rights, and final graceful acquiescence in an adverse decision for the sake of "peace and harmony with our fellow citizens" will perhaps excuse the writer for making it the conclusion of a paper which makes no pretension to original research, but was simply designed to be a review of well attested facts concerning an important epoch in the history of the State. The resolution recites that "although the Court Constituted in Conformity to the Confederation of the United States, to determine the right of jurisdiction between the States of Pennsylvania and Connecticut, did pass a decree in favor of Pennsylvania respecting the jurisdiction, etc., so far as respected the Controversy then subsisting between the contending States; yet the authority of that Court did not extend to decide the private property in the Soil, and that the committee who composed the Court were unanimously of opinion that the decision was not to reach the question of property in the Soil; That the right of soil as Claimed under Connecticut should be held Sacred; although this Company have full faith and confidence in the justice and equity of their Claim, that their title to these lands was first derived from a source that never ought to have been questioned, and that the same has been defended through a long and cruel war, at a vast expense of the blood and treasure of the inhabitants; yet this meeting, taking into their serious consideration the necessity of living in friendship, and harmony, and peace, with the citizens of the United States, and particularly with the citizens of the Commonwealth of Pennsylvania, of which the settlers under the Connecticut title are a part; and whereas many of our fellow citizens claim the same land under a different title, adverse from the claim of this

company, and their settlers, that in consequence of those contested claims, controversy has many years subsisted, which has not only occasioned a pecuniary loss, but the shedding of blood; that having an ardent desire to put an end to a controversy of so long duration, to prevent litigation, and to cultivate peace and harmony with our fellow citizens, are disposed to meet our adverse claimants, and to endeavor to bring into effect a reconciliation of the controversy, by an amicable compromise."

In passing, it may be remarked that the recent federal census gives Pennsylvania a population of 6,301,365 souls, and Connecticut 908,355. Had the northern two-fifths of Pennsylvania been awarded to Connecticut, or had the new State of Susquehanna been formed, a wide field of interesting conjecture is opened concerning the influence which such acts would have exerted in the moulding of our present Commonwealth.

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