

“The Infamous Fitch”: The Tory Bandit, James Fitzpatrick of Chester County

Rosemary S. Warden
*The Pennsylvania State University,
Ogontz Campus*

I am told that the infamous Fitch, alias Fitzpatrick, with his associate Dougherty, have been exceeding troublesome to travellers on the Lancaster road, frequently laying them under contribution, and some times offer gross insults and personal abuse to the friends of the United States.¹

The “two audacious and profligate Tories” an anonymous writer complained about in the August 18, 1778, *Pennsylvania Packet*, were James Fitzpatrick and Mordecai Dougherty of Chester County. Fitzpatrick, also known as Fitz or Fitch, remains a legendary figure in Chester County, where he terrorized the countryside with his daring escapades during the British occupation of Philadelphia in 1777-1778.²

Little is known of Fitzpatrick’s early history, and less of Dougherty’s. Fitzpatrick is believed to have been the son of an indigent Irish immigrant, who disappeared before Fitz reached adulthood. His mother still lived in a small cottage on the Passmore farm in Doe Run in West Marlborough Township. Dougherty was Fitzpatrick’s childhood friend, raised in Nathan Hayes’s family near Doe Run. Fitzpatrick was indentured to John Passmore as a blacksmith, and grew up doing field work, as well as working in the smithy. Probably in his late twenties at the time of the Revolution, the tall, powerfully-built, athletic red-head cut a dashing figure³

James Fitzpatrick’s home in Doe Run was largely settled by Scots-Irish Presbyterians, strong supporters of the Revolutionary movement, and the dominant force in the county militia. Not surprisingly, when Pennsylvania’s militia began to organize formally in the summer of 1775, Fitzpatrick volunteered. In summer 1776, he marched with the “Flying Camp” of Pennsylvania militia, headed by fellow Chester Countian William Montgomery, to assist Washington’s army in the unsuccessful engagements on Long Island. Flogged for a minor infraction of military discipline, Fitzpatrick deserted, swimming across the Hudson River at night, thereby offering a good example of his superior strength and fitness. Fitz then made his way across New Jersey to Philadelphia.

Plagued by desertions, the military authorities twice tried to force Fitzpatrick back into service. The first time, he was recognized in Philadelphia, and clapped into the Walnut Street jail until he promised to rejoin his militia unit. He agreed, but instead went home to Doe Run and back to work on Passmore’s farm. The second time, in the summer of 1777, militia sent from Wilmington, Delaware, apprehend-

ed Fitzpatrick as he worked in Passmore's field. Fitz agreed to accompany them to Wilmington, but asked permission to say good-bye to his mother, whose little cottage was nearby, and to obtain clothing for the journey. Once inside the cottage, he audaciously grabbed the rifle he knew was kept behind the door, and levelled it at his captors. He "persuaded" them to go back to Wilmington without him, promising to shoot them if they ever bothered him again.⁴

Shortly afterwards, in September 1777, British General Sir William Howe invaded Chester County. Fitzpatrick fought for the British at the Battle of Brandywine, and served them as a guide through Chester County until they occupied Philadelphia the following month. For the next ten months, Fitzpatrick roamed freely in Chester County, styling himself "Captain" Fitz and calling Dougherty his "Lieutenant," although no evidence indicates that either ever held a British commission or commanded any troops. Nor is there evidence that Fitz ever served as a British spy in Chester County, though writers a century later suggested it.

Fitzpatrick was a bandit with dash and bravado, whose lightning robberies targeted well-known Whigs, particularly militia officers and tax collectors. For Fitzpatrick, these robberies were part of a personal vendetta, often involving flogging prominent Whigs, as a means of repaying his humiliation while serving in the Flying Camp. On one occasion, Fitzpatrick fell in with two tax collectors, armed with muskets, walking down a lonely stretch of road. The two collectors boasted that they were not afraid of Fitz, and that he would not escape if he tried to harass them. Fitz suddenly turned about, disarming and robbing them. He also relieved one officer, Captain McGowan, of his sword, his pistols, and his watch. When McGowan protested that the watch was a family heirloom, the outlaw returned it, in a typically gallant gesture. Then Fitz tied the two collectors to a tree and flogged them. But first, knowing that Captain McGowan was very vain about his handsome queue, he neatly cut it off close to his head, an incident commemorated in a local ballad:

Some he did rob, then let them go free;
 Bold Captain McGowan he tied to a tree.
 Some he did whip and some he did spare;
 He caught Captain McGowan and cut off his hair.

Before Fitzpatrick disappeared, the outlaw told the two officers that he had heard them boasting at a nearby inn about how they would handle Fitz. He felt compelled to give them an opportunity!

Fitzpatrick's bold outlawry must be seen against the background of many Chester Countians' lack of support for the Revolution, ranging from passive neutrality to outright loyalism. Forty percent were Quaker, settled most heavily in the eastern townships. Only a small number actively supported the Revolution or the British cause; most were neutrals or passive loyalists, refusing to vote, to hold office, or to serve in the military. Where possible, they refused payment of taxes or fines for avoidance of military service. Active loyalism in Chester County was a more com-

plex phenomenon, not linked to particular ethnic or religious group, economic class, or geographic area. Most active loyalists in the county, with the notable exception of former sheriff Nathaniel Vernon, were scattered small farmers and artisans of humble backgrounds, secretly supporting the British and harassing their rebel neighbors. James Fitzpatrick's home in Doe Run, in West Marlborough Township, was a stronghold of the group most uniformly committed to the Revolution, the Scots-Irish. Yet Fitz could count on support from clandestine loyalists even there.⁵

Fitzpatrick's two favorite targets, militia recruiters and tax collectors, often met violent opposition in Chester County during this period, and not always from loyalists. In 1776, William Montgomery, James McDowell, and John Mackey, all staunch revolutionaries, wrote to the Pennsylvania Committee of Safety concerning an incident where the fault appeared to lie with the recruiting officer. Captain Vernon had "beat up for volunteers" in Mrs. Nearbury's tavern, New London Cross Roads, and enlisted eight or ten indentured servants, promising to protect them against retaliation from their masters. Furthermore, they continued,

Captain Vernon's behavior was very indecent, throwing civil people out of Doors, throwing one into the fire once and without provocation, suffering his recruits to treat people ill when enquiring about the Enlistment of their Servants/-And a variety of other conduct . . . altogether unworthy the Character of a Gentlemen.

They pointed out that such behavior let those "not friendly to the cause of Liberty" criticize "officers made but yesterday."⁶

Another recruiting incident even better illustrates the depth of anti-militia sentiment in the county, providing a sympathetic backdrop for Fitzpatrick's refusal to serve. The immunity of indentured servants to military service was also invoked, but apparently only to cover hostility towards the militia. Three recruits testified before a justice in Philadelphia concerning an incident at Messer's Inn on Lancaster Road in Chester County. Several recruiters enlisted a willing young lad. Messer and some others present, including one "Murray," claimed the boy was an apprentice not eligible to serve, which the lad denied. The drummer replied that if they could prove the lad an apprentice, the recruiters would say no more to him:

Upon which, the said Murray called them a parcel of Vagabonds and Rebels, and none but Blackguards would enlist, and then struck the Drummer in the Face and immediately a battle ensued between them.

Their attackers pursued the unarmed militiamen out of the tavern, and into the fields and woods where they tried to hide.

The said Messer, Murray, Brisbin & the rest of their Company not being satisfied with this, they went and alarmed the County, (as they imagined,) for they were afterward pursued by about 50 or 60 Men, armed with Swords, Pistols, and

Clubs, after they had got between 2 & 3 Miles from the Inn, who surrounded them & began beating them again, and they were obliged to give themselves up Prisoners and submit to what they might think proper to inflict.

The mob marched the recruits back to Messer's Inn, running one straggler through the thigh with a sword. Finally the mob, wearying of their sport, removed the cockades from the militiamen's hats, and let them go.⁷

The recruiting riot at Messer's Inn was symptomatic of more widespread hostility towards the militia. Some tavern keepers on the Lancaster Road refused to serve militiamen; some millers refused to grind grain for their use. Chester County's militia responded poorly to musters, and had a high desertion rate. East Marlborough Township, a predominantly Quaker township with a Scots-Irish minority in the southern part of the county, refused to organize a militia unit or to elect officers. Colonel Andrew Boyd, a sub-lieutenant in the county militia, wrote to the Pennsylvania Supreme Executive Council for instructions on how to deal with the recalcitrant township. Council President Joseph Reed advised Boyd to organize a militia unit in the township as best he could, appointing officers from the larger militia district, and acknowledged the impracticality of collecting militia fines in East Marlborough. It is not surprising that revolutionary General Anthony Wayne wrote to Council President Thomas Wharton in the spring of 1778, to suggest that he stop recruiting troops in Chester County, a wasted effort, and concentrate on raising men in Berks, Lancaster, York, or Cumberland Counties. Nor is it surprising that a loyalist bandit who particularly targeted militia officers would find clandestine support and safe hideouts in Chester County.⁸

Fitzpatrick's other preferred targets, tax collectors, were as unpopular as militia recruiters in Chester County, partly because they were responsible for collecting militia fines. Other Chester County bandits robbed at least two collectors. Also, two brothers, John and Robert Smith, murdered Chester County collector, William Boyd, when he tried to collect a militia fine from them in the spring of 1780. Fitzpatrick, on the other hand, was never accused of murder, or of physically harming anyone, beyond his occasional retaliatory flogging of a militia officer.⁹

What Fitzpatrick did enjoy was challenging the Whigs at every opportunity, running considerable risk of capture. On one occasion, armed only with a pair of pistols and a dagger, he strolled openly through Kennett Square as people made way for him to pass. He entered the Unicorn Tavern, a center of Whig activity, where a crowd stood drinking and bragging about what they would do to Fitzpatrick if they encountered him. Fitzpatrick ordered a drink before he was finally recognized. He then backed out, covering himself with a pistol until he reached the woods.

In a similar incident, Fitz and Dougherty went in disguise to a public meeting called to discuss measures for Fitz's capture. A young militia captain had a great deal to say about how he would seize him. The unarmed Fitzpatrick took hold of an iron candlestick he saw on a shelf, and told the unsuspecting young man that if he would come outside with him, he would show him how to catch the robber. Once outside,

Fitz revealed his identity, at the same time snapping the spring of the candlestick, fooling the militiaman into thinking he had cocked a pistol. The robber demanded the militiaman's watch, then bound his hands and sent him back inside to tell the assembly that Fitz was closer than they thought!

On another occasion, as recalled decades later by an elderly Chester Countian, Archibold Hambleton, Fitzpatrick and Dougherty came upon several men, including Hambleton, harvesting a field. They boldly told a farmer, James Shields, that they had just called at his house to "borrow" his watch, shoes, and silver shoe buckles. When Shields bravely demanded them back, Fitz assured him that their return would depend on Shields's behavior towards the outlaws. Fitz and Dougherty forced Hambleton to go with them to his parents' home, where they confiscated a rifle, a powder-horn, and shot. They forced Hambleton to swear on a Bible not to molest any of his Tory neighbors in retaliation for the theft, and threatened to burn down his parents' house and those of all the Whigs in the neighborhood.

Fitzpatrick's lightning appearances provoked not only fear, but also sympathy and camaraderie. In the nineteenth century, an aged resident of Springfield, Mr. Shillingford, recalled an encounter with Fitzpatrick in the early spring of 1778, when he was serving as a blacksmith's apprentice in Newtown Square. Shillingford had just arrived at the shop, and was starting the smithy fires, when a tall, sandy-haired, athletic man entered the forge. The well-armed stranger said his horse had lost a shoe, and that he wanted to replace it himself. The apprentice pointed out that a misplaced nail might lame a horse, but the horseman soon showed he knew what he was doing. The stranger spoke of Fitzpatrick's being in the neighborhood, and the boy said he had never seen Fitzpatrick, but had heard him described. "Do I look like Fitzpatrick?" the stranger asked. "I don't know that you do" was the cautious reply. At that, the tall stranger told the boy that he was indeed Fitzpatrick, tossed him a coin to pay for the shoeing, and galloped out of sight. Later, when the captured Fitzpatrick was being held at Chester, he spied the apprentice in the crowd which had gathered to gawk at him, and stretched out a manacled hand for a hearty shake, saying, "How are you, brother Chip?" Not only had he not robbed the boy, but Fitzpatrick seemed to feel some warmth towards a fellow workman.

Fitzpatrick's record of almost reckless hostility towards Whigs was matched by his reputation for refusing to rob the poor, and for his gallantry towards women. Coming along a road near the Friends Meeting in East Caln one day, Fitz overtook an elderly woman taking a basket of eggs to market. As Fitz took the eggs, the old woman protested that she was poor, and needed to sell them. Fitz immediately returned the eggs, saying he never robbed the poor. However, although Fitz's actions were politically motivated, and despite his reputation for gallantry towards women and restraint towards the poor, Fitzpatrick was not the Robin Hood figure that some historians have described. He was more accurately a most dashing thief, who took advantage of troubled times to amass considerable treasure hidden around the county—never recovered—and to pay off a personal score as well.

The new state government found it difficult to end Fitzpatrick's escapades as Chester County's governmental structure virtually collapsed in 1776. Most Chester County Quakers, as well as others unsympathetic to the new Revolutionary regime, resigned their offices, from Assembly membership down to township offices. Three Pennsylvania Assembly members from Chester County, Joseph Pyle, Nathaniel Pennock, and Charles Humphreys, withdrew from politics in the fall of 1776. Large areas of the county had no justices of the peace nor local officials for several years. Richard Riley, an important figure in the early stages of the committee movement in the county, resigned as justice of the peace following independence, and "lived a private life untill October 1789," when he was elected to the Assembly. The Pennsylvania Supreme Executive Council failed to fill the gaps in the county's judicial structure despite repeated appointments, as Chester Countians refused to accept such offices.¹⁰

The resignation of Chester County sheriff, Nathaniel Vernon, an avowed loyalist, left another major gap in law enforcement, as did that of Henry Hale Graham, the county prothonotary. Graham "had, under diverse pretenses, neglected to deliver up to . . . [Caleb Davis, his successor] the Books, Records, Papers & Seals belonging to the said office." The Supreme Executive Council eventually had to issue a warrant directing Davis "to enter in the daytime, with proper assistants, the dwelling House & Out Houses of the said Henry Hale Graham, Esq., & search for and take possession of & secure in some safe place the Books, Records, Papers & Seals belonging to the said Office." The lack of judges and of county records seriously handicapped the administration of justice in the county.¹¹

The British invasion of Chester County in fall 1777, and their occupation of Philadelphia until the next summer, opened the door to increased lawlessness. Persecuted and silenced by the rebels, Chester County loyalists welcomed the British invasion, hoping that the backing of the British army would give them ascendancy over their rebel neighbors. British troops did sporadically raid the county during the winter of 1777-1778, collecting supplies. Whigs also feared the more malicious destruction of rebel property threatened by local loyalists such as Fitzpatrick and Dougherty. Whigs believed that local Tories had burned down two taverns owned by outspoken rebels, Charles Dilworth's Tavern in Birmingham Township, and Peter Bell's Unicorn Tavern in Kennett Township. Whigs also credited loyalists with burning down the French Creek gunpowder plant.¹²

The Pennsylvania Supreme Executive Council relied on the militia to establish the Revolutionary government's control of the county. Early in 1777 the Council ordered the Chester Committee "with as much secrecy and Despatch as possible" to raise enough militia to arrest rioters involved in "a very extraordinary instance of Toryism and violation of the rights of Private Property." In the spring of the following year Andrew Boyd, a colonel in the militia, and Chester County Lieutenant, wrote to the Council that Chester County's southeastern townships were still "disaffected" and "in a riotous & seditious manner commit Treason & felony, & oppose the execution of the Law." The Council then instructed Boyd to arrest the rioters.

No record remains suggesting that Boyd was able to carry out this order; the extreme disaffection of that part of the county probably made it a dead letter.¹³

The militia were equally ineffective in apprehending Fitzpatrick. On one occasion, a militiaman returned to Fitzpatrick's mother's cabin to search for him, and treated her disrespectfully, spitefully smashing her spinning wheel out of frustration. Nor did the militia ever find any of the outlaw's several rumored retreats, among them hideouts in the Coatesville area, in Newlin Township, and at Castle Rock, in Edgemont.¹⁴

Attempting Fitzpatrick's capture became more attractive after the Pennsylvania Supreme Executive Council offered a reward for his seizure after a rash of kidnappings of public officials by loyalists. Chester County loyalists helped British raiding parties capture several rebels, including David Coupland, the elderly Mayor of Chester, and Captain John Crosby, a young Continental officer home on leave. Both were confined on British prison ships. Other kidnapping targets included militia Colonel John Hannum, of East Bradford Township, who narrowly avoided a kidnapping party guided by his nephew, Abiah Parke, and William Foster, the fiery Presbyterian minister at Octoraro Church in the southwest, whose congregation helped him elude loyalist raiders from Wilmington, Delaware. When Fitzpatrick and Dougherty kidnapped two tax collectors, Joseph Lucky and Peter Burgardine, and held them for some weeks, Colonel Andrew Boyd offered two hundred dollars reward for their capture, but with no result. The Pennsylvania Supreme Executive Council approved his action and soon raised the reward to one thousand pounds.¹⁵

Fitzpatrick's situation became much more dangerous in early summer 1778, when General Howe ended his occupation of Philadelphia. Fitzpatrick and Dougherty chose to remain in Chester County, although greater Whig control was to be expected. Fitzpatrick seems to have concentrated his activities in that summer on robberies on the Lancaster road. Indignant "X" complained that "the road so near the metropolis, for near three months has been infested by two highwaymen with impunity." For a time, daring and uncanny luck kept Fitzpatrick from capture. "X" complained: "The day before yesterday, three gentlemen went in pursuit of him, after he had committed a robbery; they got within sight of him, and fired at him, but without effect."¹⁶

Restored law and order in Chester County would ultimately have ended Fitz's career as an outlaw. But it was not a posse that brought him to justice. On Sunday evening, August 23, 1778, Robert McAfee, a militia captain, was sitting at tea with his aged parents when a stranger armed with a rifle, a sword, and pistols, entered the room and greeted him by name. According to Captain McAfee's account of the incident in the *Philadelphia Evening Post*,

I returned his salute, saying, he had the advantage, I did not know him; he swore, you soon shall know me; I am captain Fitz; I am come to collect my levies of the damned rebels, and demand 150 pounds of you. I said, I disputed his authori-

ty; upon which he advanced with a drawn sword in one hand and a pistol in the other, order me to deliver my watch, shoe and knee buckles, and a breast buckle.¹⁷

McAfee persuaded Fitz to go upstairs into a smaller room.

[H]e order[ed] my father and mother (both old and infirm) and a girl belonging to the house, who had just then entered the room, all before him up stairs to a bedchamber, where I told him my money lay. Upon entering the room and arranging his prisoners (as he thought safe) he set one foot on the side of a bed to adjust something amiss about his shoe with one hand, and held a pistol in the other directed to me; upon which I cast a look to the girl, signifying I was going to attack, and immediately sprung at him, secured the pistol, and a scuffle ensued, which lasted some minutes before I could bring him to the floor.

Later, McAfee and Rachel Walker, the servant girl, each asserted a right to the £1,000 reward offered by the Supreme Executive Council for Fitzpatrick's capture. Each claimed to be the first to capture the outlaw; the Council split the reward between them.¹⁸

Holding Fitzpatrick proved to be almost as dangerous as capturing him. While David Cunningham, McAfee's servant, went for help from the militia, because McAfee's nearest neighbors were loyalists, Fitzpatrick succeeded in loosening the ropes that bound him, probably with the help of McAfee's sister, thought to be sympathetic to the handsome robber. That night, before the militia arrived to take custody of the bandit, a shot was fired through McAfee's window, probably by Mordecai Dougherty, who was never captured.

Fitzpatrick was jailed in Chester and on September 15, 1778, convicted of burglary and highway robbery, which he admitted, and sentenced to be hanged. The Supreme Executive Council set September 26 for his execution. Meanwhile, Fitzpatrick almost escaped after filing off his irons, so the Council had him removed to the more secure Walnut Street Prison in Philadelphia. While there, he unsuccessfully attempted to escape again, filing off his handcuffs twice in one night.¹⁹

Difficult to catch and difficult to hold, Fitzpatrick also proved difficult to hang. His executioner failed to allow for his unusual height. When the cart was pulled out from under him, his feet dangled so low that he was able to relieve the pressure of the rope by standing on his toes. Seeing this, his executioner jumped on Fitzpatrick's shoulders to increase the pressure and, in fact, strangled Fitzpatrick to death.²⁰

Two weeks later, William McAfee found his stacks of oats and hay burned and his horses maimed. He attributed this to Fitzpatrick's sympathizers, possibly to Mordecai Dougherty, who was never seen again in the county, and was believed to have fled to Canada. The Supreme Executive Council found McAfee's claims credible, and in 1783 compensated him with £200, as provided by legislation for the compensation for property destroyed by the British and loyalists.

Time embroidered the exploits of Captain Fitz. In the 1840s and thereafter, several editions of Watson's *Annals of Philadelphia* spawned more recollections of the brigand at second- and third-hand. A few years later, Chester County's most famous novelist, Bayard Taylor, based his romantic, bigger-than-life, revolutionary outlaw in *Stories of Kennett* on Fitzpatrick. So persuasive was Taylor's characterization that some later writers confused "Sandy Flash" with Fitzpatrick himself, for example, suggesting that Fitzpatrick was actually betrayed to the militia by a girlfriend, as was "Sandy Flash." Another mistaken myth regarding Fitzpatrick, written about at length, was that he was an associate of the Doan gang, a loyalist gang operating mainly in Bucks County; no contemporary mention of such an important connection exists. Some Chester Countians even credited Fitzpatrick with a murder committed ten years after his execution in 1778.²¹

If Fitzpatrick's legend is overblown, his actual career is instructive. Wartime brutality fostered Captain Fitz's brief and daring outlaw career; temporary disintegration of civil authority allowed it free rein; reassertion of that authority inevitably brought his downfall. His story illustrates other important themes such as the local nature of much of the Revolutionary struggle and the important extra-military role of the militia in support of the Whig cause. More importantly, the spectacle of a Scots-Irish blacksmith from the Whig stronghold of Doe Run so avidly supporting the British cause, and most effectively harassing Chester County Whigs, underscores the fact that individual circumstances and personal choices could easily outweigh the probable loyalties resulting from ideological affinities and ethnic identity.

Notes

1. "To whom it may concern," signed "X", *Pennsylvania Packet*, August 18, 1778.
2. Revolutionary Chester County comprised modern Delaware and Chester Counties. Bounded on the east by Philadelphia, and on the south by Delaware and Maryland, it extended west forty miles to Lancaster County. An area of small farms, Chester County had no towns of any size except Chester, on the Delaware River (population circa 150), because of the proximity of Philadelphia.
3. Henry Graham Ashmead, *History of Delaware County, Pa.* (Philadelphia: L. H. Everts, 1884), 166-71, 636-37, describes Fitzpatrick's career, as do J. Smith Futhey and Gilbert Cope, *History of Chester County, Pennsylvania* (Philadelphia: Lippincott, 1881), 548-49.
4. John F. Watson, *Annals of Philadelphia and Pennsylvania in the Olden Time* (Philadelphia: Pennington and Hunt, 1844), II, 83, 330, is the earliest extant secondary description of Fitzpatrick's career. Watson based his account on recollections gathered earlier by "[his] friend Lewis," probably a series of articles written by Joseph J. Lewis in the *West Chester Village Record*, no longer extant.
5. James T. Lemon, *The Best Poor Man's Country: A Geographical Study of Early Southeastern Pennsylvania* (Baltimore: Johns Hopkins Univ. Press, 1972), 51-65, 188-97; Kenneth A. Radbill, "Socioeconomic Background of Nonpacifist Quakers during the American Revolution," unpublished dissertation, University of Arizona, 1972, 1-2, 77-87.
6. William Montgomery, James McDowell, and John Mackey to the Pennsylvania Committee of Safety, February 12, 1776, Wayne Papers, Historical Society of Pennsylvania, hereafter HSP. Indentured servants were among those excused from military service by the Assembly. To add insult to injury, Captain Vernon, a member of a prominent Quaker family from the town of Chester, was recruiting in a heavily Scots-Irish area. The three protesters were Scots-Irish.
7. "Testimony Concerning a Riot in Chester County," *Colonial Records* (Harrisburg: Theodore Fenn, 1852), XI, 553-4.
8. Rev. John Carmichael to the President of the Supreme Executive Council, Jan. 27, 1780, *Pennsylvania Archives* (Philadelphia and Harrisburg: State Printers of Pennsylvania, 1852-1914), Second Series, III, 284-6; Francis Johnston, late 1776, *Pennsylvania Archives*, First Series, V, 100; William Boyd to Joseph Reed, *Pennsylvania Archives*, First Series, VIII, 471; Anthony Wayne to Governor Thomas Wharton (actually President of the Supreme Executive Council), Mar. 27, 1778, Wayne Papers, HSP. *The Accounts of the Lieutenant and Sub-Lieutenants of Chester County*, Philadelphia, 1785, HSP, shows the large number of militia fines outstanding by 1780.
9. Supreme Executive Council Secretary Matlack to the Speaker of the Pennsylvania Assembly, December 5, 1781, *Pennsylvania Archives*, First Series, IX, 459; Supreme Executive Council to Colonel Hannum, May 12, 1780, *Pennsylvania Archives*, First Series, VIII, 244; "Proclamation of Reward for the Murderers of William Boyd," May 13, 1780, *Pennsylvania Archives*, Fourth Series, III, 760-1. The brothers were captured as they tried to cross New Jersey to join the British army in New York, sent back to Chester County and hanged. Ashmead, *History of Delaware County*, 171.
10. Richard Riley, "Record of Proceedings as Justice of the Peace, 1765, 1774-76," HSP; "Minutes of the Supreme Executive Council," *Colonial Records*, I, 542. As late as May, 1779, after the Assembly had established a method for the freeholders to elect justices in local areas, Caleb Davis was forced to reply to the Council's inquiry that no justices of the peace had been elected for three Chester County districts comprising thirteen townships, the whole eastern portion of the county. Colonel Matlack to Justices of Philadelphia, Bucks, Chester, and Bedford Counties, *Pennsylvania Archives*, Second Series, III, 240-1. Appendix I contains Davis's return of justices.
11. "Minutes of the Supreme Executive Council," *Colonial Records*, XI, 254; "Minutes of the Council of Safety," *Colonial Records*, X, 742. "The Chester County Bail Books, 1768-1786," contain no entries between July 5, 1776, and January, 1779. Dreer Collection, Case 32, D.S., HSP.
12. William W. Polk, "History of Kennett

Square," *Chester County County Collections*, 108 (West Chester, Pa.: Anderson and Darlington, n.d.), 233-4; Ashmead, *History of Delaware County*, 67.

13. Council of Safety to Committee of Chester, February, 1777, *Pennsylvania Archives*, Second Series, I, 699-700; Ashmead, *History of Delaware County*, 72. Philip Ranlet's description of loyalist acts of sabotage and mob rule in Queens and Staten Island, in anticipation of and during the British occupation of New York City, is comparable in some ways to the Chester County experience, as is the Whig reliance on the militia to counter loyalism. Philip Ranlet, *The New York Loyalists* (Knoxville: University of Tennessee Press, 1986), 68-73.

14. Elizabeth Howard, *James Fitzpatrick, the Highwayman of Council Rock* (Newtown Square, Pa., 1899), 17.

15. John H. Martin, *Chester (and its Vicinity), Delaware County, Pa.* (Philadelphia: William H. Pile and Son, 1877), 175; Ashmead, *History of Delaware County*, 72, 654; Futey and Cope, *History of Chester County*, 673; A. Wayne Morris, *The Octoraro Family of Churches* (Honeybrook, Pa.: Herald Publishing Co., 1969); "Minutes of the Supreme Executive

Council," June 12, 1778, *Colonial Records*, XI, 582-83.

16. "To whom it may concern," signed "X," *Pennsylvania Packet*, August 18, 1778.

17. *Philadelphia Evening Post*, August 31, 1778.

18. "Minutes of the Supreme Executive Council," November 6, 1778, *Colonial Records*, XI, 616-17.

19. *Philadelphia Evening Post*, September 21, 1778; Watson, *Annals of Pennsylvania*, II, 84; "Minutes of the Supreme Executive Council," September 21, 1778, *Colonial Records*, XI, 356.

20. Howard, *James Fitzpatrick*, 28.

21. Bayard Taylor, *The Story of Kennett* (New York: G. P. Putnam, 1866). James Moss's "Gentlemen of the Road," *Pennsylvania Folklife*, XXVII, 12, 2-19, confuses the Sandy Flash myth and Fitzpatrick's career. H. K. Brooke's *Annals of the Revolution, or a History of the Doans* (Philadelphia: John B. Perry, 1843), mentions no connection with Fitzpatrick. Two later histories of the Doans include lengthy descriptions of collaboration with Fitzpatrick: John P. Rogers, *The New Doane Book* (Easton, Pa.: John S. Carroll, 1952), 174-90, 356-68; and *The Doan Outlaws* (Doylestown, Pa.: n.p., n.d.), 29-40, 124-32, 297, no author given.