

The Great Historical Scenes Enacted in Lancaster's First Court House, 1739-1784.

It is my purpose to draw forth and exhibit before you, in their chronological order, for a little while, this afternoon, a few pictures from the archives, the ancient records and treasuries of our county's primitive days. So strange and grotesque will some of them be that they will stand forth like creatures of imagination, and seem not to be founded on fact at all. Some will bear such immediate and important relations to our great country's struggles and growth as to make it difficult to conceive that the events set forth in them ever occurred in modest little Lancaster town; and all of them, when set down on the real stage where the stormy events recorded in them happened, not more than 600 feet from where we stand, in the now busy, surging, centre of our active city, all of them, when thus quietly set in order, there, where, from 165 to 120 years ago, they were produced, invested with their strange men, strange manners, strange dress, quaint, scattered dwellings, and modest little red brick building and theatre, where it was all enacted, will entirely displace the new and statlier scenes that claim that stage to-day; will annihilate the 165 years that intervene between us and those memorable times; and will stand out, not as something of past and distant ages and of remote rela-

tionship to us, but as scenes of the present and part and parcel of our very community life.

The First Court House in This City.

The county's first Court House, as we all know, was not in Lancaster borough or town. My paper, however, is to treat upon the first Court House that was erected in the town, afterward (in 1740) the borough of Lancaster. Though the Act of May 10, 1729,(1) enacts that the Commissioners, empowered to erect Lancaster county, "shall purchase" a piece of land and erect "thereon a Court House, etc.," it appears that it was not completed for ten years later. Under date of November 3, 1737, there is a record in the Commissioners' office that "The Commissioners mett and considered about getting ye court house finished." Finally it was finished in the spring of 1739, as the record shows. February 6, 1739, the "commissioners agreed with Theo. Plutus Hartman, to glaze ye court house windows for £3 10s., they finding glass and lead and lines, he to find all ye other things wanted, to finish ye same before ye first day of May." And May 7, 1739, a janitor was appointed, John Young.

Its General Appearance.

This Court House, located in the centre of the Square, was a two-storied brick building. It was neither large nor commodious. The lower room was the Court room. It was paved with brick. For a time, it seemed to have a plain, temporary bench and bar, as November 12, 1737, the record is: "Samuel Blunston, Esquire, was in town, who assisted in advice, and it was resolved that ye bench that now is and barr, should be taken downe and altered and two turned posts should be fixed under

(1) Statutes at Large, Vol. 4, p. 133. Sec. 6.

the girder, which is to be done before ye floor be paved there." This bench and bar were accordingly supplanted by permanent ones. The room contained a large fire hearth, on either side of which were two pillars, set upon cut stones. Underneath the main girder there were two massive turned pillars, set on firmly planted stones. Emblazoned above the Judges' bench were the Royal Arms of England. This was an elaborately carved affair, and the record reads, June 1, 1750, the Commissioners "agreed with Michael Stump to carve, paint and affix in ye court house, in ye borough of Lancaster, over ye President's chair ye effigy of ye King's Coat of Arms of Great Britain." A witness box, two rows of seats for jurors and benches for litigants and the public complete the furniture. The windows were glazed with small panes of glass, leaded in, and provided with blinds or shades of green horizontal slats or shades on cords. The Prothonotary, or clerk, it seems, had small pocket rooms in the rear of the Judges' bench, on the same floor.

The second floor contained a council chamber, with a speakers' platform, and two or three small rooms for the records and storage purposes; similar furniture, lacking bench and bar, graced this, and it was similarly lighted.

There were a steeple and belfry on the roof, and a clock with two dials, one facing north and the other south. The roofs of the building and its pent houses were of shingles. For the record runs that scaffold poles were to be ordered to enable the carpenters to shingle ye pent houses of ye court house.

Public buildings in those days seem to have been as mortal and as liable to rapid decay as in modern times, for, only four or five years after the building was finished, the record informs

us, "January 12, 1744, ye commissioners took into consideration repairing of ye court house."

Outside and before the "front of ye court house" a large, wide pavement was made, and on the commons near it the stocks and pillory were erected.(2)

Such is the imperfect description which we are able to collect of this humble building, destined to be the theatre of a series of wonderful and momentous events and proceedings.

Its Cost and First Events.

It surely was an humble one, because the law of May 12, 1729, allowed the Commissioners to raise only £300 of Pennsylvania money by taxation to buy the land and build;(3) and the Act of February 14, 1730, allowed them to borrow only £300 additional by bills of credit, to finish the same.(1) It is no wonder that the building was not completed for ten years. The economy of our forefathers, in those respects, is a valuable lesson, which we, in our later-day extravagant habits, may well heed.

The earliest events of any unique interest transpiring in our first Court House were certain elections of the entire county. It is provided by the fifth section of the Act of May 10, 1728,(2) "The election of Representatives to serve in General Assembly, assessors and all other officers of the said county who are or shall be appointed, to be annually elected, shall be made and elected at or near the said court house, etc." And thus the law remained, until September 17, 1785, when it was repealed and the custom changed.(3)

(2) Evans and Ellis' History of Lancaster County, 202.

(3) Statutes at Large, Vol. 4, page 133, Sec. 7.

(1) Statutes at Large, Vol. 4, page 152, Sec. 2.

(2) Statutes at Large, Vol. 4, p. 131.

(3) Laws of Pa., Chap. 1175, Vol. 3.

A Picture of Those Early Times.

What annual scenes these were! They began at the beginning of the life of the Court House—they were changed by law about the time the Court House was destroyed. Here, each autumn, for forty-five years, came together the Irish from the southern hills of our county, and the northwestern township, on, and far across the Susquehanna, for York county, Adams and Cumberland were part of Lancaster county then: there, too, came the Quakers from the eastern townships; the Germans from the north and northeast, including Dauphin, Lebanon and Berks; and the scattered Frenchmen, from various sections.

How the imaginative can revel in picturing to himself the costumes, the customs, the manners, the discussions, the electioneering, the groupings, the surging in and out and about, and the whole panorama of patriotic and political activity, which was yearly enacted under the eaves and upon the commons of our little old Court House!

In this Court House, too, the county's part in forming and laying out the great framework of early constitutional government was performed. May 19, 1739, the General Assembly of Pennsylvania, made up of the Lieutenant Governor and the representatives of the freemen, under the approbation of the King, passed an Act, providing that the Justices of the respective counties, at their next general Quarter Sessions of the Peace..... proceed to divide their counties into eight districts or hundreds, allotting, as nearly as may be, an equal number of adjacent townships to each district "for the purpose of electing therein inspectors of election to assist annually in taking the vote at the Court House. (4)

(4) Statutes at Large, Vol. 4, p. 331.

Who Were the Court.

In the Court House at the August Sessions of 1839 the Justices of Lancaster county so divided our county. And thus was divided Lancaster county, which then was an empire of 5,000 square miles, as now it is an empire in every way.

The Justices in those days were Justices, indeed; not scrambling Aldermen and 'Squires. They came together in February, May, August and November of each year at the Court House and held Court, then and there, as a Board of Judges, and with a jury disposing of the cases which one or another of them between the terms had bound over for Court.

Servants Taken from Their Masters.

The year 1741 was made famous by a remarkable event in our old Court House. The irreproachable John Wright, Esq., a sturdy Quaker, and for years a member of the Assembly, since 1736 or 1737, had been appointed a Justice of the Peace and also President of the Common Pleas of Lancaster county. A custom had grown up in Governor Thomas' administration of government contracts made with servants who had indentured themselves to masters, whereby they were brought into the King's armies, and by 1740 servants to the number of 276 were taken from their masters, and the Assembly compensated the masters in the amount of £2,588 for them. This was both an underpayment to the masters, who were forced to give them up, and a burden upon the public, which was paying for them.⁽⁵⁾ But Governor Thomas approved it, and John Wright was bold and outspoken against it and the administration.

Wright knew the displeasure which

⁽⁵⁾ Rupp's Lancaster County History, 275.

the Govern^{or} entertained toward him, and at the Máy Sessions of 1741, from the bench of the old Court House, delivered a charge to the Grand Jury upon the abuses of the day, and especially abuses by the executive, so remarkable that the Commissioners ordered it published in full.

In this charge he heartily scored the Governor for attempting various encroachments upon the other arms of the Government's power, and as a result was dismissed and another Justice appointed in his stead.

But Wright was right. His charge was an eloquent voice of liberty resounding from the little old Court House, and the county approved him and stood by him. He was a grand old man; and his life work meant the same to our early county's government that the great John Marshall's meant half a century later, on a more magnificent scale to our nation's constitution and the great fundamental rights of the American people.

Count Zinzendorf Comes.

The year 1742 records another noted event connected with our old Court House. In that year the great Nicolaus Ludwig—Count Zinzendorf—preached sermons in the Court room. (6) How great an event this was does not appear in its bare statement. Who was Zinzendorf? How great a man was he? He was born in Dresden, Germany, May 26, 1700. He was a son of George Ludwig, Chamberlain and Minister of Augustus, Elector of Saxony. He devoted himself to religious studies at Halle; he studied law at the University of Wittenberg; he had a great imagination, a faculty of eloquence, and great personal beauty and dignity. He traveled and preached throughout Holland and France. He published religious periodicals, called the "German

(6) Rupp's History, p. 283.

Socrates." He sent missionaries to America from Herrnhut in 1732, and planted religious colonies over Europe. In 1734 he was ordained a minister of the Lutheran Church. He was banished from Saxony in 1736 and then began to travel over the world. He gained the favor of Frederick William I., of Prussia, who caused him to be ordained a Bishop in 1737, by his own Chaplain. He came to Pennsylvania in 1742, preached at Germantown for some time and established congregations at Bethlehem and Nazareth. He visited England in 1749, obtained an Act of Parliament authorizing the establishment of Moravian missions in North America. He wrote numerous hymns, which are used in Moravian churches. He died in 1760.(1)

So great a man, in the height of his fame, preached on that spot, where now the monument, then the Court House, stood, in 1742. He spent some time in our county, at Lancaster, at Lititz, at Ephrata, and in Manor township, among the Indians.

Our Greatest Indian Treaty.

Lancaster's modest little Court House was next the theatre of a scene which, removed from it by 159 years, as we are to-day, was so grotesque, so quaint, and so like a chapter from the records of aboriginal savagery that it seems like fiction rather than fact. For a season of thirteen days—from June 22 to July 4, inclusive—1744, in the center of Centre Square, where now each hour of the day thirty-three clanging and rattling trolley cars enter and depart—594 during every eighteen hours out of twenty-four—where vans and wagons, autos and carriages, cabs and barouches and numberless pedestrians are hurriedly surging back and forth and intricately

(1) Lippincott's Biographical Dictionary, Vol. 2, p. 2319.

winding in and out; and where the silent patriotic monument shaft keeps now its nightly vigil—on that spot, nearly one and three-fourths centuries ago, was held, in the little red brick Court House, the great "Indian Treaty of Lancaster." (2)

At that great council of a fortnight, it was decided that for a quantity of vermilion, (3) flints, jewsharps, boxes, barr-lead, shot, gunpowder, strouds, shirts, thicks, duffle blankets and guns valued at two hundred (£200) pounds and £200 in gold, and sufficient rum and provisions to see them home, cheer their spirits and regale their bodies on the way, the Six Nations of Indians surrendered all right to all of the King's lands in Virginia; abandoned it forever and by their marks executed and delivered a deed with covenants giving up these lands. (4) It was also then and there decided that for similar goods and money to the extent of £300 the Six Nations should cede all claim to any of the King's lands in Maryland. (5)

Here, too, it was compacted and agreed on the part of Pennsylvania, with the Six Nations, for £300 in goods and belts of fine wampum (6) that the Six Nations would renew all their former treaties to league with the English and against the French, and by this powerful influence bring all the lesser tribes to the same alliance. To seal the same compact on the part of Maryland, £100 were given and £100 for a similar compact with Virginia. Thus for £1,200 all told, these Indians gave up the disputed lands in Virginia and Maryland and formed anew a solemn league with Pennsylvania (which included Delaware), Virginia

(2) Col. Rec., Vol. 4, p. 698.

(3) Mombert's History of Lancaster County, Ap., p. 68.

(4) Mombert, p. 78, Ap.

(5) Mombert, p. 67, Ap.

(6) Mombert, p. 81, Ap.

(which included West Virginia) and Maryland to stand by them and their English King against the Sovereigns of France.

Who Composed It.

How quaint the picture was, indeed! Lancaster, with only about 500 people,(7) a borough principally of log houses—a borough of four years old—was the community where it all happened. A little, modest, two-story brick Court House, the edifice where the motley treating assemblage met. The participants, about 150 in number, made up of the gaudily painted and gaily plumed, feathered and be-decked chieftains of the six confederated and most powerful tribes of the Middle Atlantic Indians, with their guns, hatchets and kettles with them,(8) of the gold-laced cavalier representatives of the Governor of Maryland—Thomas Lee and Colonel Wm. Beverly, and representatives of Virginia's Governor—Edmund Jennings, Philip Thomas, Robert King and Colonel Thomas Cavil; of the Hon. George Thomas, Lieut. Governor of Pennsylvania, attended by both his Quaker and German countrymen; of the scholarly German, Conrad Weiser, interpreter; and of exalted personages—dusky dignitaries and deputies of the Onandagoes, Senecas, Cayagoes, Oneidas, Mohawks and Tuscarora Indian Nations.

In that Court House, in the upper chamber, they gather and there they interchange those beautiful simple speeches of brotherly love, which marked them, sincere men and great souls; which are gems of simplicity, strength and truth to-day, brilliant in the governmental documentary and archives of our State; and which evolved out of chaos more simple, substantial good in two weeks than a modern Legisla-

(7) Rupp, p. 261.

(8) Mombert, p. 58, An.

ture can do in two months, though they be of one tribe.

The minutes of that memorable treaty read like those of some strange arbitration between two groups of children, of which one induces the other, by gifts of baubles and toys, to give up their playground and seek another.

The Preliminaries Completed.

They are assembled in the upper chamber on Friday afternoon, June 22, 1744. "The Governor of Pennsylvania and the Commissioners take some of the Indian chiefs by the hand, and after they seat themselves the Governor bids them welcome into the government, and their being wine and punch prepared for them, the governor and the commissioners drink health to the Six Nations, and Canassatega, Tachanonita and some other chiefs drink the health of Onas, Assaraquoa and the Governor of Maryland." Next they are all served with wine, punch, pipes and tobacco, and, after they smoke, the Governor tells them they now must have rest until Monday, when they settle a few preliminaries and adjourn. The great treaty is inaugurated. Then they meet from day to day, and the speechmaking and interpretation go on. They talk of enlarging the council fires that had nearly gone out and of brightening all the links in the golden chain of friendship. At the conclusion of each speech they exchange belts of wampum and shout the Jo-hah—the Indian mode of approval and applause. The speeches eventually bring up the subject of the lands to be ceded and the goods to be paid.

The goods are spread upon tables in the chamber and the Commissioners ask the Indians to examine them whether the price suited them or not. They show dissatisfaction. The Indians require time to go down into the

main court room for a consultation among the chiefs, and the interpreter goes with them. They go down in stately silence, and consult. Then they re-enter the chamber and state the goods they select and those they reject. On the morning of June 29 a Deal Board or planed board is used on which are black lines tracing the Potomach and Susquehanna rivers. Canassatega, a chief, turning to the board said, "We renounce all right to Lord Baltimore of those lands lying two miles above the uppermost fork of Potomach, and we will accept the people therein as brethren." On the morning of June 30 Gachadow, the chief orator among the Indians, "with a strong voice and proper actions," made a speech, saying the world on the other side of the water was as different from it on this side as Indian skin is from white skin; that that which pale faces call justice may not be among Indians; that though the great King might send pale faces to conquer Indians, yet no one can remember that he ever did conquer them; that we conquered other tribes, we admit; we sent for the Catawbas to come and treat with us, but they sent word back that we are women and so war continued with them till all were destroyed. On July 2, the Virginians open their chests of goods and the Indians flock about and inspect them. The same day the deeds are produced and the Indians set their signatures by marks to them and deliver the same. On the last day of the session, July 4, the honors and compliments hold sway.

Canassatega Speaks.

Canassatega, the leading chief, mounts the platform and with courtly dignity praises the interpreter, Conrad Weiser, and hopes he will long be preserved by the Good Spirit and presents him a string of wampum. The spokes-

man then expresses the gratitude the Six Nations feel for the handsome presents—the several hundred pounds in gold—which the Governors had given them, over and above the price paid for treaty considerations, and apologizes for the fact that because they are poor, they cannot give more than three bundles of skins in return. He then counsels the thirteen colonies to live in union and harmony, and points out that through the wisdom of the forefathers of the Six Nations they have ever since lived in union and became formidable and powerful among the Indians; and he closed his memorable speech with the advice, “whatsoever befalls you, never fall out with one another.” Speeches were made in reply by the Governor and various representatives. The Indians now reminded the whites that if they, the English, had been so successful over the French, they must have captured some rum among the booty, and they desired some of it, not in small French glasses, but in large, liberal English glasses. The reply was that they should receive it, whereupon the Indians gave in their order five Jo-hahs—each tribe giving its own.

The Closing Ceremonies.

Then the health of all was drunk, and also the health of the great King of England and of the Six Nations, and an end was put to the treaty by three loud huzzas, in which all the company joined.

In the evening the Governor took leave of the Indians and gave them presents; the Commissioners of Virginia gave Canassatega a scarlet camblet coat, and took their leave in high ceremonial form; the Commissioners of Maryland presented Gachadow, the Indian orator, with a broad, gold-laced hat, and took their leave with form and ceremony.

The great treaty was ended as the light was fading out of the west, and the little borough of Lancaster town wrapped itself in its mantle and slept.

Names of the Chief Men.

In Pennsylvania Archives we learn the names of all the Indians who were present at this wonderful treaty of 1744 at Lancaster. There were twenty of the Onondagoes; twenty-six of the Cayagogs; twelve of the Oneydas; four of the Senecas; sixteen of the Tuscaroras; thirteen of the Conestoga Indians; Wekeuhlaky and eight of his countrymen; ten of the Nanticokes; eight of the Conoys; nine of the Sapony, and the Delawares were forbid to come to the treaty—making in all 127 Indians.(1) Imagine what an array surging in and out of our little, modest Court House, and what an audience within its narrow walls this assemblage was! Were it to happen to-day, our town would be more congested than upon the grand entry of the circus and the sway of our agricultural fairs.

Still Another Treaty.

Four years later this same Court House is the scene of the Indian Treaty of 1748. It met July 19. Benjamin Shoemaker, Thomas Hopkinson, Joseph Turner and William Logan, Commissioners in His Majesty's name, under the great seal of the Province, appointed at Philadelphia; the magistrates and inhabitants of Lancaster county; fifty-five Indians, of several nations, to wit: Of the Six Nations, the Delawares, the Shawonese, Nanticokes and Twightwees; Conrad Weiser, interpreter for the Six Nations, and Andrew Montour, interpreter for the Shawonese and Twightwees, were present.(2) At this treaty the little Court

(1) Pa. Archives, 1664-1747, p. 656.

(2) Col. Rec., Vol. 5, p. 307.

House was crowded. The citizens and magistrates of the county turned out. The treaty lasted but five days—July 19 to 23, inclusive, 1748. The main question disposed of, at this treaty, was that of admitting the Twightwee Indian Nation as "good friends and allies of the English nation." These were Indians living on the headwaters of the Allegheny and Ohio rivers. The result was that on July 23, 1748, a long legal document, or treaty compact, signed by twenty-eight signatures, of the different Commissioners and Indians, was executed and delivered, after four days of eloquent speech-making.

Some Later Treaties.

The only incident of note apart from the main work of the meeting (and it is one that appeals to our imagination rather than to our investigating powers) is the record that the minutes contain of the elaborate dinner which the Commissioners gave the Twightwees and the Indians who conducted them from Ohio, July 21. It is recorded that the Commissioners gave a handsome entertainment to them and after dinner entered into a free conversation about the numbers and situations of their towns and those of their allies, from which it appeared they had twenty towns along the river and 1,000 fighting men, and in a general way showed the great advantage to the English these Indians would prove.

In 1755 there was another treaty at the Court House with the Conestoga Indians and a list of the twenty-three who were present appears in the Archives.⁽¹⁾ Nothing of great importance was there transacted. Also, in 1756, the then Governor of the Province, Robert H. Morris, met representatives of a majority of the Six Nations of Indians at the Court House to inquire

(1) Pa. Archives, 1748-1756, p. 242.

why two tribes of the Six Nations—the Shawonese and Delawares—had forgotten their treaty obligations. The Governor in his report of the meeting, which he sent to Councils at Philadelphia, is very sanguine that the English could depend upon the other four tribes of the Six Nations remaining loyal to the English.(2)

Lancaster the Capital of the State.

Lancaster three times enjoyed the distinction of being the Capital of the Province, afterwards the State of Pennsylvania. First, a few days beginning August 11, 1762; next, from October 1, 1777, to June 28, 1778; and next, in 1799, and some years following.

The minutes of the proceedings of the executive branch of the Province of Pennsylvania of August 11, 1762, are set down as follows: "At a council held at Lancaster, on Wednesday, the 11th, August, 1762: Present:—Hon. James Hamilton, Esq., Lieut. Governor and William Logan, Benjamin Chew, et al. of the council,(3) In the little court house they sat. On the 12th there were present several members of the council; six or eight members of the Assembly, magistrates and gentleman from Philadelphia and others and the chiefs and warriors of more than a dozen Indian tribes. At this conference there were 557 Indians present.(4) At this treaty, too, the Indians desired their guns, hatchets and kettles repaired and the Governor sent for them to be brought into the Council House for that purpose.(5) This treaty and conference, it seems, was held in part at the Court House (which they called Council House) and in part out among the tribes as they encamped about the town. The exchange or delivery of prisoners the Indians had

(2) Col. Rec., Vol. 6, p. 776.

(3) Col. Rec., Vol. 8, p. 721.

(4) Ibid, p. 730.

(5) Ibid, p. 734.

made was at the Court House. (6) Here the Indians delivered 18 or 20 of their prisoners. The sum of 1200 pounds was given for these ransoms and certain Indian claims to lands."

One session of the Treaty, August 24, was held at the old Lutheran Church. (7) Presents were made to the Indians of several hundred pounds, worth of goods from Mr. Hambright's Malt House. (8) Long lists of the names of the Indians participating in the treaty of 1762 may be found in the Archives. (9)

The Indian Treaties.

How wonderful it is to know that at the last of these four Indian treaties, and at the one of which the Twightwees were participants, the Western tribes of Indians were of those who had in 1755, forgetting their old treaties, joined the French and wrought such terrible slaughter upon Braddock and the English at Fort Duquesne! Here in our Court House were met in peaceful conference those brutal butchers whom the King's men and armies could not withstand.

It is incumbent upon me to drop a word or two of explanation upon the real value and importance of these Indian conferences at our Court House. We can readily see that the members present were not great enough to make their treaties great for that reason; we also know that the value of the goods given the savages was not large enough to make the treaties great; nor was the cession of land by the Indians to the whites the chief importance of the treaties. The principal value lay in the relation which these treaties with the Indians bore to the great national struggles and wars which the French and English

(6) Ibid, p. 749.

(7) Ibid, p. 757.

(8) Ibid, p. 774.

(9) Pa. Archives, 1760-1776, p. 90.

were fighting out here as well as in Europe. It was of the supremest importance to either nation to secure the co-operation of the most powerful of the Indians. Treaties were made elsewhere, besides Lancaster and Philadelphia, but in none of them was the issue made of greater importance to the English than in those made here in our little Court House. Reading these relations and results of these treaties into them, I am justified in placing those treaties—those quaint scenes here in Centre Square—among the greatest events in America, in those days.

The Struggle With the Mother Country.

But our little Court House was destined to be the stage upon which far livelier scenes and more momentous events were soon to occur. A breach is now beginning to be visible between the Colonists and the mother country. The Colonists are smarting under unjust oppressions.

About 1772 Parliament passed a law placing a tax upon glass, paper, colors, tea, etc., which the Colonists were to pay before they could import and use any of these goods. This caused the Bostonians to throw overboard the ship of tea in their harbor which the British Government had confiscated, because no tax was paid on it. The overthrow of this tea brought the British General Gage to America "to dragoon the Bostonians into compliance," in 1774.

The whole country felt that Boston's fight was their own, and Pennsylvania asked her Governor to call the Assembly together. He refused. The Committee of Correspondence for Philadelphia therefore addressed a circular letter to each county, setting forth the Governor's refusal and also that Philadelphia city and county would hold a meeting at the State

House, June 15, 1774. The letter further desired that the sentiments of the different counties be taken on the general cause and suggested that the several counties call together the principal inhabitants to take such sentiments.(1) As late as 1850 the original letter was in our Prothonotary's office.

Measures Adopted.

A meeting was accordingly held in our little Court House, June 15, 1774, in the evening, while the larger meeting was holding forth at Philadelphia. At this Lancaster meeting it was fearlessly resolved: "That to preserve the constitutional rights of the inhabitants of America, it is incumbent on every colony to unite and use the most effectual means to procure a repeal of the late Act of Parliament against the town of Boston." The resolutions also declared that the method to effect the end was to stop all importations from or exportations to Great Britain from and by all the Colonists; it called on all traders and inhabitants of this county to concur with the manufacturers and merchants to enter a solemn agreement for this purpose and nominated a committee consisting of Edward Shippen, George Ross, Jasper Yeates, Matthias Slough, James Webb, William Atlee, Wm. Henry, Ludwig Lauman, Wm. Bausman and Charles Hall, the foremost 10 men of the county, being 10 of the greatest men in the State, to correspond with the General Committee at Philadelphia.

All this bold protest against England was framed in our little Court House as well as the spontaneous machinery for carrying it out. The result of this meeting was a great meeting and uprising of the city and county two or three weeks later.

(1) Rupp's History of Lancaster County, p. 372.

The People Speak Out.

On the ninth of July, 1774, at two o'clock in the afternoon, one of the most memorable meetings that ever convened in this or any other county was held at the Court House. (2) George Ross was chosen Chairman and the meeting, taking into consideration the several Acts of Parliament, passed eleven resolutions, at the close of an afternoon of most stirring and patriotic speech-making and enthusiasm. These resolutions in substance were:

1. That George III. is the rightful King.

2. That no one but the representatives in Assembly has power to tax, or grant money.

3. That the late Acts of Parliament are unconstitutional, unjust and oppressive.

4. That duty impels them to oppose every encroach upon their rights.

5. That a close union of the colonies and obedience to Congress alone will put their rights on a firm basis.

6. That a committee must be sent to meet the central convention in Philadelphia.

7. That this county will abide by whatever Congress shall do.

8. That suffering Boston has their tenderest sympathy.

9. That subscriptions be taken for Boston's relief.

10. That the subscriptions be spent in buying goods for Boston.

II. That the committee appointed be augmented and continued.

George Ross was tendered a vote of thanks for his proper and spirited address and the thanks of the Assembly were tendered Mr. Ross for his patriotic conduct on this occasion.

What a notable and noble meeting! The resolutions then and there passed

(2) Rupp's History, p. 378.

were the incipient Declaration of Independence itself. What else can mean the sublime obedience to Congress? the defiance of any one but the representatives to raise money? the expression "encroachments upon our liberties?" Grand old building! Though humble its walls, though low and modest its eaves, though dingy its windows—on that afternoon any patriotic soul could have seen its modest bricks change into glistening marble, its lowly dimensions rise and stretch into stately and towering proportions and radiant from it, in clean white brilliance, the glorious sunrise of the dawning and divinely appointed new nation fast rising in America.

Supporting the Congress.

December 15, 1774, a different scene is set about and within this Court House. On that bright, glistening winter day the freemen of the entire county meet at the Court House to choose by ballot 60 persons for a committee to "observe the conduct of all persons touching the general association of the general Congress." This committee was erected upon the recommendation of Congress that there should be such committee or body. This was for the purpose of causing all persons to obey Congress and its acts and especially in cases where the Acts of Congress were derogatory to the Acts of Parliament.(1)

The Work of Preparation Begun.

A year or two now elapses and the history of the county is the same as the history of the country at large—increasing tyrannical measures by Parliament, increasing disaffection and finally loss of faith in King George II. At last the glorious Fourth of July, 1776, dawns, and, as it does, it beholds in Lancaster a scene of imposing

(1) Rupp's History, p. 383.

military grandeur and of solemn martial splendor. On the very day that the august Congress at Philadelphia is considering the awful question of independence, in its final stages, there are convened in Lancaster, about its Court House, 53 battalions of soldiers, the freemen of half the counties of eastern Pennsylvania and thousands of citizens. The news of Bunker Hill is still running like wildfire over the country—the shot heard 'round the world is still reverberating. An election this day is being held nere at Centre Square to elect two Brigadier Generals to command the battalions and forces of Pennsylvania. Colonel George Ross is made President of the meeting, and the great day is inaugurated.(2) Hundreds of privates and scores of subordinate officers were present. It was a wonderful day, resounding with martial music, consumed by the election and marches and manœuvres.

The People Endorse Congress.

And now a different scene is set upon the stage. About July 7 the news that the Declaration of Independence was adopted reached Lancaster. The scene that followed was not one of concerted action like the preceding ones, but a continuous performance of renunciation. The magistrates, the whole horde of ministerial, executive and lesser judicial officials now came flocking to the Court House and surrendered the commissions which they had received directly or indirectly from the King and gave up their offices. The justices and Judges of the Courts, they being Courts of the King, suspended all business, refused to recognize the King and ordered the English Coat of Arms to be removed from the Court room.(3)

(2) Rupp's History, p. 404.

(3) Rupp's History, p. 408.

By July 15, 1776, eleven days after Independence, there is a convention at Philadelphia to frame a new constitution—and Pennsylvania and Lancaster county has her members on hand participating.(4)

Congress Resolves to Come Here.

But our little Court House was yet to have her greatest day of triumph. In the autumn of 1777, General Howe, after two victories near Brandywine and Germantown, was pushing into Philadelphia. The Congress of the nation was sitting there and in fear for their safety, on Sunday, September 14, 1777, in Congress, resolved, "That if Congress be obliged to remove from Philadelphia, Lancaster be the place where they shall meet." (5) It was also resolved that the public papers be put under the care of Mr. Clark, and that he be empowered, upon the Congress removing to Lancaster, to procure wagons sufficient for conveying them thither and apply to General Dickinson or any other officers commanding troops in the service of the United States, who is hereby directed to furnish a guard to conduct the said papers safely to Lancaster." (6)

Congress Sets in Our Court House.

Upon the Journals of Congress it next appears "Thursuay, September 18, 1777, adjourned to ten o'clock tomorrow." "During the adjournment, the President received a letter from Colonel Hamilton, one of General Washington's aids, which intimated the necessity of removing the Congress immediately from Philadelphia; whereupon the members left the city, and agreeably to the resolve of the 14th repaired to Lancaster." (7) The

(4) Rupp's History, p. 408.

(5) Journals of Congress, Vol. 2, p. 265.

(6) Ibid, p. 265-270.

(7) Ibid, p. 265-270.

next week is consumed by the delegates of Congress wending their way with their government belongings toward Lancaster, while wagons were slowly bringing on the papers, records, etc. Saturday, September 27, 1777, finds them seated in the little hero Court House at Lancaster—the great Congress of the country.

And now follow the entire proceedings of the government of the nation while Lancaster, for one brief day, was the seat of the Government of the United States.

Proceedings of Congress While Here.

The minutes, verbatim, as they appear in the Journals of Congress are as follows: "Lancaster, Saturday, September 27, 1777, a letter of the 15th from General Gates at the heights above Behman's; one of the 16th from Colonel Gist, at Christiana Bridge; one of the 16th from Colonel Gibson, at Alexandria; and one of the 23d from General Washington, at Pottsgrove, were read.

"A letter from Brigadier General Conway, one from Col. G. Morgan, at Fort Pitt, with several papers enclosed, and a letter from the Baron de Kalb to Col. R. H. Lee, were read.

"Resolved, That they be referred to the board of war."

"A letter of the 16th from Joseph Trumbull was read. Ordered that it be referred to the board of the treasury.

"Resolved, That the board of war be directed to co-operate with General Washington in devising and carrying into execution effectual measures for supplying the army with firearms, shoes, blankets, stockings, provisions and other necessaries: and that in executing this business these collections be confined, as much as circumstances will admit, to persons of disaffected and equivocal characters.

“Resolved, That the treasury board direct the treasurer, with all his papers, forms, etc., to repair to the town of York, in Pennsylvania.

“Adjourned to York town, there to meet on Tuesday next at 10 o’clock.”(1)

And they adjourned to York, where, on October 2, 1777, as the journals show, it was “Resolved, that the Articles of Confederation be taken into consideration to-morrow morning, at 11 o’clock.”(2)

The Stay Brier, But Glorious.

These are, verbatim, the proceedings of the Federal Government, which the fathers of our nation enacted in Lancaster’s little Court House. Modest little capitol building of the country it was, indeed—a humble White House to be sure—a dingy little chamber or House of Representatives.

Yet the event is glorious; the fact will remain a fact, that Lancaster was, for one day, the capital of the nation, and its little Court House the Federal Government building, its White House and Legislative Chamber, though our nation shall become 1,000 or 2,000 years old. The immortal record is made—it cannot be blotted out.

The Men Who Were Here.

And who were the men that sat in that session of Congress at Lancaster? For New Hampshire, there was Samuel Fulson; for Massachusetts, Samuel Adams, John Adams, Elbridge Gerry and James Lovell; for Rhode Island, Henry Marchant and Eliphalet Dyer; for Connecticut, Richard Low and William Williams; for New York, James Duane and William Duerr; for Pennsylvania, David Roberdeau; for Maryland, Samuel Chase and Charles

(1) Journals of Congress, Vol. 2, p. 270.

(2) Journals of Congress, Vol. 2, p. 272.

Carroll; for Virginia, Benjamin Harrison, Joseph Jones, F. H. Lee and R. H. Lee; for North Carolina, John Penn and Cornelius Harnett; for South Carolina, Arthur Middleton, Thomas Hayward and Henry Laurens; and for Georgia, Nathan Bowman.(3) New Jersey and Delaware, it seems, were not represented.

Who were these men? And why was it so important that they should flee from Philadelphia? They were the very head of the Government that had rebelled against England. They were responsible for the Declaration of Independence. If caught, they would surely all have been hanged. These, in short, were the head and front of the entire rebellion. They were framing a new government—the Articles of Confederation—and General Washington, in the field, was fighting to maintain the Government they had organized.

After adjourning at Lancaster, Saturday evening, the Congress went to York by way of Bethlehem. At the latter place they spent Sunday. Some attended the Moravian Church and praised the music; and others remained at the Sun Inn and drank Madeira wine.

The Congress moved from Lancaster to York on horseback, taking care to drink a sufficient quantity of Madeira before starting.(4) The manner by which the papers and documents of Congress were removed through Bristol to Bethlehem, and from there to Lancaster and to York, in a four-horse wagon, guarded by a few companies of troops, is set forth in an interesting letter, on the subject from John Adams, and may be found in Prowell & Gibson's

(3) Journals of Congress, Vol. 2, p. 273; also, Geo. R. Prowell, Esq., York.

(4) Per George R. Prowell, York.

History of York County, written in 1886.(5)

Lancaster the State Capital Also.

Not only was the national Government, as above stated, at Lancaster in 1777, but from October 1 of that year until June 20, 1778, the Supreme Executive Council of the State, the head of the State Government, was here, and held its sessions in the little Court House.(6) While the State Government was here a long series of great evnts took place.

On January 20, 1778, General Fulsom and Mr. Duane, members of Congress, being a committee appointed by Congress, came to the Court House from York, where Congress was sitting, and took up, with the Supreme Executive Council, the question of a monster attack upon Philadelphia, to regain it. These men came in response to a resolution passed January 2, at our Court House, by Council(7), recommending to Congress that the Government of Pennsylvania is ready to lead such attack and to "regain the Capital of our State and drive out our cruel invaders." Congress greatly applauded the patriotism of Pennsylvania and promised to do everything to help the project.

Here, too, the Council of Safety for Lancaster County was erected and extinguished.(1)

The Oath of Allegiance.

Here, too, in the Court House, the new oaths of allegiance which were drawn up by Congress were publicly read and ordered published throughout the land, and all officers commanded to come and subscribe thereto within

(5) Prowell & Gibson's History of York County, p. 136.

(6) Col. Rec., Vol. 11, pp. 313-521.

(7) Col. Rec., Vol. 11, p. 404.

(1) Col. Rec., Vol. 11, p. 353.

twenty days.(2) This was on February 14, 1778.

How grand were those oaths:

"I ——— acknowledge the United States of America to be free, independent and sovereign States; and declare that the people thereof owe no allegiance or obedience to George III., King of Great Britain, and I renounce, refuse and abjure any allegiance or obedience to him; and I do swear (or affirm) that I will, to the utmost of my power, support, maintain, and defend the United States against the said George III., his heirs and successors, and his and their abettors and adherents, and will serve the United States in the office of ———, which I now hold, with fidelity, according to the best of my skill and understanding. So help me God."

And now another new and solemn service follows. As on July 7, 1776, when the country learned that independence was declared, all officers and others holding commissions came to the Court House and surrendered them, so now that the new oaths were drawn up all the county, State and Federal officers of Lancaster county came to their Court House and subscribed the oaths which I have just read. These surely were the days of big events, of brave patriots, and stout hearts—of men who relied upon Freedom and Freedom's God.

The Winter at Valley Forge.

February 28, 1778, there came to this Court House a pleading voice from Valley Forge. The "Father of his Country" sent a letter to Lancaster, with an urgent request that it be acted on, begging all good people to fatten cattle and gather provisions for the famishing army, so that they may have strength to regain the Capital in the

(2) Col. Rec., Vol. 11, p. 415.

spring. It is a letter full of high patriotic ardor, counselling to hope and faith, written in all the bitterness of that most bitter winter at Valley Forge. Here it was read and debated. It may be found in full in the Colonial Records.(3)

In this Court House, too, March 13, 1778, was framed for the State of Pennsylvania that famous supplication to God for the deliverance of Philadelphia, in these words:

“Whereas it hath pleased God to suffer the enemy to take possession of our Capital and the distresses attending on war have fallen heavily on the State, whereby it is become peculiarly necessary for the inhabitants to humble themselves before Him who governs the universe and turneth the hearts of men as he pleaseth, and therefore as well as in due respect to the recommendations of Congress, we do hereby most earnestly recommend to the good people of the Commonwealth to set apart Wednesday, April 22, next, for the pious purposes mentioned in said resolve and that they abstain on that day from labor and recreation. Given at Lancaster, March 13, 1778.”(4)

After the Tories.

Next, on May 8 and 21 the Supreme Council in this Court House pass an edict of attainder, with forfeiture of goods for treason, against 160 loyalists or Tories, warning them that unless they appear for trial on or before a certain day they shall suffer the penalties of traitors. A few days later several hundred are attainted because of their cleavage to Great Britain. Of all those drastic measures of war this little Court House was the scene.(5)

(3) Col. Rec., Vol. 11, p. 429.

(4) Col. Rec., Vol. 11, p. 438.

(5) Col. Rec., Vol. 11, pp. 483-495-513.

One more important event enacted at this Court House, with a few concluding observations, and our task shall end.

President Wharton Dies.

May 23, 1778, President Wharton, executive head of the State of Pennsylvania, a chief actor in all the events carried out while the Government of the State was administered from this Court House from October 1, 1777, to June 20, 1778, died, and on the 24th he was given an elaborate military funeral from the Court House, where he won his laurels and where now his body lay in state. Sunday, May 24, the Council met to attend the funeral. As his body was brought out the signal was given from the cupola on the Court House—the raising of a flag—the minute guns began to fire, the civil and military parade formed and the body was borne to the Trinity Lutheran Church and buried.(6) Little more remains to be said. It may be added, however, that in this Court House great lawyers, such as Ross, Yeates, Wilson and others, pleaded great cases. Here and at Philadelphia Ross defended Tories; here constitutional cases were fought out and tried, and the records may yet be found in the cellar of our present Court House of the actions and suits entered by these great men.

It is Reduced to Ashes.

After all this brilliant train of glorious events the Court House took fire in the beginning of June, 1784, and was entirely consumed.(7) The origin of the fire was never ascertained. It was being repaired at the time and some attributed it to quicklime piled in the lower room; some thought that

(6) Col. Rec., Vol. 11, p. 498.

(7) Ellis & Evans' History of Lancaster County, p. 204.

chemicals used by the clock repairmen did it and some thought it was incendiary. At any rate, its noble career was then ended and all the varied eloquence of its being put out and settled forever by the consuming flames.

And this ends my task. I cannot properly have anything more to say except this. The events which I have set down must make us feel that the day of Lancaster's greatest glory is past and will never return. Lancaster will never, so long as the world shall stand, hold, at least relatively, so important a position in our country's history and exercise so powerful a voice and part in it in the future as it has in the past.

It can never again be the Capital of the nation even for a day; it can never again be so closely connected with the National Government as it was 125 years ago. Nor will any more Indian history ever be made on this spot. Never again can memorable scenes like these occur. The Indian is gone forever, his race is extinct, those chapters are closed. Within the precincts of this little Court House the record was made and in the gratitude and memory of our people it is preserved.

Retrospection.

And now we take our leave of the little brick structure that has been our friend for this hour. How close we feel to it all! One hundred and fifty, sixty and even seventy years fall out of our contemplation and we see it all as yesterday. How proud we should be to-day if now the building were standing preserved on its site! How we should love it and value it! What famous visitors, what great personages, we would conduct through it, into its solemn, silent Court room, up

its stairs into its chamber! How we would gaze in sacred awe into its empty seats, its quaint bench and bar, its blinds, its age-stained wood and brass, its girders and posts, its brick floor and primitive walls! How we would speak in low whispers as we rehearse or as we silently contemplate, standing within it, the train of mighty events that made it famous! All these would pass in silent parade before us in review as we stand within it! The ancient Justices with powdered wigs; the mighty and pious Zinzendorf, his eloquent sermons and strange audiences; the commingled audiences of dusky Indian chiefs and white forefathers filling the room four successive times in treaty met; the stately warriors, the speeches, the voices, the intonations; the excited, hilarious and patriotic events and meetings of 1774, with the patriotic speeches and ringing applause, punctuated with indignation against England; the military dress, adornments and bearing of the soldiers at the memorable meeting of July 4, 1776; the surrendering of commissions and removal of the arms of King George III.; the solemn picture of Congress and its session of September 27, 1777; the stormy sessions of the Supreme Council of the State and Councils of Safety for nine months; the edicts of attainder against the Tories, and their excited neighbors coming into these halls and begging for them; the funeral of the President of the State, with its martial splendor—all these we would rehearse, standing upon its very floors, and landings and stairs, if it were there to-day.

But, alas! it is gone! Oh, Lancaster, thou hast lost a treasure! Happy would you be if you owned that little building to-day. Over it you would have reared a larger building, incasing it entirely with stout walls and strong

roof like a play house in a nursery. And as ages should roll on, this covering would in turn be re-encased and re-encased until the little edifice in the centre should be a veritable holy of holies, encased and protected from the tooth of time as completely as a nation's love for it would be enshrined in the hearts of a grateful and patriotic people.

H. FRANK ESHLEMAN.

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