

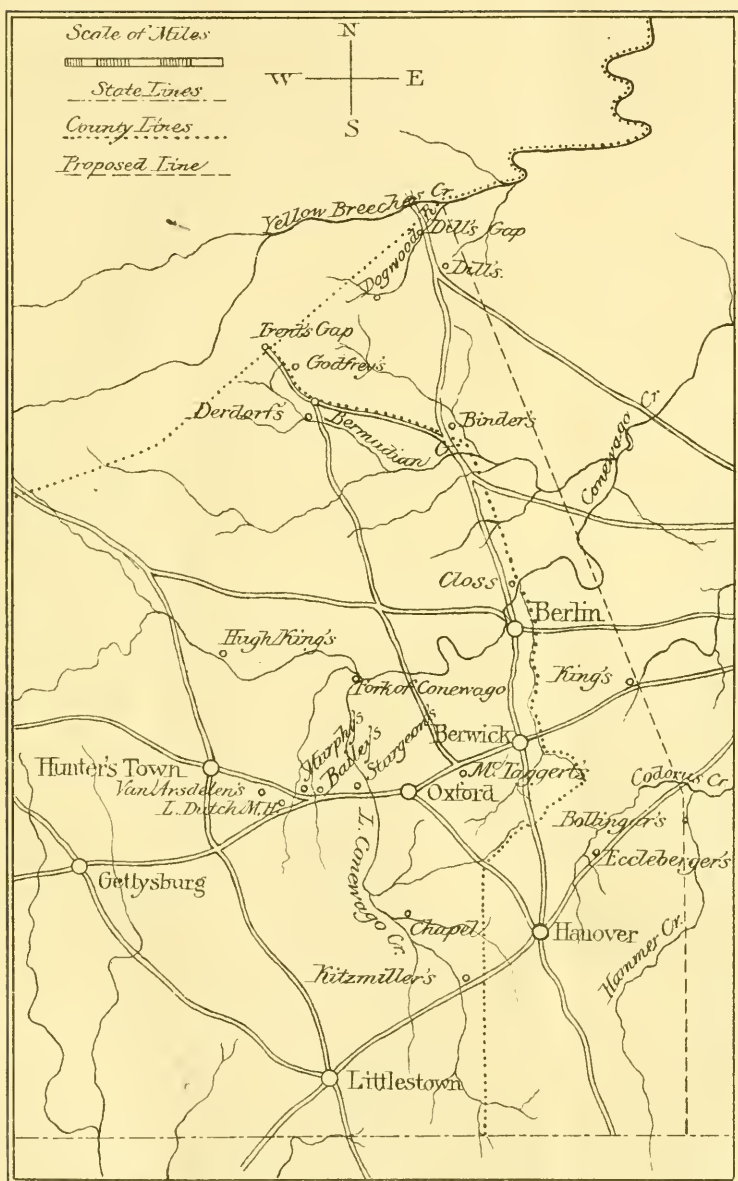
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1792-1800

THE STORY
OF THE
Creation of Adams County,
PENNSYLVANIA,
AND OF THE
SELECTION OF GETTYSBURG
AS ITS
SEAT OF JUSTICE.

An Address before the Historical Society of Adams County, on its
First Anniversary, May 6, 1889.

By HON. EDWARD McPHERSON,
PRESIDENT OF THE SOCIETY.

With Map of the Territory, Showing Lines, Roads, and Settlements.

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THE ADDRESS.

Ladies, Gentlemen, and Members of the Adams County Historical Society:

The Constitution of our Society makes it the duty of the President to deliver an address on each anniversary. This mandate is my excuse and justification for asking your attention while, on this first anniversary, I try to tell the story of the creation of Adams county and of the selection of Gettysburg as its seat of justice. This duty carries us back to the closing decade of the last century, and we are near the closing decade of this century. The contest lasted eleven years. It began in the spring of 1789, just one hundred years ago. It ended in January, 1800. The fortunes of the struggle alternated, and victory finally came to the better fighters. The story has never been told, either in whole or in part; yet it has many elements of almost dramatic interest. To the present generation it is as a sealed book. Yet it deserves to be told, and with minuteness, as a matter of historical justice and accuracy. The statements respecting it, in current publications which pass for history, are inaccurate and misleading, and give no idea of what the contest was or how the result was reached. The actors in it died, leaving no consecutive account of their part in it. And in print there is nothing to-day, of any value, beyond dry statements of legislative motions and votes, and meagre allusions in the only newspaper then printed in York. As a result, the little we supposed we knew rested chiefly on tradition. And with that we would have been obliged to be content, but for the fortunate preservation of a mass of papers which fell, at the close of the contest, into the hands of my grandfather, the late William McPherson, who for several years and

at the last was in the Legislature as a champion of the new county project and of Gettysburg as its seat of justice. These papers came through my father to me, who have, also, lately received, through the alert State Librarian, Dr. Wm. H. Egle, certain other documents found in Lancaster among the papers of the late Judge Yeates. Many facts, otherwise uncertain, become clear in the light of these interpretations. Every one of these papers has interest to the local inquirer. Most of them have distinct local value. Those containing the autograph signatures of a large portion of the taxables living in this region between 1789 and 1800 form a unique collection, in which but few counties can surpass us.

Our centennial is but little more than ten years off. It is high time that we try to gather into compact and intelligible form, the story of how precisely the county and the county-seat came into existence. These manuscripts are the very essence of those facts.

When the contest began, the area of York county was 1,452 square miles, or 225 square miles larger than the present area of the largest county in our Commonwealth. When it ended, the area of York county was 921 square miles, or 21 square miles larger than Berks county now is, and only 52 square miles smaller than Lancaster now is. The division thus left York still one of the large counties of the State.

Two causes combined to produce this movement. The old York was not symmetrical in shape, but was highly irregular. On its southern line, it was sixty miles from east end to west. On its central line, through Yorktown, it was forty-eight miles from end to end. On a more northerly line, it was twenty-seven miles, whence it ran triangularly to a point at present New Cumberland. North and south at the widest, it was thirty-three miles; at the narrowest, fifteen, if we except the triangle at the south-east corner, the apex of which lies on the Susquehanna. Besides, the county-seat was thirty-seven miles from the western boundary of the county, and but twelve miles from the eastern boundary. This irregular region, with its lop-sided county-seat, was inhabited, from the beginning, by

a discordant people. The men of the west did not believe in, or work cordially, or readily confer, with the men of the east; and reversely. The two migrations were of different stock, came from different countries, spoke different languages, and had inharmonious training, ideas and tastes. Each nationality naturally sought settlement by itself, and both were happier when apart. Their politics differed, and both distance and diversity prevented fusion. Their points of repulsion proved, in forty years of enforced association, stronger than their points of attraction. The inhabitants of the west end were the less numerous, and as antagonisms developed they were seized with a purpose to set up for themselves. To the motives mentioned, probably a hope of pecuniary advantage from a new organization and a new county-seat came in to strengthen the purpose, which was reënforced by a desire to secure a market more convenient than Philadelphia, now made possible by the opening of north and south roads connecting the Cumberland Valley through the Marsh creek settlement with Baltimore. With an independent county organization, they expected to increase facilities for trading southward, thus getting clear of the barrier of the unbridged Susquehanna.

The subject did not at once strike all alike, and at first there was not entire unity among them. There are in existence petitions, notably from Germany township, which was wholly within the proposed new county as originally outlined, remonstrating against its creation. Nor was there at first much vigor in resistance within the line first proposed. But war, bitter war, came when after the first distinct failure the new county project developed into a demand to divide York county into two parts of about equal size.

THE EFFORT OF 1789.

The first recorded mention of this subject is in the journal of the Assembly which was elected in the fall of 1788. Of the six members from York county, three were from the territory of the proposed new county, viz., Thomas Lilly, David McLellan, and Thomas Clingan. Mr. Lilly had been in public life

for the preceding ten years as Assemblyman, Commissioner of Attainder, and Justice of the Peace, and he continued for six years more as Assemblyman and as Senator. He was of the well-known Conewago family, then a part of Heidelberg township. Mr. McLellan was from Hamiltonban township, and was serving his third term. Mr. Clingan was also from Hamiltonban, and was serving his second term. The case of the new county was well prepared, and is embraced in one entry on the Legislative journal. That is the record of presentation, on the 20th of March, 1789, of petitions from 1,356 inhabitants of the western part of the county of York, for the creation of a separate county. The record does not state the townships which furnished the names, or the proposed line, or the name of the county, or the location of the county-seat. What is more peculiar, there were no remonstrances. The number of taxables within the territory covered by the lines first adopted was, in 1788, 3,652. So that the number of petitioners was considerably less than one-half the number of taxables. The non-petitioners can reasonably be classed as apathetic, if not hostile. The petitions were referred, as usual, to a select committee, which did not make a report till the last session of that Assembly, in September, 1789. Then it reported in favor of the prayer for the new county; but recommended a reference of the question to the next Assembly, on the ground that "no bill answering the prayer can, with propriety and agreeably with the Constitution of this State, be passed into a law during the present session, and the bringing in a bill, and publishing it, would be expensive and to no purpose." Under the Constitution of 1776, then existing, the last session of an Assembly limited itself to final action on bills previously considered, and, except in public exigencies, did not take up new business. The delay of the report, therefore, operated as a defeat of the prayer. But the new county project had gained the important point of approval by the select committee which examined it. There having been no vote or other record of individual action, it is impossible now to say how the west-end part of the York county delegation was

divided on the subject; but the reflected light of subsequent action makes it probable that Mr. Lilly was not in favor of the plan, and that Mr. McLellan may have been in favor of it. But it is certain that Mr. Clingan was in favor of it. The general effect of this skirmish was to stir up both friends and foes.

THE EFFORT OF 1790.

To the next legislature, elected in 1789, being the last chosen under the Constitution of 1776, Messrs. Clingan and Lilly were returned, Mr. McLellan was dropped, and William Godfrey, of Monaghan (now Latimore) township, chosen in his place. Immediately upon the meeting, petitions from 460 inhabitants were presented for division, which brought up the number of petitioners to 1,816. But 1,181 inhabitants remonstrated. All these were from the eastern end of the proposed new county—from the townships of Berwick, Germany, Heidelberg, Huntington, Manheim, Monaghan, Mt. Pleasant and Warrington. A considerable number of these petitioners lived within the proposed boundaries as indicated at this session. The number of remonstrants within this comparatively small area is conclusive proof of the general want of sympathy within them, towards the project. It is not, therefore, remarkable that the select committee on the subject reported in March, 1790, adversely. Their report was not radically hostile, but was against the expediency of division at present. The ground taken was that however proper division may be at a future day, it does not appear that the people have made up their minds so as to be reconciled to the plan; that the present proposed line would include a very respectable number of inhabitants who are by no means reconciled, but who pray not to be separated from the old county. They suggest, further, that the adoption of hasty and undigested plans for division of counties has caused great uneasiness to the people, and has consumed much of the time of the General Assembly; and they recommend that whenever an application is made to divide a county, there should accompany it a draft of lines, selection of a place for the seat of justice, and "proofs of approbation," particularly from those

near and within the line of the new county. This had not been done in the present case. Besides, the figures were undoubtedly against the application.

The New Countians had not made out their case, and the adverse report of the majority was a reasonable judgment on the facts developed. So the York county delegation felt, save one. Mr. Thomas Clingan, now in his second term, was not disposed to submit, and he made an appeal to the Assembly. On the 23d of March, 1790, the report of the committee pending, he moved to postpone it that he might make a motion to bring in a bill to create the new county. He preceded this by reciting in a preamble for justification, that a "respectable number of the inhabitants of the western part of York county were under difficulties," owing to their great distance from Yorktown, and the "crowded situation of the court docket." That is all. This motion made a square issue, and was a legislative defiance of the committee. Strange to say, the motion was agreed to by the decisive vote of 34 yeas to 25 nays. Stranger to say, he stood alone in the York county delegation in its favor; that Messrs. Godfrey, Lilly, Schmeiser and Stewart voted against the motion, and Mr. Read was absent. It was one out of six, on a local question, and the special committee against him. The one carried the majority of the House. Two days later, the opposition tried to get a two months' postponement for publication of the bill in the Carlisle and York papers, and were beaten without a division; and Mr. Clingan's motion to bring in the new county bill was agreed to, yeas 32, nays 29—a narrower majority, but still a majority. On the 30th of March, 1790, the bill was passed by the more decisive vote of yeas 34, nays 23. Again, Mr. Clingan, of the York representatives, stood alone in its favor, and the bill was, under the Constitution and rules, ordered transcribed for a third reading and forthwith publication for consideration. It was not pressed to a final vote, because under the Constitution of 1776, then operative, which vested the whole legislative power in a House of Representatives, the fifteenth section of the second chapter provided: "To the end that Laws, before they are enacted, may be more ma-

turely considered, and the Inconvenience of hasty Determinations as much as possible prevented, all Bills of a public Nature shall be printed for the Consideration of the People, before they are read in General Assembly the last Time for Debate and Amendment; and, except on Occasion of sudden Necessity, shall not be passed into Laws until the next Session of Assembly, and for the more perfect Satisfaction of the Public, the reasons and Motives for making such Laws shall be fully and clearly expressed in the Preambles." The bill was no doubt so published, but by the next session the new Constitution of 1790 had been adopted with a new form of both executive and legislative power, and the old authorities, on September 4, 1790, laid down their legislative trust and unexpectedly dissolved. One of the items of unfinished business thus deserted was the Adams county bill. But for this unexpected circumstance, it is altogether probable that the contest over the new county would have been then and there ended, by the prowess of one man, and the county created with substantially the same limits as those adopted ten years later after a very sharp and stubborn struggle. I am unable to say much more of Thomas Clingan, though he deserves that a great deal be said of him, for this was a brilliant achievement. The Clingan homestead is marked on Howell's Map of 1792 as north of the Marshall (now Virginia) mill, and this is presumed to be the property owned in 1789 by George Clingan's heirs. The farm, I learn from J. S. Witherow, Esq., is the Rhea farm, now owned by James Donaldson. I have failed to learn anything of his personal history except that he was a member of the Lower Marsh creek Presbyterian congregation, and in November, 1791, was one of the signers of the call to Rev. William Paxton, who for forty-nine years served that people with rare ability. But I do not find his name among the dead in their grave-yard, nor is it in the published assessment list of Hamiltonban of 1802. He appears to have left the settlement. I hope this discussion will revive interest in Thomas Clingan and that we may be able to learn more of him and of his career. I believe that he moved to Ohio.

The line laid down in this bill of March, 1790, began at a different point from the line of 1800. It began, instead of Trent's Gap, at Dill's Gap, where the road from Carlisle strikes the Cumberland county line; ran by a straight course to the Conewago creek opposite the mouth of Abbott's run; thence along that run so long as it is the division line between Berwick and Paradise townships; thence along the Berwick township line till it strikes the line of Heidelberg township; thence southward, so as to exclude Hanover-town, to the Maryland line; thence to the Franklin county line; thence by Cumberland county line to the place of beginning. Had that line been adhered to, Adams county would have had, in addition to the present territory, nearly the whole of Franklin township, York county, a triangular corner of Washington township, and a strip of Heidelberg, and of, probably, Manheim townships.* And had not the line of division then demanded been afterwards carried many miles east, so as to largely add to the size of the proposed new county, there is little doubt that the new county would have come many years sooner. For this change, I think the rivalries and ambitions growing out of the various sites suggested for the county seat are chiefly responsible. The line above stated is the first authentic record we have on the subject, and is designated, for convenience, THE LINE OF 1790. It is peculiar in not following roads or natural marks, and in not giving courses and distances, but it is sufficiently distinct.

These proceedings took place in March, 1790. In August of the same year, a petition was presented to the Legislature from a number of inhabitants of York county residing on the waters of the Yellow Breeches, asking to be annexed to Cumberland county. So old mother York was threatened with spoliation as well from the North as the West.

* In this and other descriptions of lines, I follow the sub-divisions of York county, as shown in the Small-Wagner Map of York and Adams counties, published in 1821.

THE FIRST COUNTY SITE SUGGESTION.

While the bill of 1790 failed of final enactment, a resolution was offered naming James Cunningham, of Lancaster county, Jonathan Hoge, of Cumberland, and James Johnston, of Franklin, surveyors, to be Commissioners to view and examine the situation of the several places proposed for the seat of justice, and make report to the Assembly at its next session of such place as they might judge most suitable and proper for that purpose. In Day's Historical Collections of Pennsylvania, page 57, it is stated that they selected "a tract of 125 acres belonging to Garret Van Arsdalen, in Straban township, between the two roads leading from Hunter's and Gettystown to the brick house, including part of each road to Swift's run." And, confirmatory of this, I have in original manuscript the offer of Garret Van Arsdalen, in 1793, of this property for this same purpose—in which paper he states that "it was formerly appointed to be the seat of justice by Messrs. Cunningham, Hoge and Johnston." But the resolution for the appointment of these gentlemen for this purpose is shown by the journal to have been defeated, not adopted; the journal of the subsequent session does not show the making of any report by them; and the statutes of 1789 and 1790 do not show the passage of any act on the subject. From all which I infer that if these surveyors acted at all, they did so on private employment to run lines, and that if they gave expression to the preference indicated, it was a personal and not an official act. One can readily understand how such a judgment could, in course of time, ripen into a popular tradition that it was an official act. But, however, this may be, there is no doubt that by 1790, the question of the county site assumed prominence and became closely bound with the fortunes of the new county project.

I have in possession an interesting paper, being a bond which was prepared for execution, but was not executed. It is dated May 21, 1790. It was prepared, apparently, to be presented to the three Commissioners, "whose province is to fix the seat of Justice," but it was not executed. It recites that

influenced by the pleasant situation and conveniences of Gettysburgh, the fertility of its neighborhood and centrality of its situation, they "beg leave to offer as an additional consideration in its behalf the following subscription." It promised to pay to the trustees appointed for taking obligations of performance for the proposals made in behalf of the county, viz., Col. Moses McClean, William Gilliland, Esq., and Matthew Dill, Esq., or any other trustees that may hereafter be by law appointed for erecting the public buildings within the intended new county, the several sums annexed, payable in three equal annual instalments; conditioned, however, upon Gettysburg being fixed as the seat of Justice. This bond was not signed, but its recitals indicate that the bill of 1790 provided the same sort of machinery for erecting the public buildings—trustees to "take obligations of performance for the proposals made for erecting the buildings"—which is found in the act of 1800, less the "ground rents" feature.

THE EFFORT OF 1791.

In the session of 1791, being the first legislature composed of a Senate and House of Representatives, the new county party met its first distinct defeat. The opposition looked after the delegation from York county. Thomas Clingan was not re-elected, most probably in reward for his remarkable performance in the previous Assembly. William Godfrey was also dropped, and Philip Gardner, of Hellam, was put in his place. William McPherson, then of Cumberland township, a new member, was the only known new county man on it. The delegation was made up against division. There was no opposition ticket. The extreme east of York county had three; the extreme west had one; the other two were from within the proposed territory, but against division. On this plan the delegation was constituted except in 1795 and 1796, when the new county project was not broached, and in 1799, when the extreme west secured two representatives, by which time division had become inevitable. The former petitions for division were again presented, as were the remonstrances. But the latter were re-

enforced by additional petitions from Heidelberg and Warrington. Besides the previous lack of unity among the population within the line, another element of weakness came to the surface in January, 1791, and again in April, 1791, when certain inhabitants of Monaghan and Newberry townships prayed to be annexed to Cumberland county. They were nearer to Carlisle than to York, and sought escape from these entanglements in annexation to Cumberland. The Select Committee of the House of Representatives examined the papers relating to the new county, and reported adversely to the petitions for division. They "were clearly of opinion that the minds of a very respectable number of people who live in the neighborhood of the proposed line are by no means reconciled to the idea of being separated from the old county. They are, therefore, induced to believe that the division would be improper." This report was affirmed February 17, 1791, by the House, by a vote of 34 to 27. The York delegation was divided as follows: Messrs. Gardner, Tyson, Stewart and Lilly, in the affirmative; Messrs. Read and McPherson, in the negative. Mr. Read was from Chanceford township, and, no doubt, a Scotch-Irish Presbyterian.

This vote is interesting as showing whence the opposition then came. Of the 34 negative votes, the counties east of York, with York itself, threw 31, leaving but three from the counties north and west. The old counties had evidently massed against the disturbance of power which might come from making new ones.

It is worthy of note that the two members of that House who secured the ultimate distinction of election to the U. S. Senate, Albert Gallatin and Samuel Maclay, both voted for division.

The size of the negative vote indicates the existence of a large interest for division. It could have easily become a majority but for the strong presence of an adverse local delegation.

Those who suppose that this contest was carried on with unbroken courtesy, with perfect frankness, in good temper,

and on principles unknown to the human nature of this day will find proof of their error in such entries on the House Journal as these :

1791, February 15—Petitions presented from a number of the inhabitants of Berwick, Germany, Mt. Pleasant, and Reading, for a new county, and the several depositions accompanying the same were read.

Petitions from a number of the inhabitants of Berwick township, testifying that they were prevailed upon, through groundless information, to petition for a division, but, being better informed, pray that their prayer be not granted, and a number of depositions were read.

The petition of Andrew McIlwain, Samuel Smith and Matthew Duncan, of Berwick township, and within the line of new proposed division, stating certain proceedings had by persons opposed to division, praying that no measures be adopted by the Legislature injurious to said division until they be heard.

These hints are enough to make us realize that our forefathers were just as human as are their descendants, and that the marks of the millennial period were not more distinct than they are now. But, unfortunately, these precious documents with the details are lost.

THE EFFORT OF 1792.

In the fall of 1791 there was a significant change made in the delegation. Mr. Read, who led the poll in 1790, paid the penalty of his vote for division, and was dropped by the regular Convention, which in those days was called by the County Commissioners. One of his neighbors, Alexander Turner, of Chanceford, was nominated in his place. Mr. Thomas Thornburg, of Monaghan, was substituted for Philip Gardner. The Thornburgs lived in Cumberland county as early as 1767, and in December, 1782, Thomas and Joseph, with Michael Ege, bought the Pine Grove Iron Works. On selling his interest there, some years later, Thomas moved to the upper part of York county. He died in 1807. He, Lilly and McPherson, were the three on the regular ticket from the West End, but

they were divided on the new county question. To this ticket an opposition was brought out. In the *York Herald*, of October 1, 1791, Wm. Mitchell, Wm. McClean "and others," announced that their ticket would be more agreeable to some of the districts, and to the public in general, than the one that has been introduced. It is not easy to guess the basis on which the opposition rested, or whether it was rather personal than political. Apparently it was the former, though one motive may have been resentment at the dropping of Gardner and taking up of Thornburg, as William Mitchell, a neighbor of Thornburg, signed the endorsement of the opposition ticket, and another motive resentment at the dropping of Joseph Read. Of Mr. Mitchell I know nothing except that he was one of the signers to the call of Rev. Samuel Waugh as Presbyterian minister in that region in 1791, and was probably an ancestor of the James S. Mitchell who represented the York Congressional district from 1821 to 1827. This movement did not prove to be a brilliant affair. John Stewart was on both tickets. As his vote was about 350 votes greater than the average of his colleagues, it is clear that this number represented the strength of the Opposition. But the Opposition ticket, whatever it represented, was strong in personal character. Matthew Dill, of Monaghan, Ebenezer Finley, of Cumberland, John Harbaugh, of Manchester, Joseph Read, of Chanceford, who had been dropped, and Conrad Sherman, of Manheim, were well known names. Of these, Mr. Dill was the most widely known. John Harbaugh, the fourth son of Yost Harbaugh, senior, then had a flouring mill near York, and was a man of prominence up to his death, in 1803, in his 68th year. Finley and Sherman were, two years later, again "stump" candidates, but with like unsucccess, and neither of them ever got to the Legislature. Finley lived in Gettysburg as early as 1795, when his name appears to a petition for the establishment of a post-office.

In the next month after the election, steps were taken to push the division project, but upon a more aggressive plan. Hitherto, the new county claimed about three-eighths of the

territory; now it claimed about two-sixteenths more, and covered Hanover. We have no certain knowledge of the influences which effected this change of policy; but there is every reason to believe that the county seat question was largely responsible for it. The farther east the division line could be thrown, the stronger would be the claim of the more eastern points for the county seat in rivalry of Gettysburg, which was about the center of the county as made by the line of 1790. Something may have also been conceded to the theory that as this was largely a struggle for territory, there was wisdom in claiming more than was expected, in the hope by compromise of thereby getting what they were really willing to take. I have known such theories prevail in modern deals. It is certain that in the development of the new policy, Hunterstown came to the front. Gettysburg apparently lagged in the rear. The *York Herald* of November 23, 1791, has a call for a meeting of the Western-Enders, in their different townships and parts of townships, to be held December 10, 1791, to choose two deputies from each to a convention on December 13, 1791, in Hunterstown, "for the purpose of concerting such measures as they may think proper to carry into effect a division of said county." It is added that those townships and parts of townships that do not elect persons to represent them at the meeting on December 13, "will be supposed as giving their Assent to any Measures that will be adopted by those that meet." The neat thing about this notice is the warning that all absentee districts will be held as approving whatever may be done. I am not aware that modern politics, of whose abuses it is fashionable to say so much, furnish a patter illustration of a disposition to grasp every advantage in sight.

The primaries were held, and the meeting took place December 13, 1791. The *York Herald* of December 28th advises us of the proceedings. Colonel William Walker was called to the chair; William McGrew was chosen clerk. On the question, Is a division of York county necessary? it was unanimously carried in the affirmative; and that the line of said division should commence at the mouth of Dogwood Run,

thence in a direct line to Christian Closse's mill, thence to Eichelberger's tavern, on the road leading from Hanover to York Town, thence in a south direction to the Maryland line, etc. This meeting called another primary for January 7, 1792, to elect two persons from each township as deputies to a convention in Hunter's Town, on January 10, 1792, "in order to concert such measures as they may think necessary to carry into effect a division of said county." If this last convention was ever held, there is no record of its action; and it probably was not held.

This new line, which I have named THE LINE OF 1792, because then first formally presented, was a somewhat radical measure. Tested by the Small and Wagner map of 1821, the Closse mill, originally Updegraff's, will be found to be the Emich mill, and the Eichelberger's of 1792 is still the Eichelberger's of 1821. Had this line prevailed, all of the present Franklin township, and half of Carroll, would have fallen to Adams, and a triangle from Monaghan, about one-half of Washington township, one-fifth of Paradise, and more than half of Heidelberg and Manheim townships, including "Hanover Town." But the journals of the Senate and the House of Representatives fail to show that any petitions were prepared as a result of this movement, which appears to have fallen flat. An influence, not now clearly apparent, suppressed the leaders of the Hunterstown meeting: for there was nothing done or proposed in the Legislature during the winter of 1791-'92. The probable explanation is that the line was too near the old line to satisfy the demand for an equal division of the territory, and too close to the site of Hunterstown to justify a hope of its selection as the county seat. In other words, the movement was neither cold nor hot, and it failed.

THE EFFORT OF 1793.

The same criticism cannot be made of the movement of 1793. It was a hot one, and on an aggressive line. The election of 1792 made no important change in the York county delegation. Philip Gardner, dropped in 1791, was restored

and remained six years. After the election, new petitions were circulated through all the townships, and were signed by 1,569 inhabitants. The main representation in them was that they "labour under Great Inconvenience by Reason of the Seat of Justice being so Remote as the Town of York is nearly 50 miles distant from the Western Extream of the county. In addition to this there is now on the docket as many actions as will with the Common management last near seven years, exclusive of any new ones which may commense in futor. We must therefore be subjected to serve as Jury men, Witnesses, etc., etc., on all occations when Required by Law Consequently to the Extraordinary Expense acruing by being so distant while we Remain Connected with the lower part of the County. We presume that when suits in Law increas in number to such a Degree as to ocation a procrastination of Justis that it amounts near to a Denial of Justice. And your Petitioners see no Rational method of removing those Evils but by laying the matter before your Honorable House and obtaining a Division of the County."

They call for a dividing line drawn "from the mouth of Dogwood Run, in Monaghan township, running straight course to George Ruddy's tavern, on the Great Road, from thence straight line to Bollingar's mill," and thence a due south course to the Maryland line, etc. They also ask that the place for the seat of Justice be fixed in the Bill. They add: "As we hope the Benefit, Ease and Happiness of your Petitioners and all your Constituents are the Governing Principle of your Honorable House, your Petitioners look up with Confidence and hope that your Honors will grant the prayer of so Reasonable a Petition."

I have, of these petitions of December, 1792, those for Cumberland township, 53 names; Hamiltonban, 225; Mount Joy, 116; Mount Pleasant, 147; Reading, 66; Straban, 195, and Tyrone, 56. In addition, there were from Berwick, 165; from Cumberland, 74 more; Franklin, 125; Germany, 71; Heidelberg, 4; Menallen, 111; Monaghan, 71; Paradise, 63.

These petitions demanded for the new county the largest

area claimed during the whole controversy. It illustrates the exceeding modesty of our ancestors to find them set it forth in terms as "so reasonable," and as justified by proper consideration for the benefit, ease and happiness of all the constituents of their legislators. The Ruddy tavern is the King tavern in Paradise township, and the Bollinger mill is the Bollinger mill in Heidelberg township, of the map of 1821. By this line, Adams would have had, in addition to present territory, all of Franklin and a triangle of Monaghan, nearly all of Washington, over one-third of Paradise, all of Heidelberg, and nearly all of Manheim—as these districts are laid down in the map of 1821. The county of York would have been divided into two nearly equal parts. This was the LINE OF 1792-'3.

These petitions, as I learn from a letter of William Reed, dated "Carrol's Tract," 7th January, 1793, to William McPherson, Esq., then a member of the Legislature at Philadelphia, were agreed upon at a meeting held at William Bailey's [in Mount Pleasant township], that the meeting was "pretty general," and that "we were also very unanimous." The letter adds:

"The Petitions are now going about, and I am informed they are approven of and subscribed by the people without exception. There is a meeting appointed at Mr. Bailey's, the 22d of this inst., when the Petitions are all to be brought in, and I think we shall be able after that time to judge whether we shall have a Division or no. I shall let you know our further proceedings if an opportunity offers."

There was a subsequent meeting at John Murphy's on the 13th of February, 1793, which "was expected to be the last about the Division, but the meeting was a Partial one on account of the inclemency of the weather, and nothing was done. Another was appointed for Friday of the next week for the last, after which the petitions may be expected immediately."*

William Bailey, who died in 1806, was assessed in 1800 at

* Unpublished letter of Alexander Russell, Esq., to William McPherson, Esq.

\$3,028. His house is, I think, the old stone on the north side of the turnpike immediately east of Brush Run. John Murphy was, and for many years continued to be, an active citizen. He built several of the old stone bridges, and built sections of the York and other turnpikes. His farm, now the Heltzell property, west of New Oxford, was warranted June 14, 1763, to John Hamilton. His house was, probably, the first brick built in Adams county. It stood till 1865, when Mr. Heltzell put in its place the present structure.

Alexander Irvine writes from Gettysburgh, January 8, 1793, "that the petitions have been in circulation, and the people in this place have complied with them, "in order to have the petitions more numerous," knowing well that "nothing they had in their power could have any affect on your Honorable Body in fixing that matter as you thought most proper." But he adds the expressive sentence: "We think the Line is too low down."

Capt. Alexander Cobean, writing to William McPherson, Esq., from Marsh Creek, March 17, 1793, says that "the division of the county, and fixing the Seat of Justice, seems now to take up the attention of most people in our part of this county. Mr. Dunwoody can inform you of the particular situation of the business. I hope if the matter is to be decided upon at this time, you will find sufficient reason to use your influence in favor of Gettysburgh for the Seat of Justice."

The journal of the House of Representatives shows that on March 5, 1793, a letter from Moses McClean, a very conspicuous citizen of the county, residing in Carroll's Delight, was read on the subject of the division of York county. The journal gives no hint of its contents. But I happen to have the original of the letter of transmittal. It is appended, as indicating, though vaguely, his attitude, which I interpret to have been a decided preference for the pending line, whatever its effect upon the selection of the county seat. This Mr. McClean afterwards moved to Ohio, where he died:

CARROLL'S DELIGHT.

DEAR SIR: I expect the Petitions for the Division of York County will come to hand against this reaches you. I have

enclosed a letter to the Speaker of the house of Representatives containing a few remarks which I think may be of Use on the Subject, which I request you will give him after the Petitions are Read—I have left it unsealed that you may see the Contents; which, after reading, please seal before you deliver—being much hurried with business, I shall only wish you to use every honorable method to obtain as beneficial a Division of York County as possible; and that whatever may be your private attachments you will consider yourself in this case as the Guardian of the Rights of those you Represent and that you are not at liberty in point of honour so far as your interest in the House will carry, to sacrifice the Interests of the Inhabitants generally to gratify others however designing—In hopes this will be the case I take the Liberty to subscribe myself.

Your sincere friend and

Humble Servant,

5th February, 1793

MOSES McCLEAN.

WILLIAM McPHERSON, Esq.

These petitions were sent to Philadelphia in March by the hands of John Potter, and were presented in the House March 5, 1793, by Mr. McPherson, who, in a letter to Alexander Russell, Esq., dated Philadelphia, March 5, 1793, says that he has “little hopes of the Business succeeding this session.” He finds that a great many in the proposed line of division have not come forward with their names. Besides, the session was then far advanced. He says one of the objections made by members is that an enumeration of the population has not been taken; but, he adds, if they had not this reason to give, they would have some other. He adds, further, that he is convinced “the line was extended too low down,” and thinks while that is to be the line, “we will never be able to carry a Division.” This movement evidently did not suit him.

Undoubtedly the decided majority of these Eastern townships were hostile to this line. None petitioned for it from Manheim, Paradise or Warrington; only four from Heidelberg, of whom three were the three Owingses,* Charles, Robert and William, who finally fell within our county; while 140 in-

* They lived on a 500-acre tract bordering on Slagle's Run and Little Conewago—now three farms occupied by the Sneeringers.

habitants of Manheim vehemently protested against it. All these names are written in German except ten. On the other hand, the sentiment of Monaghan was, by the power of geographical reasons, shown to be favorable. Seventy-one signers, including the Dills, Godfrey, Leas, Coulson, and all the prominent men of the township, leave no doubt on this point. Germany township had, by this time, partially surrendered opposition. Seventy-one endorsed the new line, embracing such names as the McSherrys, Sneerengers, McIlhennys, Winrotts and Littles. Seventy-two, all German but ten, asked to be excluded from the lines of the new county, if formed.

TWO OFFERS OF LAND FOR THE COUNTY SEAT.

As a most interesting part of this story, are appended two valuable papers of this year, touching the location of the County Seat. They were found in the papers of the late William McPherson. Gettysburg appears to have then made no offer:

To Messrs. Lilie, Thornburgh and McPherson, Esqrs., Representatives of the Honourable House of Assembly . . . State of Pennsylvania.

I the subscriber being one of your Humble Petitioners: Have ben informed that sundry persons within the new proposed Division of York County will send you the terms on which they will sell their land to the Publick—for the seat of justice in case the Honorable Houses will be so generous as to grant us a Division of the County.

I also use the freedom to propose the land that was formerly appointed to be the seat of justice by Messrs. Cuninghame Hogg and Johnston, Esqrs., on the following terms, viz: at five pounds per acre, and for the true performance of the above proposals I bind myself my heirs exors and administrators each and either of them jointly and severally and firmly by these presents in the sum of one thousand pounds, and do acknowledge myself bound by the above obligation untill the first Day of October next ensuing the Date and no longer Given Under my hand and Seal this 26th Day of February 1793

GARRET VAN ARSDALEN. [SEAL.]

Signed and Sealed
In Presents of
DAVID POTTER, senr.

To the Honorable the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met.

Whereas the Subscriber being possessed of a Tract of Land Containing Two Hundred Acres, Situate on the West Side of Little Conowago Creek in Mount Pleasant Township York County, thro' which the Public Road passes which leads from the City of Philadelphia and Baltimore to the Western Countries, on which are several good springs of fresh Water, and abounds with a Sufficient quantity of Freestone, it is also situated near the Center of the proposed Division of York County, and within a Small distance of several Merchant and other Mills—And Whereas a Considerable Number of the Inhabitants of the Western part of York County are of the Opinion, that the above described Premises would be a Suitable and Convenient Situation for the Seat of Justice in Case the County should be divided.

The Subscriber therefore Humbly Proposes to offer the whole of the above described Premises for the Public Use at the Rate of Five Pounds $\frac{7}{8}$ acre, for the purpose of Erecting a County Town and Court House thereon, In case the Honorable Legislature should see fit [his Dwelling House, Barn and Stables with half an Acre of Land adjoining only excepted]

Feby. 25th, 1793.

WILLIAM STURGEON.

William Sturgeon appears on the assessment of Mount Pleasant township in 1800, as owning a hotel. His property was assessed at \$1,300. About this date, he built the "Indian Queen Hotel," in New Oxford, and in 1801 it was designated as a place for holding elections. He was accidentally killed in 1822. He was a son of Henry Sturgeon, and a nephew of the late Hon. Daniel Sturgeon, U. S. Senator from 1839 to 1851.

The Opposition proved effective. The bill was smothered in Committee, and nothing was done.

THE EFFORT OF 1794.

The advanced step taken in 1792-'3 had the effect of dividing at home the friends of the new county movement, which was apparently being sacrificed in the struggle over the County Seat. On the 2d of October, 1793, the deputies of the several districts met at York and nominated a ticket for the General Assembly. This ticket contained all the old members, except

Mr. Thornburg, for whom Thomas Campbell, his neighbor, was substituted. But the same number of the *York Herald*, which announced this ticket, announced another ticket as made "at the request of a number of gentlemen," what we would call a bolting or "stump" ticket. It contained but one name which was on the nominated ticket—Mr. Campbell, who was the new name, and had no record on the New County question. Evidently, the dissatisfaction which the new ticket expressed was due, in some form, to this question. The new names were William Ross, of Warrington; Henry Tyson, of Windsor; Ebenezer Finley, of Cumberland; Conrad Sherman, of Manheim; and James Kelly, of York. The ticket was shrewdly selected. The important localities were reached by men of local strength. Finley was pitted against McPherson, Sherman against Lilly, Ross against Gardner, Tyson against Turner, Kelly against Stewart. The result was curious. Campbell, on both tickets, had 1908 votes—showing a small poll in the county. Next to him were Gardner and Turner, Eastern-Enders, with 1,331 and 1,279 respectively. Lilly, with a good deal of a record on the New County question, and always against it, fell to 1,131. And McPherson, with as much of a record on the New County question, and always for it, fell to 986 votes, and was beaten by James Kelly by 91 votes. Finley, his local competitor, had 629 votes, and McPherson was 343 votes behind his highest colleague. Finley's candidacy hurt McPherson, but it was Hunterstown which gave him the fatal blow. Fearing that the independent movement would not be sufficient to ensure his defeat, 207 voters "cut" him and cast ballots for William Gilliland, of Straban, who was not a candidate, and not on either ticket, but was used as a means of punishing Gettysburg and its representative, because he regarded the Dogwood Run line an impossible line. The other independent candidates received 726, 709, and 476 votes respectively. The general result of this scrimmage was the election to the Legislature of James Kelly, a pronounced enemy of the New County, and the unanimous adoption by that House of Representatives of a report made against the

whole project. Those voters who were attracted to the independent ticket, thereby at once defeated their rivals and themselves.

The champion of Gettysburg having been turned down at the polls, a decided step was taken against it in the ensuing session. The York county delegation was strong in character and solid in opposition to the New County. John Stewart, serving his fifth term, was in later years Associate Judge and a Representative in Congress. Thomas Lilly was a veteran in local public life. And James Kelly, a lawyer of three years' standing, sent to Philadelphia for five sessions to throttle this project, then received the momentum which sent him subsequently to Congress. He was a good lawyer, and twenty-one years after this was the preceptor in the law of Thaddeus Stevens, when teacher of a school in York. In the spring of 1794, in the Legislature, the subject was renewed. Former petitions were again presented; new petitions to the same end, for the same line were added, with this difference, that the old ones asked the Legislature to fix the county seat in the bill, but expressed no preference, while the new petitions expressed a preference, and asked the Legislature to ratify it. That preference was for "William Sturgeon's land in Mount Pleasant township, on the west side of Little Conewago, opposite the Bridge, as has been settled by Deputies from the included townships." Gettysburg was to be passed by. The whole paper is as follows:

*To the Hon'ble the Senate and House of Representatives of the
Freemen of the Commonwealth of Pennsylvania in General
Assembly met:*

Your Humble Petitioners, Deputies appointed for the several Townships and parts of Townships west of the Line proposed as the Division Line of York County: Beg leave to Represent to your Honors:

That the Inhabitants of the said proposed Division have laid before the former House of Assembly divers Petitions setting forth the great Inconveniences they laboured under respecting the Remoteness of the present Seat of Justice, &c., as set forth & will appear by their Petitions now on the files of the House.

Your Petitioners therefore Pray that your Honors will please to grant the Prayer of their Petitioners By Enacting a Law for Erecting the Western end of York County into a separate County agreeable to the Dividing Line described in said Petitions; fixing the seat of Justice in said Bill on Wm. Sturgeon's Land in Mount Pleasant Township, on the West side of Little Conewago, opposite the Bridge, as has been settled by Deputies from the included Townships; and your Petitioners in behalf of themselves and their Constituents as in duty bound will ever Pray.

Moses McClean,
James Cooper,
Wm. Walker,
Peter Ferree,
David Simpson,
Henry Hull,
Anthony Achinbach,
John Henderson,
Wm. Gilliland,
And'w Thompson,
William Wierman,
Isaac Deardorff,
John Stouffer,

William Bailey,
John Potter,
Frederick Bager (Ger.),
Jno. Agnew,
Wm. McClean,
David Dunwooday,
William Hafer (Ger.),
Briegwer }
Peter or } (Ger.),
Criogrow }
Marttin Binder,
Andrew Bower.

29th January, 1794.

We, the Deputies appointed at the Meeting of the Inhabitants of Mountjoy Township on the 25th January last, in the proposed Division of York County, To meet the deputies from other Townships in said Division, at the House of John Murphy, in Mount Pleasant Township on the 29th January last, Did not attend on that day at said Murphy's, on account of the Inclemency of the Weather, apprehending there would not be a General Meeting—But finding by the minutes of that meeting there was a Deputation from thirteen Townships—and that they determined the place for the Seat of Justice to be on Wm. Sturgion's Farm on the west side of the Connewago Bridge in Mountpleasant Township—

We therefore hereby certify, That on Behalf of ourselves and our Constituents, we fully approve of the Proceedings of the deputies met at Jno. Murphy's, on the 29th January aforesaid and fully agree to the place fixed upon for the Seat of Justice, Agreeable to the Prayer of the within Petition. In witness whereof we have hereunto set our hand this 2nd February, 1794.

Jno. Weims,
Chas. Wilson.

I have been able to locate, in their respective townships, or parts of townships, all of this Committee, except one whose name, written obscurely in German, is not certainly known. But it is noteworthy that Menallen, which was within all the proposed lines, that Germany, which was within all the lines for which numerous petitions were presented, and that Heidelberg, Manheim, Monaghan and Paradise, in which was one-fifth of the population of the York of 1800 after division, and over whose territory this particular controversy was taking place in 1794, had no part or lot in this Convention. Of those represented, Messrs. Agnew and William McClean were from Hamiltonban; Moses McClean, from Franklin; Deardorff, Thompson and Wierman, from Huntingdon; Bailey and Potter, from Mount Pleasant; Weims and Wilson, from Mount Joy; Gilliland and Simpson, from Straban; Hull and Achinbach, from Reading; Ferree and Walker, from Tyrone; Bager, Hafer and Henderson, from Berwick; Cooper and Dunwooday, from Cumberland; and Binder and Bower, from Warrington. The movement has the appearance of strength much more than the meeting at Hunterstown three years before. The petitioning deputies were prominent men, but their cause lacked the necessary elements of cohesion. It does not bear inspection. It is open to two palpable criticisms. One is, their line, as claimed, was against the probabilities of success. It would have made about an equal division of territory, and would have left York a long, straggling, unshapely county. The territory on the Cumberland line would have been reduced from the present seventeen miles to nine and one-half. York county would have lost on its present western line an average of four and a half miles more than by the existing division. And it would have lost a large population in these townships who, by reason of distance, language, and associations, were unwilling to be taken from it. The claim by Adams for this territory was unreasonable, and did not consist with its general argument. The other criticism is, that with the line so established, the county seat asked for was at one end of the territory. Sturgeon's was but nine miles from the eastern boundary,

while it was twenty miles from the western boundary. And on the north and south-line it was nine and three-quarter miles to one extreme, and eighteen and three-quarter miles to the other. The chief argument for the new county was the great distance from the Courts and the expense of reaching them. How was this argument maintained by so placing the county seat as that, for all time, two-thirds of the territory would be remote from, and only one-third convenient to, the seat of the Courts?

The petition of the Deputies, I find on examination, was prepared in advance of action. A blank was left for the name of the county-site to be selected. One full line was left for the description. But it took two lines to write the description of the Sturgeon place. From this I infer that the person who prepared the papers in advance, and who presumably was among the most active in the movement, was not prepared for the result which was reached. I think the paper is in the hand-writing of Col. Moses McClean, who took a deep interest in the whole subject, and who was understood, as I learn from contemporary letters, not to be in sympathy with the movement in favor of Gettysburg, but who I think did not prefer the Sturgeon site, though he acquiesced in it.

Up to this date, the petitions had been for the new county without recommendation of a site for the seat of justice. As agitation grew, we can readily understand why it was deemed wise to try to settle upon a site. The partisans of the extreme eastern line were badly divided on this point. We are told, in a private letter, that there were ten different interests. We know on positive evidence that there were seven named to the Legislature of the State. The friends of the new line no doubt reasoned that there was necessity for union on this point. If their bill should be passed with the site settled, the whole plan would be at once secured. If the bill should be passed with the site unsettled, this great prize might fall from their grasp. Hence, this Convention at Murphy's. It had its origin in prudent foresight. The sites named in the Legislature, besides Gettysburg, were: Van Arsdalen's, within

one mile of Hugh King's farm, "the Low Dutch Meeting House near the forks of the road," Hunterstown, John Murphy's farm, and William Sturgeon's.* Oxford was also considered, and Hanover certainly in 1797. This diversity of interest was, of course, a weakness, which it was the business of this Convention of Deputies to remove. It met on the 29th of January, 1794, at the house of John Murphy, a famous point in that day, between Brush creek and Swift's Run, on the great road east and west, and at the point of junction of the Hunterstown with the York road.

The opposition in the eastern townships were not conciliated by the prospect of having the county seat near their door. Bad blood was up; and again Germany, Hanover, Heidelberg, Manheim and Paradise protested, re-enforced by other inhabitants of Berwick, Cumberland, Franklin, Germany, Hamiltonban, Mt. Joy, Reading and Straban. The townships around and east of Hanover furnished 996 new remonstrants at this session. Others of Berwick, Paradise and Reading repelled the effort to drag them from the old county and indignantly replied that if Cumberland, Franklin and Hamiltonban consider themselves aggrieved by being too far from the seat of justice they have the right to ask to be annexed to Franklin county. In this mixed condition of things, it was but natural that the Committee should report, as it did, that from the diversity of sentiments prevailing among the inhabitants of the part proposed to be erected into the new county, and as the distance, from the county seat, of the most remote parts, is not

*The Van Arsdalen farm was at an early day Laurence Montfort's, now is Henry Osborn's, and in the Adams County Atlas of 1872 was L. Osborn's. The "Low Dutch Meeting House property" is owned by Mrs. Catharine Miller, a part of whose brick dwelling stands on the old property. John Murphy's farm was owned and for many years occupied by Nicholas Heltzel. William Sturgeon's farm was warranted by Henry Sturgeon in 1767, in 1823 went into the hands of Rev. John Melsheimer, was occupied in 1872 by C. Smith, and now by Spangler Hetrich. The Hugh King farm, within one mile of which the county site was to be, is in Tyrone township, was the Bucher and Bear property of the Atlas of 1872, and is now occupied by Joseph Long.

greater than in many of the other counties of the State, they were of opinion that a division of the county was not now advisable. This report was adopted on the 15th of April, 1794, unanimously, and the case came to an end. The demonstration of 1794 on the new line was a signal failure.

I have said, that we know with certainty little of this Convention of Deputies. Besides the paper sent to the Legislature, I know of no facts respecting it, except such as are contained in two unpublished manuscripts in my possession, from Germany and Mountjoy. The former is signed by twenty-six persons, of whom Jacob Sell, Henry Buecker, John Stealy, Mathias Riffle, jr., John Galt, George Kuntz, sr., Frederick Keefer, Jacob King, jr., Dennis Collins, and Adam Wintrode are the only ones written in English. They set forth that although Germany township is wholly within the proposed division and contains 192 taxables, they had no notice to meet to choose delegates, and had no delegates at such meeting. They represent that matters have not been carried on "with such respect to the Convenience of the Inhabitants Concerned, or with as Just or Equitable a Representation as a matter of such Importance would require, as the meetings of some others of the townships were very small, and Little or no notice thereof given, and the Delegates nominated perhaps by six or seven persons in a township, and that some of the Delegates so chosen Concurred without ever being present at the meeting at all or exercising their own Judgments." This is a hit at the Mountjoy delegates, who did not attend, but ratified the action.

They further state that "upon the whole matters seems to have been Carried on by party and personal Influence perhaps for sinister ends, for if we are rightly Informed the place so designated is neither Elegant in point of Situation nor Convenience, as materials for Building in particular must be Brought some distance." They are "decided in opinion that such partiality in proceedings will never obtain the sanction of our Legislators however great the personal Influence may be." They therefore respectfully pray that in case the county be divided, the

seat of justice may be fixed "without paying any attention to the proceedings of the Delegates at the Meeting aforesaid."

The petition of Mountjoy, to which 34 names are signed, among them David Horner, Robert and James Hutchison, Samuel and Patrick Bigham, John and Samuel Adair, Andrew and Hugh Guinn, James McAllister, Abraham Bodine, William Davison, Isaac Hulick, Peter Forney, Andrew Penter, Charles Hughes, Andrew Ashbough, Samuel Smith, and Henry Pillow, is a vigorous document. The main point is that all the petitions had been signed with the understanding that the Legislature should "determine on the most eligible spot for a seat of justice;" that "in direct violation of such acknowledged general agreement a number of Individuals in the Middle Townships, fearing the equity of your decision, combined with a few discontented individuals in the upper and lower Townships who are dissatisfied because their signal talents for public usefulness have been, and in the present state of County politicks, are likely to continue to be overlooked, advertized and held partial Township meetings and then chose some of their own complexion to Represent them at a general meeting of the Townships proposed for the fixing upon a spot for the seat of justice." These memorialists protested against the decision of said meeting "on account of the illicit nature of such proceedings," and—

1st. "Because numbers of the Inhabitants have been ensnared into the aforesaid measures by individuals disposed to sacrifice every future and public advantage to the acquisition of present personal and pitiful considerations."

2d. "Because several of the Townships within the proposed new County were not Represented at the meeting."

3d. Because the Representation at it was "extremely disproportioned and unequal—as Townships containing considerably less than one hundred taxable Inhabitants had an equal vote there with those containing treble or even quadruple that number."

4th. "Because several townships and parts of Townships immediately within the line last Designated in the petitions, were dragged forward to answer the purposes of those who prose-

cuted the measure, altho' Remonstrances from nine-tenths of some of said Townships and parts of Townships are now before you against their being included in the new County upon any pretext whatsoever. The unfairness of a decision so obtained is too palpable to escape your detection."

The remonstrants insist that if public considerations cannot determine in favor of a division, all applications made under the pitiful influence of private advantage ought to be dismissed with the contempt they deserve, and that if division does take place the Seat of Justice should be fixed as the wisdom of your honorable Houses may choose, at once accommodating the majority of the inhabitants of the new County, and possessing such natural and local advantages as will attract men of enterprise and capital of every description to settle there, and thus promote the greatest possible public good.

These extracts are interesting as illustrating the spirit in which this rivalry was waged, and how personal and other motives were freely and forcibly imputed.

THE BOND PREPARED IN 1794.

In anticipation of need for it, the citizens of Gettysburg prepared and executed a Bond to secure funds for the county building. But the overwhelming defeat of the bill saved them the opportunity of presenting it.

1795 TO 1797 INCLUSIVE.

At the elections of 1794, 1795, 1796, little regard appears to have been paid to the New County question, which was not mentioned in the Legislature during the service of those delegations—except that in 1796 there is note, on the 30th of January, of a petition for, and, on the 5th of March, of a remonstrance against, the annexation of Newberry township to Dauphin. Newberry lay on the Susquehanna opposite Middletown, and then ran up as far as present New Cumberland. A public meeting in the township passed resolutions adverse to the transfer. Thomas Lilly was dropped at the election of 1794, and William McPherson, who was beaten in 1793, was

put in his place. In the election of 1795, William Miller was added from Hamiltonban. At the election of 1796, the same members were returned.

During the winter of 1796-'7, the journal shows 1,412 signers for a division according to bounds by them described but not stated in the journal; and 459 signers against division on the above boundaries and praying to be left in the old county. There was the old difficulty about the line. One interest adhered to that of Dogwood Run. By others this was held as "too low down," as an impossible line, and as having operated before as a "bar to success." Besides, the opinion was freely expressed that this whole business is levelled against Gettysburg as the seat of justice, the purpose being to fix the line so low down as to prevent a division unless they can exclude Gettysburg from all chance for the county seat. The Upper Enders prepared petitions for a new line, but they appear not to have been presented. That new line is not particularized, but in a letter from William Scott to William Miller, Esq., March 20, 1797, is described as "dividing the territory and population Better than in the former petition." In the same winter, petitions were signed, asking the Legislature to "fix upon a spot for the seat of justice," giving for reason that experience had shown that "inconvenience and expense have arisen and may always be expected, when this duty is performed by Commissioners, instead of by the Legislature directly." I suspect that Gettysburg had by this time determined upon its policy, and proposed to convince the Legislature, by the means afterwards taken, that it was the proper site.

Of course nothing came of all these diverse movements, except to warn York county that in 1798 something affirmative would be undertaken.

I have two original affidavits which throw light on the petitions got up in 1797. It appears that a question of fact arose between Joseph Obolt, of Heidelberg township, on the one hand, and Nicholas Marshall, Jacob Adams, John Slagle and John Elder, on the other. And the last named went, agreeably to notice, January 19, 1798, before Henry Slagle and John King,

the former an assistant judge, and the other a justice of the peace, and swore to this effect: Mr. Marshall testified that sometime in February or March, 1797, he went to Heidelberg township to procure signers to a petition for a division of York county; that no undue influence or fraudulent means were made use of by himself or any other to his knowledge in order to procure signers; and that he did not endeavor to persuade Joseph Obolt or any other person, the seat of justice would be fixed at Hanover Town or any other particular place, but signified that it was expected the Assembly would appoint Commissioners for that purpose agreeable to the tenor of said petition. Jacob Adams sustained this statement, stating all he said was that "Hanover might have a chance with other places that were Proposed," and that Joseph Obolt, when he signed, signified he did not wish the seat of justice to come to Hanover. John Slagle added that Joseph Obolt said that if he was sure that the seat of justice would go to Hanover he would not sign the petition. John Elder said nothing about Joseph Obolt, but said he was at the house of Jacob Wills; that the petition was read to Mr. Wills, and that he looked over it himself, and signed it freely. I have never seen the "other side" of this question, and give this only as an illustration of the feelings engendered by the controversy. Mr. Obolt was living in 1801, in the new township of Conewago, made up of the parts of Heidelberg and Manheim which fell within our county. His assessment then was on \$4,480 worth of property. In 1783, his assessment was \$1,127. So that he was a thrifty man.

THE EFFORT OF 1798.

In the fall of 1797, the tone of the York county delegation underwent a change. William Miller, of Millerstown, was dropped, and Jacob Hostetter, of Hanover, took his place. For John Stewart, James Kelly was substituted, after two years of absence. These changes meant tightening the lines. But this result was not reached without a struggle. Mr. Kelly had the meagre majority of but 153 votes, and Mr. Hostetter was over 600 votes behind the highest man on his ticket.

The opposition rallied against Gardner, Hostetter and Kelly, all strongly against the new county, and upon William Miller, of Hamiltonban, Conrad Sherman, of Manheim, and William Wierman, of Huntington, who polled respectively 831, 606, and 586 votes. But the whole poll was of much less than half the vote in the county—proving that the contest excited little interest. Mr. Hostetter remained in the Legislature thenceforth till the close of the struggle, and worked steadily against the New County. He was a prominent citizen of Hanover, was afterwards an Associate Judge, and thence, as John Stewart had been, was transferred to Congress. He was the maker of the celebrated Hostetter eight-day clocks. Of the whole delegation, William McPherson was the only New County man. In January, 1798, agitation had developed these facts. There were 1,974 petitioners for a division. Of these 1,418 were in favor of the “lower line,” being the line from Dogwood Run by Bollinger’s to the Maryland line. There were 226 in favor of the “upper line,” being presumably about what was ultimately agreed upon. Of the 1,418 signers for the “lower line,” there were 494 who prayed that the lower line should not be removed more westerly, and, rather than it should be, they prayed that division may not take place. These may be described as the “irreconcilables,” as the men who would have all or nothing. These petitions have apparently been lost; but it is not difficult to guess from what neighborhood they came. There were about 1,600 petitioners against any division of the county. Presumably, these latter were from the territory threatened with what may be described as forcible separation. The proportion for division was, therefore, as 2,000 to about 1,600. In the petitions for division were 73 from Paradise township, but during the session a petition was presented from a number of the inhabitants of said township, stating that some time since they had signed a petition for a division which they now revoke, and pray that if it take place Paradise township may not be included within it. And Heidelbergers remonstrated against being included within the new county.

The Select Committee, after weighing all the facts, reported in February, in favor of a new county, but with a line of division which left in the old county the tier of heavy German townships now joining us on the east. The line proposed began in the line of Cumberland county at the road leading from Carlisle to Baltimore, thence along the said road a southerly course until it strikes the northeasterly corner of Berwick township, thence along the easternmost line of Berwick township until it strikes the line of Paradise township, thence along the said line westwardly until it strikes the road leading from Oxford to Hanover town, and thence a due south course until it strikes the Maryland line.

This line of 1798 is the line finally adopted. The old county could reasonably ask nothing more; but having got that much, it did ask more. And Messrs. Kelly and Hostetter, March 19, 1798, moved to change the line so as to start at the line of Cumberland county at Trent's Gap on the great road leading past Godfrey's, thence a straight line to the forks of Conewago creek at or near the northwest corner of Berwick township, thence along the south branch of the Conewago to where it strikes the line of Heidelberg township, and thence a due south course until it strikes the Maryland line. As within these limits, no other place than Gettysburg would have been at all appropriate for a seat of justice, that town was named. The line would have left with York county nearly the whole of present Latimore, the south-eastern triangle of Huntington, the whole of Reading, the whole of present Hamilton, of present Oxford and of Berwick, all except a strip of present Conewago, and about one-third of Germany. The line, following the Little Conewago, would have been west of New Oxford, west of the Conewago Chapel, west of the Kitzmiller mill. The reduction of territory below the line reported by the committee would have been, probably, one-fifth. The proposition was absurd. But no votes were taken, except on motion to appoint Commissioners to examine lines and the seat of justice. This was rejected—21 to 41, all the York delegation voting for it except Mr. McPherson who was against it. The bill then went over

for a year, and was recommended to the next Legislature. Evidently York was fighting for terms. The delegation wished to save what they could. And this movement was a piece of tactics. They felt that there would be closer quarters in 1799.

THE EFFORT OF 1799.

In 1798, there was no material change in the York delegation. Again it was one against five—Campbell, Hostetter and Kelly being the leaders against the solitary one, McPherson, allowed to speak for these persistent and determined agitators. Meantime, the Gettysburg* interest sent to Philadelphia as its special agent Capt. Alexander Cobean. He was armed with documents to answer the objections offered to the site. These documents were presented to the Legislature, but they are not so described on the journal as to be distinctly stated. As a counter movement to Gettysburg petitions were sent, asking that the seat of justice be placed within "certain circumscribed bounds." To which, February 4, certain other petitions replied by asking that a "central place" be fixed by law for the seat of justice. Evidently, the county seat was in everybody's mind.

In January, the Select Committee reported the bill with the same line as last year, with the county seat vacant. Messrs. Hostetter and Kelly moved to substitute the line proposed by them last year; but the motion received only 17 votes. There were 54 against it—more than three to one. The affirmative vote consisted of Messrs. Albright (York), Brown, Campbell (York), Fisher, Hemphill, Hostetter (York), Horne, Keppele, Kelly (York), Palmer, Preston, Seckel, Stocker, A. Scott, Snyder, Welles, Evans, *Speaker*. McPherson was the only York county Representative in the negative. Mr. Turner did

*Gettysburg gave numerous signs of activity during the fall of 1798. This note appears to me to be one, though I do not fully comprehend its purport or its effect:

D'R SIR: Capt. Samuel Russell informs me that the Conewago Committee is to meet us this day at 2 o'clock in Gettysburgh.

WM. MCPHERSON,

CAPT. SAM'L COBEAN.

Sept. 8, 1798.

not vote. These seventeen were out-and-out enemies of the New county.

Decisively beaten on the main proposition, the opponents of the bill resorted to dilatory and distracting motions. Messrs. Kelly and Hostetter moved that the seat of justice be at Hunterstown, but it was defeated by a vote of 26 to 54. Of the Select Committee, seven in number, three voted for this. The York county members divided as before.

The twenty-six who voted for Hunterstown were: Messrs. Albright of York, Brown of Lancaster, Barclay of Bedford, Blair of Huntingdon, Campbell of York, Fisher of Philadelphia, Forster of Dauphin, Hemphill of Chester, Hostetter of York, Horne of Northampton, Keppele of Philadelphia, Kelly of York, Mewhorter of Northampton, Miller of Somerset, Power of Cumberland, Palmer of Delaware, Preston of Delaware, Seckel of Philadelphia, Stocker of Philadelphia, Stover of Bucks, A. Scott of Lancaster, Wharton of Philadelphia, Watson of Bucks, Welles of Luzerne, Williamson of Mifflin, Evans of Philadelphia, *Speaker*.

Messrs. Campbell and Kelly then moved that the seat of justice be at, or not exceeding one mile from, Hugh King's farm. This was defeated by a vote of 5 (Messrs. Campbell, Hostetter, Keppele, Kelly, and A. Scott), to 61. Messrs. Kelly and Cambell, to show impartiality, then moved that the seat of justice be at Gettysburg; which was lost, by a vote of 13 to 52—the friends of Gettysburg generally opposing. Evidently the latter thought it wise to postpone this issue till there was less excitement upon it. The thirteen who voted for the motion were: Messrs. Bull of Chester, Campbell of York, Forster of Dauphin, Hostetter of York, Keppele of Philadelphia, Kelly of York, Mewhorter of Northampton, Palmer and Preston of Delaware, Seckel of Philadelphia, Strickler of Lancaster, A. Scott of Lancaster, Welles of Luzerne.

Messrs. A. Scott of Lancaster, and Wharton of Philadelphia, both enemies of the bill, then offered a motion that the place for the seat of justice be left blank in the bill to be reported. This was agreed to—yeas 42, nays 26. Of the five York

county members who voted, all except Hostetter voted aye. Those who supported the anti-Gettysburg interest voted generally for this motion, as did McPherson who was distinctively a Gettysburg man. So that the vote cannot be accepted as proving anything except that both sides were preparing for a renewal of the struggle, when the bill should be reported.

The resolution to direct the preparation of the New County bill with the seat of justice left blank was then agreed to—yeas 51, nays 19. In the nineteen were again included the faithful York county four: Albright, Campbell, Hostetter and Kelly; against them, the as faithful McPherson, with Turner absent. And on the 24th of January, 1799, the bill was reported according to order.

On the 2d of February, 1799, the "citizens of Getty's-town" appeared, for the first time, formally on the scene.

Mr. Andrew Dunlop, of Franklin, presented a representation and proposition from Capt. Alexander Cobean, agent of the inhabitants of Getty's-town and its vicinity, stating that if the county of York should be divided, the said Getty's-town, in point of situation and natural advantages, will be the place most eligible for the seat of justice of the proposed new county, and proposing, on condition the said seat of justice be so fixed:

1st. A conveyance of the ground-rent on the town-lots, in trust for the benefit of the new county; also a convenient lot of ground for a jail.

2d. A bond, executed by nine sufficient freeholders, securing the payment of seven thousand dollars, for the purpose of defraying the expenses of the public buildings.*

* The same plan was proposed in 1785, when Dauphin county was erected. John Harris then gave his bond to Trustees, binding himself to convey his ferry and landing, with other estate, conditioned on the creation of Dauphin county and the location of the county seat on the estate of the said John Harris. The contract was carried out, and on November 28, 1790, the Commissioners represented to the Legislature that the county seat was at one extremity of the county, "causing much inconvenience to the inhabitants," and asked that so much of the rents of the ferry as may be sufficient for completing the necessary public buildings be appropriated to that use. An act to this effect was passed April 5, 1793.

In Committee of the Whole, Gettysburg was inserted in the blank.

Undoubtedly one of the arguments used against the erection of the new county with effect among tax-payers was the expense of the new buildings. This offer met that argument with the tax-payers, but it did not carry the Legislature. Within five days, a counter petition, but lacking a pecuniary offer, asking that John Murphy's be made the seat of justice, was presented to the Legislature. And in the next week, on the 13th of February, 1799, the bill was amended, when on second reading, on motion of Messrs. Kennedy, of Cumberland, and Linnard, of Philadelphia county, by striking out Gettysburg, and inserting the words, "at the Low Dutch Meeting House near the forks of the road." The vote was 42 to 23.

The negative vote on this proposition consisted of Messrs. Albright of York, Bull of Chester, Brown of Lancaster, Campbell of York, Erwin of Bucks, Forster of Dauphin, Hall of Philadelphia, Hemphill of Chester, Hannum of Chester, Hostetter of York, Kirk of Chester, Keys of Lancaster, Kelly of York, McPherson of York, Preston of Delaware, Seckel of Philadelphia, Stocker of Philadelphia, A. Scott of Lancaster, Speer of Franklin, Taylor of Chester, Turner of York, Welles of Luzerne, Evans, *Speaker*, of Philadelphia. All of the York county members voted in the negative.

This location is about five miles east of Gettysburg, on the road to York, and near the intersection of the Black's Gap (or Hunterstown) road. It is about half a mile East of the Duttera Station on the railroad. It was the most formidable rival Gettysburg had, being, to be sure, away from the centre counting east and west, but nearer than Gettysburg to the centre north and south. It was a less convenient site than Gettysburg because less accessible by roads, but had, probably, the merit of being less identified with personal interests and ambitions than any one of the others. At all events, it captured the Legislature of 1799. The York county delegation, generally divided on every phase of the Division question, now united in opposition to this, but it was overborne. Mr. McPherson was

always for Gettysburg. Why the others opposed "the Low Dutch meeting house," is one of the unknown facts of this affair, unless they supposed that this amendment would strengthen the bill. But he voted for the bill, notwithstanding the location. In that form the bill passed the House on the 14th of February, 1799, by the decisive vote of 52 yeas to 18 nays.

As this was the only yea and nay vote in the House on the passage of the bill, it is important to note the eighteen who resisted to this point. They were Messrs. Albright of York, Bull of Chester, Brown of Lancaster, Campbell of York, Fisher of Philadelphia, Hemphill of Chester, Hannum of Chester, Hostetter of York, Horne of Northampton, Keppele of Philadelphia, Kirk of Chester, Kelly of York, Powers of Cumberland, Palmer of Delaware, A. Scott of Lancaster, Turner of York, Welles of Luzerne, Evans, *Speaker*, of Philadelphia. An examination of this vote shows its weakness. It came from a small group of counties. The affirmative vote was nearly three times as large, and was scattered over the State. And it made inevitable the passage of the bill at the next session.

So that the first Division bill which got through the House was in the tenth year after the achievement of Thomas Clingan, the line was substantially the same, and the county seat was "the Low Dutch Meeting House Property" in Straban township.

In the Senate the bill met the opposition of York County's veteran Senator, James Ewing, who had been a private in the French and Indian war of 1755, a lieutenant in the Forbes Expedition of 1758, a brigadier general in the Revolutionary War, and a vice-president of the Council under the first Constitution of the State, having been in the Assembly from 1771 to 1775 inclusive. Alexander Russell, Esq., agent for Gettysburg, at once made a representation to the Senate on the county-seat question. He stated that the petitions which asked that the county seat be fixed within "certain circumscribed bounds," were in the interest of ten other places combined against Gettysburg, and that in this way many signers had been obtained—"which

said places, or many of them, would be as much opposed to each other, setting Gettysburg out of view, as they now are united against it." Besides, he said, the partiality of the measure is obvious, "as their Eastern boundary is within four miles of the dividing line, and the western boundary falls short of the centre." He further set forth that signers, it is well known, may be gotten to any kind of petition; that many of these petitions have been improperly signed, in proof of which he quoted the affidavits of two reputable freeholders accidentally discovered, stating that they had been imposed on in the matter; and that these petitions were signed by the people before they knew, generally, that the proprietor of Gettysburg had given the ground rents to the new county, or that the public buildings would be erected without any expense to them. He called attention to the more important advantages of Gettysburg, such as centrality, healthy and pleasant situation, soil, produce, water, materials for building, etc., and expressed the opinion that upon a fair experiment Gettysburg would have more advocates than any other individual spot proposed.

On the 18th of February, sundry inhabitants of Berwick township came to the front with a remonstrance and petition stating as a fact the running of a line, by agreement, as a division line, to accommodate a majority of the inhabitants of the western part of York county, as a new county, &c., and praying that if a division line be adopted which is west of said line, the line may be so run as to exclude Berwick township and leave it within the old county. I find nowhere else a reference to this division line said to have been run by agreement, and assume that the agreement referred to must have been among the advocates of the Dogwood Run line. The Senate proved to be nearly equally divided on the bill, which, however, got through the Committee of the Whole with sundry amendments, of which none can now be stated. Mr. Ewing of York antagonized the line laid down in the bill, and proposed a new one: to begin at the same point in the Cumberland county line, at the road leading from Carlisle to Baltimore, through Trent's Gap [printed in the journal, Trance], by God-

frey's, thence along said road by Deardorff's mill until it strikes the great road leading from Black's Gap through Abbottstown, thence along a straight line to Jacob Kitzmiller's mill [printed Ritmiller's,] thence by a due south course to the Maryland line. This was only less radical than the Kelly and Hostetter line of the previous House. It would have retained for York half of Latimore, more than half of Reading, two-thirds of Hamilton, half of Oxford and Berwick, about half of Conewago and a strip of Germany. It was probably not offered with an expectation of adoption—rather as piece of strategy so that, at the next session, out of the numerous lines proposed York could more likely secure an advantageous compromise. In this sense the movement was shrewd, though its terms were preposterous. But the bill, without a vote on lines, was postponed till the next session by a vote of yeas 12, nays 11. The close of the session of 1799 left the bill in strong position for the next year, but with Gettysburg decidedly in the background for the county seat. The "Low Dutch Meeting House property" had secured a great advantage.

THE SUCCESS OF 1800.

There were two changes made in the York county delegation at the election of 1799. James Kelly was dropped. We do not certainly know why, but it is a reasonable inference that he saw that division on a moderate line was inevitable, that his time was too precious to be wasted in such a fight which was certain to be lost, and which, by this time, he probably thought ought to be lost, and that he was indifferent as to the site of the county seat. This latter was really the only debatable question before the Assembly. In Mr. Kelly's place came Yost Herbach (now spelled Harbaugh), a son of the old Yost who first settled in Berks county in 1736, and who about 1743 moved to Hellam township, then Lancaster, now York county, and settled on the bank of Kreutz creek, where he had seven sons and three daughters. This Yost, when but fourteen, was a teamster in the Braddock expedition, and was afterwards a Captain in the Revolutionary Army. He was of

stalwart proportions, and died of cholera at the great age of eighty-nine years. He lived in the immediate vicinity of York. Philip Albright was dropped at the close of his first term, and Capt. Alexander Cobean, took his place. This was a great gain for the new county project, and a greater gain for the Gettysburg interest. Mr. Cobean was a man of superior intelligence, of agreeable manners, and of great force of character. He was for many years one of the most active citizens of Marsh creek, owned the Plank (lately Bream) Mill, and moved from it to Gettysburg about 1796. He was the candidate for Congress of the Federal party in 1814, was the first President of the Bank of Gettysburg, was Captain of a company who marched to Baltimore in 1814, and became a Colonel in command of troops in the battle of North Point, and died April 2, 1823, aged 57 years. Hon. Thaddeus Stevens, who came to Gettysburg in the fall of 1816, told me that he regarded Col. Cobean the strongest man then in the community. In 1800, there was no citizen here more effective for the task put upon him, to try to secure for Gettysburg the county seat. The citizens concerned sent to Lancaster, then the capital of the State, as their Commissioner Col. John Agnew, one of the most trusted and capable men in the community, and one of the deputies of 1794 who favored Sturgeon's. He lived until 1814, and at death was aged eighty years. His farm was in Hamiltonban township, now owned by Henry H. Wintrode. At the same time the citizens of Gettysburg executed a bond in the sum of over \$8,000, for expenditure in putting up county buildings, and secured from Mr. Gettys the transfer of certain ground rents for the use of the county.

Before Col. Agnew reached Lancaster, the County bill had been reported to the Senate, from the Select Committee to whom certain new petitions had been referred. Among these was a petition from Hanover, stating certain circumstances relative to the seat of justice, and praying that the line of the new county may be extended along the line of Berwick and Heidelberg townships to the Little Conewago. That would have kept the whole of Conewago township and about half of

Germany in York County. Part of 'Paradise relented, and prayed that under certain conditions they might be included in the new county. Monaghan, on the other hand, prayed that if the seat of justice be fixed "west of the situations therein mentioned, they be left in the old county," which was a clear blow at Gettysburg. A few days thereafter additional petitions for Gettysburg were presented. In this situation of affairs, Gen. Ewing, from the Select Committee, reported the bill December 14, 1799. The division line proposed in the bill was Gen. Ewing's line offered the previous year, viz., from Trent's Gap by Godfrey's, Deardorff's and McTagg's* to the Maryland line, so as to leave Hanover Town half a mile to the eastward. But the bill contained a clause in the third section, that the Courts of the new county should be held at certain dates, and "at the town of Gettysburg." This was a great point gained for Gettysburg. The division line reported by the Committee was badly defeated in the Senate. It received but three votes: Messrs. Ewing, Stewart and Mewhorter. The line desired by Gettysburg, and passed at the previous session by the House, remained in the bill. But an effort was made by Messrs. Findlay and Maclay to add to the clause fixing Gettysburg as the place for holding courts the damaging words, "until a permanent situation for the public buildings be determined on." This was lost, but only by a tie vote. The matter was debated, when on a rising vote there were on the amendment 12 yeas and 11 nays, but John Woods,† the Speaker of the Senate, voted nay, made the tie

*This was a contraction of McTaggart's, the real name. This property was James McTaggart's till 1799, when sold by the sheriff, and bought by William Gitt, in the possession of whose descendants it still is. It was known as the "Cross Keys," between New Oxford and Abbottstown.

† John Woods was a distinguished lawyer of Pittsburgh. He was born in Bedford, and in 1784 assisted in laying out Pittsburgh. He was in full practice for many years, and particularly strong in tenure and ejectment cases. He was chosen a Presidential elector in 1796, a State Senator in 1797, and a Representative in Congress in 1815. He died in 1817, leaving a daughter, who married Judge Henry M. Brackenridge, and brought him large wealth.—*Agnew on the Pittsburgh Bar.*

and defeated the clause. By so narrow a margin did the Senate defeat an amendment intended to keep the county site question open, to the detriment of Gettysburg. In that shape the bill passed the Senate without further division. The division line in the Senate bill was substantially the same as that adopted in the previous House, and this House made no amendment to it except a verbal one, to which no one objected. In the House, no movement was made on the county site question; Gettysburg held its place as the county seat, and the bill finally passed. Governor McKean approved it January 22, 1800.

There was great uneasiness in the Marsh Creek region all that winter. I have a letter written by Alexander Russell, Esq., to William McPherson and Alexander Cobean, and dated December 19, 1799, which makes this plain. After news was received of the amended line by Godfrey's, Deardorff's and McTagg's, there was, on the 19th, a "pretty full meeting. The Rev. Mr. Dobbin presided. We think with you, that by the present report we have not an equal division of the County, and would sincerely wish it otherwise; and still hope that an amendment will take place in the Senate yet, so as to leave us all Berwick township. But, gentlemen, should it pass the Senate and be sent to your House in the present form—viz., from Trent's Gap past Godfrey's, Deardorff's, McTagg's, etc.—we are unanimously of opinion that for you to propose an amendment such as [is] mentioned in Capt. Cobean's letter (which would be a very good one) or any other, might prove fatal to the Division. We conceive this report to be made with intent to defeat, expecting that we would not accept of this line, they might then have some foundation to deny any other line."

As showing the sanguine expectations which rose-colored the views of the enthusiastic, this additional extract is interesting: "We are also confidently of opinion that, should we obtain this small division now, so soon as our public buildings are erected, and the people are able to see, without prejudice, the advantages of fixing the seat of Justice here, the ease and

convenience of getting their business done in the New County, and the perpetual fund, &c.—not only the People of Berwick and onwards toward the mountain now excluded, but Hanover itself, will pray to be annexed to the new County.”

It appears that there was a convention of deputies called in the winter of 1800, with a view to throw the county seat to one of the eastern points. But this letter states that the Convention had no representative from Hamiltonban, Cumberland, Franklin, Mountjoy, Germany or Berwick, and that the Deputies who met did not organize as such but acted as individuals. The letter further states that the petitions of 1799, on the County seat question, were procured by a union of “Ten separate Interests,” but that “this year some of these (Oxford, &c.,) have broken off, and, we are told, petition for themselves.” The bond was renewed, “but not on stamped paper, as we had no stamp large enough.” The bond was endorsed as abundant, being above a thousand dollars of a surplus, with but \$229 doubtful, “on a close scrutiny.” It was signed by Messrs. Henry Hoke, James Scott, Wm. McClellan, George Kerr, Wm. McPherson, Alex. Cobean, Alex. Irvine, Alex. Russell, Walter Smith, Wm. Hamilton, John Myer, Emmanuel Ziegler, and Samuel Sloan. The bond satisfied the Legislature that the general interest of the taxpayer would be promoted by placing the seat of justice at Gettysburg, and the point long striven for by the then owners and occupiers of this town was finally won. At the last, it is clear that Gen. Ewing, Senator from York, who had antagonized the bill to the extent of his ability, helped the cause of Gettysburg, with many of whose citizens he had had, since 1758, pleasant personal relations, and there is evidence extant that he was urged by reason of this friendliness to give them help when he could.

Of the points named for the county seat, three were then plotted: Hunterstown, Gettysburg, and New Oxford, named in the order of age. Hunterstown was plotted in 1749 or 1750, probably; Gettysburg in 1787; New Oxford in 1792. Gettysburg was undoubtedly the most conspicuous, because the centre of the widely known Marsh Creek settlement, with

which it early came to be closely identified. The Gettys family were original settlers. Samuel Gettys took out his first warrant in May, 1740. The next record of the name is in 1767 in the report on a proposed line of road from Bus's lane, below Littlestown northward, in which "Mr. Gettys' house" is named as one of the points. In 1772, Samuel Gettys, who died in 1790, is upon the Penn Records as keeping a tavern in Cumberland township. In 1775, troops gathered at it for the Continental service. In 1785, James Gettys had a store here. In 1787, April 17, James Gettys, the proprietor, obtained a deed from the two Penns, (John Junior and John Esquire,) "late Proprietaries of Pennsylvania," for one hundred and sixteen acres, and the town is presumed to have been at once regularly laid out. In October 16, 1787, the town had grown to be popularly known, in Rev. Dr. Dobbin's way of spelling it, as "Gettistown." In 1795, it sought by the petition of fourteen out of sixteen business men, now known to have been inhabitants, to secure a postoffice, the nearest to them being Hagerstown on the west and York on the east. In 1798, it succeeded. By 1800, this enterprising community had secured position as the community's center of influence, and it had a right to claim to be the seat of justice of the new county.

This new county bill was one of ten new county bills passed by the Legislature of 1800. But it preceded them all, and was the only one in the eastern part of the State. The others were west of the Alleghenies, except Centre. The statement in the Chicago History of Adams county, printed in 1886, that the county bill was finally passed by the "log rolling process"—a combination of the various new county interests in the legislature—is without any foundation in fact. It is a mere guess of ignorance.

The population of Adams in 1800 was 13,171. The population of York after division was 25,663. So that the territory left to York was nearly double that taken from it, and the population left to York was in about the same proportion. Probably the greatest resistance to the new county was in the old townships of Heidelberg, Manheim, and Paradise. Adams

took 448 of the population of the first, 22 of the second, and none of the third. These became the inhabitants of our Cone-wago. Besides, Adams got 35 from Monaghan, and 87 from Warrington. These became, with part of Huntington, our Latimore. Otherwise, the townships of York remained intact, and held the portion of Huntington and Reading townships which lay east of the division line.

The Dogwood Run line, for which a stand was made in 1793, would have taken almost exactly one-half the population then existing in York county, and given each county a population of about 20,000. The stubborn resistance made to that line saved to York the fertile and populous townships for whose seizure it was devised, and secured to York its comparative supremacy in both territory and population. Besides, it delayed by several years the creation of Adams county, whose coming in 1800, with modified and reasonable lines, and with unembittered opposition at the end, brought peace to both sides, and removed every obstacle to the continued prosperity of both the mother county and the daughter county.

THE VARIOUS DIVISION LINES PROPOSED.

I append a lithographic map of the region. It is based upon and taken from Howell's map of 1792. I have inserted certain settlements named in the text. With its aid, it will be easy to follow the various division lines proposed. The two chief lines are distinctly marked, viz.: the existing line and the Dogwood Run line by Rudy's Tavern (afterwards, and for many years, King's) and Bollinger's Mill to the Maryland line. A reference to this map will enable every reader to see exactly what each measure meant.

These are the lines, in the order of time :

- I. In 1790—Trent's Gap to mouth of Abbott's run, along it to Heidelberg line, thence south, excluding Hanover. This passed the Assembly to the third reading, on publication, but the bill did not reach the final stage for action.
- II. In 1792—Mouth of Dogwood Run to Closse's Mill, to Eichelberger's Tavern, and south to Maryland line. This

was the line suggested by the Hunterstown Convention, but not pressed.

- III. In 1793—Mouth of Dogwood Run to "Rudy's Tavern," to "Bollinger's Mill," south to Maryland line. This was petitioned for by 1,569 inhabitants, in connection¹ with the Sturgeon land site for the county seat, and defeated without a division in the House of Representatives.
- IV. In 1798—Trent's Gap to the northeasterly line of Berwick, along Berwick to Paradise, northwardly to the road leading from Oxford to Hanover, thence south to the Maryland line. This was reported by the select committee of the House.
- V. In 1798—Trent's Gap, straight line to forks of Conewago at northwest corner of Berwick, thence along the south branch of the Conewago to the line of Heidelberg township, thence south to Maryland line. This was the Hostetter and Kelly amendment in the House; not voted on. It was renewed in 1799, and defeated, 17 to 54.
- VI. In 1799—Trent's Gap road by Godfrey's, thence along said road by Deardorff's Mill to the Black's Gap road from Abbottstown, thence by straight line to Jacob Kitzmiller's Mill, thence due south to the Maryland line. This was the Ewing amendment in the Senate, which received but three votes.
- VII. In 1800, the line as adopted, being Trent's Gap by Carlisle and Baltimore road to Binder's, straight line to mouth of Abbott's Run, along Berwick and Paradise township line till it strikes Manheim, westwardly along Manheim and Berwick line to the Oxford and Hunters-town road, thence south to Maryland line. This is the line established in the act of division.

Lines II. and III. marked the limit of new county audacity.

Lines V. and VI. marked the limit of old county spite.

Lines I., IV. and VII. are substantially the same. The line of 1790, for which Thomas Clingan, unaided, made a successful struggle in the beginning, is almost identical with the line which, by general concurrence, the Legislature adopted as a just close to a bitter ten years' struggle.

THE STORY
OF THE
Creation of Adams County,
PENNSYLVANIA,
AND OF THE
SELECTION OF GETTYSBURG
AS ITS
SEAT OF JUSTICE.

An Address before the Historical Society of Adams County, on its
First Anniversary, May 6, 1889.

By HON. EDWARD McPHERSON,
PRESIDENT OF THE SOCIETY.

With Map of the Territory, Showing Lines, Roads, and Settlements.

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