ON September 13, 1766, Secretary of State for the Southern Department, Lord Shelburne, addressed a circular letter to the governors of Britain’s North American colonies. “His Majesty’s Superintendents for Indian Affairs,” he wrote with evident consternation, report “that the most unprovoked violences and Murthers have lately been committed on the Indians . . . whose Tribes are at present in Peace and Amity with His Majesty’s Provinces, and that the offenders have not yet been discovered and brought to Justice.” The danger was imminent and immense. In conjunction with frequent encroachments on Indian lands and sharp practices by colonists engaged in the Indian trade, recent crimes against friendly Indians threatened to embroil British America in a massive Indian war. Through Shelburne’s letter, King George commanded his governors “to remedy and prevent those Evils, which are as contrary to the Rules of good Policy as of Justice and Equity.”

Pennsylvania was one of the most culpable colonies. Until the 1750s, William Penn’s American province had enjoyed unparalleled peace with its Indian inhabitants; when abuses of Indians occasionally occurred, colonial authorities had generally administered impartial justice. That idyllic picture changed dramatically in the mid 1750s. The French and Indian War brought several years of frontier carnage that returned, after a brief lapse, during Pontiac’s uprising of 1763. Although peace was soon restored, interracial harmony was not. Frontier frustrations and racial antagonism reached a symbolic climax in December 1763 when a band of Lancaster County ruffians slaughtered twenty friendly Indians and attempted, several weeks later, to
wreak the same vigilante violence on 140 Christian Indians sheltered in Philadelphia. The Pennsylvania government’s inability to apprehend, let alone punish, any of the perpetrators inaugurated a new stage in American frontier justice that King George and Lord Shelburne so rightly deplored. The alternative was clear enough—equity for Indians and “condign Punishment” for colonial offenders—but from the moment of the Paxton Boys’ first depredation to the outbreak of the American War for Independence a dozen years later, its implementation remained elusive. During that period, all parties to the events suffered severely: Indians from repeated casualties, frontiersmen and their families from Indian retaliations, and colonial officials (both provincial and imperial) from the frustrations of an ungovernable frontier. Indian respect for Anglo-American concepts of justice and its administration suffered too. Heretofore Indians had accorded Anglo-American justice grudging respect; by the eve of the American Revolution they viewed it with widespread contempt. The disintegration of justice on the frontier thereby contributed to the growing breach between American colonists and their Indian neighbors.

Pennsylvania’s frontier assassins of 1763—quickly dubbed “the Paxton Boys”—have not been ignored by subsequent generations. Their exploits have been castigated, and occasionally defended, in countless chapters, articles, and dissertations that have searched the events in Lancaster County and Philadelphia for political, social, or literary lessons. Such quests are fruitful: the Paxton Boys’ massacre of the Indians and their march on Philadelphia had important ramifications for Pennsylvania’s political alignments and were important reflections of class and religious tensions; they also spawned a vigorous though transient array of broadsides and pamphlets. But far more lasting and profound for colonial Pennsylvania and the other mainland colonies was the Paxton Boys’ detriment to frontier justice in particular and Indian-white relations in general. From 1763 until 1775, imperial officials lamented the failure of colonial authorities to curb the “lawless Banditti” of the colonial frontier, especially in Pennsylvania, and predicted dire consequences. Often these officials, along with other observers of Indian affairs, insisted that the flood of unpunished crimes against Indians had been initiated and invigorated by the Paxton Boys’ brazen disregard for law and authority. Their legacy was more than political factionalism, more than denominational and social bickering, more than polemical banter. The Paxton Boys’ principal legacy was “open season” on the Indians, friend or foe, a circumstance the Indians surely remembered when they chose sides in the American Revolution.
Between 1754 and 1763, thousands of men, women, and children on the western frontier of Pennsylvania and the adjacent colonies were killed, wounded, or captured by the several Indian tribes at war with Britain's mainland colonies. The Pennsylvania Assembly, dominated by Quaker pacifists, did little to relieve the frontiersmen's plight. As one disgusted Pennsylvanian observed early in the French and Indian War, "In the midst of all this misery, the citizens [in the East] are doing their Business as usual, without much seeming Concern; they neither muster, nor arm, nor fortify, nor make one Effort for the Relief of the Back Inhabitants." Even after the Quakers largely withdrew from provincial politics in 1756, a series of commanders-in-chief of British forces in America found Pennsylvania's representatives unwilling to contribute their share to offensive operations against the French and their Indian allies or against hostile tribes during Pontiac's uprising in 1763-64. Settlers on Pennsylvania's frontier—mostly Scotch-Irish Presbyterians with little love for their English Quaker compatriots—still suffered from marauding Indians. And because the five frontier counties had only ten seats in the Assembly to twenty-six for Philadelphia and the three eastern counties, westerners had little hope of political redress. Their petitions fell on deaf ears. People in the "back country" increasingly considered their enemies to be most easterners and Quakers as well as all Indians.

In Pennsylvania, as elsewhere, frontiersmen rarely distinguished between friendly and enemy Indians, especially when wartime tensions gave way to hysteria. So it was at daybreak on December 14, 1763, when fifty or more armed men from the Lancaster County town of Paxton and its vicinity rode into a tiny community of Christian Indians at Conestoga Manor, eight miles west of Lancaster, killed and scalped the six inhabitants—two men, three women, and a child—and burned their houses. County officials quickly rounded up the remaining fourteen Conestogas who had been away at the time of the massacre and put them for protective custody (willingly, according to some accounts, reluctantly according to others) in the workhouse adjacent to the Lancaster jail. Two weeks later another gang rode into Lancaster, pushed aside token resistance from the sheriff and coroner, and slaughtered every Indian man, woman, and child in the workhouse. Once again the murderers rode off unmolested and unidentified. Even a proffered reward of £ 600 for information leading to the arrest of the ringleaders went unclaimed as the frontier community closed ranks.
The destruction of the Conestogas failed to quench the Paxton Boys' thirst for human destruction. With their ranks now swelled to hundreds, they marched in early February toward Philadelphia with the rumored intention of killing the 140 Indians who, with a few Moravian missionaries, had sought asylum in the city's military barracks. The Paxton Boys never got that far; an advanced force of perhaps 250 stopped at Germantown on learning that between them and the barracks were more than five hundred citizen-volunteers and nearly two hundred royal troops, all well-armed, with cannon primed, ready to repel any attempt to harm the Indians. The Paxton Boys wisely disbanded on promise from Benjamin Franklin and other government spokesmen of amnesty for their threat to public order and an opportunity to present their grievances to the governor and legislature. Their major grievances—paucity of frontier defenses, underrepresentation, and Quaker favoritism to Indians—were largely ignored. But the immediate crisis was over. The Moravian Indians were unscathed, and eventually they returned to their frontier homes.

A few days before the Paxton Boys reached Germantown, Benjamin Franklin published a scathing attack on "The Rioters" that ignited a year-long literary conflagration. Throughout 1764, critics and defenders of the Paxton Boys traded accusations and insults, many of them aimed at religious affiliations (Quakers v. Presbyterians) or geographical location (easterners v. westerners) as Pennsylvanians vented their frustrations in verbal battle. Several pamphleteers reflected the prevalence of an attitude toward Indians that partly explains the Lancaster County massacres, the government's inability to make arrests, and the Pennsylvania frontier's imperviousness to equity for Indians.

At their mildest, the pro-Paxton writers dismissed the Conestogas as "a drunken, debauch'd, insolent, quarrelsome Crew." More virulent was the contention that all Indians were "Perfidious." Extremists wanted to "extirpate from earth this Savage Race."

Although hostility toward the Indians was strongest on the frontier, the Paxton Boys had substantial support in the east too, even in Philadelphia, especially among the Germans and Scotch-Irish. On the eve of the Paxton Boys' arrival at Germantown, many government leaders feared that frontier hostility had "Spread like a Contagion into the Interior parts of ye province & Even ye City it self." Franklin attested that the approaching insurgents were "encourag'd by the general Approbation of the Populace," and after they disbanded at Germantown he concluded that "The Spirit of killing all Indians, Friends and Foes, spread amazingly thro' the whole Country: The
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Action [against the Conestogas] was almost universally approved by the common People. . . .” Even allowing for some exaggeration on Franklin’s part—he boasted that his condemnation of the Paxton Boys had turned the tide in the government’s favor—there is no doubt that anti-Indian sentiment was widespread in the east as well as the west and that racial stereotypes were beginning to pervade Pennsylvania’s mental landscape.13

In keeping with incipient racism, some of the pamphleteers in 1764 insisted that the Indians were inherently inferior to European-Americans. An anti-Paxton pamphleteer parodied the frontier view by having its fictional spokesman assert, “[I]f I tho’t that any of their Colour was to be admitted into the Heavenly World, I would not desire to go there myself.” That exaggerated the anti-Indian position, perhaps, but not by much. A writer generally sympathetic to frontier grievances put the matter starkly: “the White People most in General, hates any Thing that Savours of the Name of an Indian.” Franklin had already tried to counter such racist nonsense, with little apparent success. In his Narrative of the Late Massacres, in Lancaster County, he had argued poignantly against categorical prejudice:

If an Indian injures me, does it follow that I may revenge that Injury on all Indians? It is well known that Indians are of different Tribes, Nations and Languages, as well as the White People. In Europe, if the French, who are White People, should injure the Dutch, are they to revenge it on the English, because they too are White People? The only Crime of these poor Wretches seems to have been, that they had a reddish brown Skin, and black Hair; and some People of that Sort, it seems, had murdered some of our Relations. If it be right to kill Men for such a Reason, then, should any Man, with a freckled Face and red Hair, kill a Wife or Child of mine, it would be right for me to revenge it, by killing all the freckled red-haired Men, Women and Children, I could afterwards any where meet with.

There was, of course, no logical answer to Franklin’s rhetorical question except the one he wanted, but neither Pennsylvania’s frontiersmen nor, probably, the bulk of its citizens throughout the colony, were ready to grant his point.14

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The Paxton Boys’ vigilante tactics and their successful flouting of Anglo-American law set a pernicious example along the Pennsylvania
frontier. To the dismay of the Indians at amity with the colony and to the chagrin of government officials responsible for maintaining a peaceful frontier, the Paxton Boys continued to violate laws and to vent with impunity their hostility toward Indians.

Not all frontier crimes involved murder, for there were less drastic ways to maltreat Indians and defy colonial laws. A year after the Paxton Boys returned home from their march on Philadelphia, an observer charged that “The Paxton Boys still continue to interrupt the Laws of Community, and are daily doing Acts in defiance of government.” Later in 1765, a crowd of frontiersmen with blackened faces, called “Black Boys” by some and by others “Paxton Boys”—the latter term by then encompassed a wide range of Pennsylvania frontiersmen—destroyed several wagon-loads of goods in Cumberland County en route to Pittsburgh for distribution to the Indians. When soldiers from Fort Loudon confiscated some of the remaining goods and took a few frontier leaders into custody, the Paxton Boys laid siege to the fort and eventually took its commander hostage. “The Outrages committed by the Frontier People are really amazing,” Benjamin Franklin gasped from London. “Impunity for former Riots has emboldened them. Rising in Arms to destroy Property publick and private, and insulting the King’s Troops and Forts, is going great Lengths indeed!” For none of these actions was anyone punished. A few were charged, but the grand jury at Carlisle, entirely sympathetic to the frontiersmen, returned no indictments.

Although the Fort Loudon incident had its roots in frontier hostility to Indians, few if any Indians were involved in the fracas itself, perhaps because they feared the consequences of close proximity to the settlers. “The lawless Inhabitants of Cumberland County,” a Philadelphian predicted, “will massacre all Indians, who enter the interior part of it. . . .” Indians could expect little better in neighboring Lancaster County. Tuscaroras migrating from North Carolina to Iroquois country in 1766 were “well used, by the Inhabitants during their whole Journey ’ill they came to Paxton;” there they were abused by the inhabitants and robbed of their horses. Once again no arrests were made, no courts were convened, no frontiersmen were punished for abusing peaceful Indians. Colonial officials could only grumble at the frontiersmen’s perversity. Sir William Johnson, Superintendent of Indian Affairs in the northern colonies, complained of the “ill timed resentment of ye Country People, who think they do good Service when they Knock an Indn in the Head, and I am well informed they intend to do so with all they meet in small partys. . . .” In March 1766 General Thomas Gage informed Penn that he was “sorry to find that the lawless Banditti on your Frontiers
continue giving you fresh troubles. The Robberies and disturbance they have been guilty of with Impunity, emboldens them to every Act of Violence, whilst they flatter themselves that they are secure from Punishment.” A few months later, Benjamin Franklin added his voice to the sorrowful chorus. “It grieves me,” he wrote from London, “to hear that our Frontier People are yet greater Barbarians than the Indians, and continue to murder them in time of Peace. I hope . . . the several Governments will find some Method of preventing such horrid Outrages. ...”

General Gage, as the principal imperial official in British America and the only one with professional troops at his command, tried hard to quell frontier violence and oust illegal squatters—prime instigators of interracial friction—through military might. He ordered all royal forces to assist governors in the maintenance of law and order, and he threatened offenders with “Military Execution.” However, Anglo-American law allowed few opportunities for royal troops to control civilians or to hail them before courts-martial. On the eve of the Paxton Boys’ arrival at Germantown in 1764, Governor Penn warned the Assembly that he could not request assistance from the Royal Americans in the Philadelphia barracks until all efforts by civil authorities had failed—hence the sudden mobilization of Philadelphia’s manpower. A year later, the commander of royal forces at Fort Loudon discovered the impotence of his troops against hostile mobs and their sympathetic magistrates. “The several Governments” were stymied.

Worse still for the prospect of curbing frontier crimes against Indians was the reluctance of colonial assemblies to grant changes of venue to permit murderers of Indians to be tried before (presumably) impartial juries. Frontiersmen accused of crimes against Indians often protested that they were about to be sent east for trial where they would be denied fair hearings—a charge too often believed by historians. The law, however, was clear on this point, and it wholly favored the frontiersmen. The few attempts to change the law in specific cases were fruitless; criminals would be tried where the crimes were committed or not at all.

There were three exceptions: (1) a Pennsylvania law of 1744 required that Indians accused of capital crimes in distant areas be tried in Philadelphia County; (2) Parliament’s Mutiny Act of 1765 authorized the removal of civilian offenders from “places within his Majesty’s dominions in America, which are not within the limits or jurisdiction of any civil government” to “the next adjoining province;” and (3) a Pennsylvania act of 1770, aimed specifically at the “Black Boys,” authorized change of venue if the accused wore a disguise. Of the three
laws, only the Mutiny Act was likely to be used against abusers of Indians, and it was distressingly ambiguous because the jurisdictional boundaries of Pennsylvania and its neighbors were often difficult to determine and because it was not always clear which of several bordering colonies was "next adjoining." In effect, the Mutiny Act allowed military authorities to send suspected criminals from west of the Proclamation Line of 1763 (and its subsequent readjustments) to any nearby provincial capital for trial. Rarely did such circumstances arise. Crimes committed on the far western frontier were as likely—in fact more likely—to go unpunished as were those perpetrated in Lancaster or Cumberland Counties.

With culprits almost assured of immunity, atrocities against Indians continued apace. In 1765 two hunters—one from Virginia, the other from Maryland—boasted of killing two Indians near Pittsburgh and "shew[ing] the Scalps publickly," the same year an Iroquois chief was murdered on the road between Fort Cumberland and Fort Bedford, and nine Shawnee were killed in nearby Augusta County, Virginia, by "a number of the Country People." In 1766 a principal Delaware warrior was killed between Redstone Creek and Cheat River and three Delaware chiefs near Fort Pitt; a Mohawk was killed and scalped about twelve miles from Fort Cumberland. The suspect in the latter case was Samuel Jacobs, who reportedly fled to some other part of the frontier. Governor Penn asked his counterparts in Maryland and Virginia to help find Jacobs, but to no avail. Governor Francis Fauquier of Virginia could get no information about Jacobs and was not surprised. "I have found by experience," he told Penn, "it is impossible to bring anybody to Justice for the Murder of an Indian, who takes shelter among our back Inhabitants. It is among those People, looked on as a meritorious action, and they are sure of being Protected." Fauquier's assessment was prophetic of the next major crisis on the Pennsylvania frontier. In January 1768, John Penn furnished Sir William Johnson with "the disagreeable and Melancholy Intelligence of a very Barbarous and unprovoked Murder" of ten Indians in Cumberland County. The situation was especially serious because Indian affairs were precarious and because the murderer, like so many others before him, scalped his victims. In Indian protocol, that was tantamount to a declaration of war. According to agent Alexander McKee, "the Scalping those Indians is worse than murdering . . ." Rumors of imminent war swept across the frontier.

Penn, Johnson, and General Gage were all determined to bring the culprit, Frederick Stump—a German settler at Penn's Creek—to
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justice. The governor offered a £200 reward, but Johnson, for one, was skeptical that Stump could be captured. Although Sir William considered the murders “one of the most dangerous Accidents that could have happened at this Period,” he knew the likely sequel: “I much fear that the Lawless Gentry on the Frontiers will render it worse by screening the Murderer or contributing to his Escape.” Croghan was equally pessimistic of the chances for a peaceful solution. “I Raly begin to fear the Consequences,” he told Johnson. The Delawares and Shawnees were deeply upset, “and thire is No prospect of this Government being able to give them thet Satisfaction w[hic]h Might Convince them that this Murder was Nott Commited with Desine [,] fer the perbetraters of itt is Nott Likely to be brought to Justus....”

Johnson and Croghan predicted accurately. Despite the certainty of his guilt and the enormity of his crime, Stump remained at large. He admitted to William Blyth, a Cumberland farmer, that on January 10, 1768, he killed in his own house six Indians—four men and two women—and stuffed their bodies through a hole in an ice-covered creek; the next day he tried to prevent news of the murders from spreading among the Indians by killing an Indian woman, two girls, and an infant (apparently they knew of the crime) and burning their cabins. Perhaps in response to Penn’s promise of a reward, Stump was eventually arrested by Captain William Patterson, “A Smart young Felow,” aided by nineteen men, and delivered to the sheriff at Carlisle; the prisoner and his servant, John Ironcutter, were ordered to Philadelphia for questioning. Cumberland’s magistrates, however, refused to release the prisoners until the government gave assurances that the trial would be held in the county, and magistrate John Armstrong discharged the prisoners’ guard. Six days later Stump and Ironcutter were rescued “by A Number of pople from the Fronteers in ye Midle of ye Day.” Armstrong gave Penn the details of the rescue by which, he admitted, “we are deceived and disgraced at once”: about ten o’clock on January 29, seventy to eighty armed men surrounded the jail, some jostled the magistrates while others took the jailer’s keys at gunpoint, opened the dungeon, and whisked away Stump and Ironcutter “in open Triumph.” As at Lancaster, no one admitted to recognizing a single member of the mob, although Penn bluntly charged Armstrong that “many of [them], it is more than probable, you and those other Magistrates who were present with you and were Witnesses of the whole Transaction personally knew.” Stump and Ironcutter were never recaptured; some of their rescuers were indicted but none convicted. “I have not Words to Convey fully to thee,” a discouraged Quaker complained to Benjamin Franklin
in early February 1768, "the Prevalence of a Disposition in the Inhabitants of Cumberland County to support All persons who kill Indians..."26

Pennsylvania's friendly Indians remained understandably suspicious of colonial intentions and integrity; they could see plainly enough that despite the efforts of some administrators and legislators, the bulk of the white population—at least on the frontier and perhaps throughout the colony—would allow Indians to be murdered with impunity. Several months before the Stump episode, General Gage saw little hope of doing justice to the Indians. "[I]t is a Fact," he told Lord Shelburne, "that all the People of the Frontiers from Pennsylvania to Virginia inclusive, openly avow, that they will never find a Man guilty of Murther, for killing an Indian." After the massacre by Stump and Ironcutter and their rescue from jail, George Croghan warned that

The many Murders committed on Indians in and on the Frontiers of Pennsylvania and Virginia and no one being Ever punished for them, cannot fail of exciting in the Minds of the Natives, the most unfavorable opinion of the Justice and Strength of the Government and its Effects must be extremely prejudicial to the Kings general Interest in America.27

The Paxton Boys' legacy was very much alive.

The Pennsylvania Assembly, conceding the point, put much of the blame on the proprietary government. With a mixture of genuine concern and partisan bias, the legislators assailed Governor Penn for encouraging a lawless climate by his earlier failure to prosecute anyone for the crimes at Conestoga and Lancaster. "There is a manifest failure of Justice somewhere," the Assembly charged, and accused the executive branch of letting murderers think they were immune from legal accountability. "[T]he Authors of Crimes of so black a dye," it admonished Penn, "should be strictly punished. It is in all Probability owing to the Encouragement arising from the Impunity with which these Criminals [at Conestoga and Lancaster] have been permitted to escape, that the subsequent Murders in this Province have been committed." Penn protested that he had taken "every Measure... on that Melancholy occasion which the Law would Warrant," but the Assembly insisted that he at least should have held the local officials—sheriffs, coroners, masgistrates—to strict accountability and removed them from office if they could not justify their "unparalleled Inactivity." He should also, the Assembly argued, promise a reward of at least £ 500 and protection from retaliation for information about the murderers.
Penn took offense at such criticism. He called the Assembly’s suggestions “indecent and unbecoming” and defended his handling of both the Paxton and Stump affairs. But the Assembly had the last word. “The proper Time for punishing Offenders,” it reminded the governor, “is as soon as possible after the offense is committed; every neglect or delay does but encourage them and others to the Perpetration of the like or other Crimes.” In the relative privacy of a letter to Benjamin Franklin, Speaker of the Assembly Joseph Galloway was blunter. “The Government Truckles to the Lawless Banditti,” he charged; “The Impunity with which Offenders escape is a perpetual Encouragement to the Licentious and Wicked to commit new Offences.”

With unpunished murders came greatly increased danger of retaliation by the Indians, which likely would lead to counterretaliation and eventually to full-scale war. Such a possibility no doubt underlay King George’s response to the Stump murders. He learned of the episode from Lord Hillsborough, his new Secretary of State for the American Colonies, who reported to Penn “His Maty’s pleasure that every Method shou’d be used to bring the Perpetrators of this shocking Butchery to the most exemplary Punishment, in the manner most satisfactory to the Indians. . . .” Royal wishes, however, were meaningless in such matters. No perpetrators were punished and the Indians remained unappeased. Predictions of a devastating Indian war now emanated from almost every provincial capital and every Indian agent, as racial tensions in western Pennsylvania reached their most volatile point since Pontiac’s Rebellion. In this crisis, the colony’s hopes for peace rested on condolence gifts and the Indian agents’ arts of persuasion. As George Croghan observed shortly after the massacre by Stump, “the Repated Murders on those Fronteers and ye Want of power in ye Government to bring ye Murdrers to punishment Must bring on hostilities unless Some Attonment Can be Made the Indians by Condoleing & presents Very Early this Spring.” Pennsylvania took Croghan’s advice. In February 1768 the Assembly voted £ 3000 for resolution of the crisis: £ 500 for rearresting Stump and Ironcutter, £ 2500 for presents to the Indians. Of that amount, Sir William Johnson distributed £ 1300 in grievance gifts at his conference with the Iroquois in March; Croghan dispersed the rest at Fort Pitt the following month.

Johnson called his Indian congress “the most troublesome I ever held.” The problem was not the number of Indian delegates—more than 800—but the Indians’ growing suspicion that the English couldn’t be trusted. “To remove their discontent totally,” he explained, “when we consider the Nature and Number of their Grievances, was more than
could possibly be done; nor can it be expected, till they experience the Change in us.” The French, an Iroquois spokesman told Johnson, had warned his people not to trust the English, and they seem to have been right. “[I]nstead of the English protecting us . . . they employed their superior Cunning to wrong us; they Murdered our People in Pensilvania, Virginia, and all over the Country. . . . Who is to help us? we can’t ramble over the Country for Justice, and if we did, we begin now to grow Old and Wise, and We see that your Wise Men in the Towns will always be against us.” If the English governments couldn’t manage their own people, the Indian insisted, “surely it is but right that we should punish those who have done this Mischief.” After several days of formal and informal meetings, Johnson convinced the Iroquois to keep the peace.  

In April and May, Croghan was similarly successful with more than one thousand Indians representing several Ohio Valley tribes and the western Iroquois. In some respects Croghan’s job was easier than Johnson’s because western Indians had killed twelve Europeans the previous year on the Ohio River, and none of Stump’s victims were from the western tribes. Thus the English could claim to be the aggrieved party. In any event, the almost simultaneous conferences at Johnson Hall and Ft. Pitt prevented the Stump murders and the still rankling Paxton Boys’ atrocities from bringing on the greatly feared and frequently predicted general Indian war.

Hard as it was to pacify the Indians, at least it could be done for awhile. Provincial and imperial officials had no parallel success with Pennsylvania’s frontiersmen. In July 1769 a Seneca Indian was killed, apparently by a German yeoman, Peter Reed, near the Susquehanna River. Reed was apprehended and jailed at Lancaster, and a grand jury investigated the facts. A letter describing the murder to William Johnson expressed fear of a rescue and the probability that the testimony of the Indian witnesses would not in any event be allowed. On the latter point the prediction was accurate: Reed was soon “discharged by Proclamation.” The next year, servant John Ingman killed “Indian Stephen” in Pennsylvania; Ingman was arrested in Virginia and extradicted after he confessed. Governor Botetourt of Virginia advised Penn that “never was an Act of Villany more unprovoked or more deliberately undertaken,” yet again there is no evidence of a trial or the “rigid punishment” urged by Lord Botetourt. In 1771 Mathew Haley, a runaway indentured servant, admitted that he had murdered two Senecas near Fort Pitt and described the deed in gruesome detail. There is no record of a trial and no reference in the surviving documents to the
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disposition of the case. Presumably it went unpunished. In May 1774 a Delaware Indian, Joseph Wipey (or Weepy) was murdered, apparently by John Hinkson and James Cooper of Westmoreland County. Arthur St. Clair, the Penns’ agent on the frontier, had been informed in advance that the murder was likely to be committed but was unable to prevent it, and the sudden disappearance of the body thwarted attempts to hold an inquest. Pennsylvania’s representatives voted a £100 reward for Hinkson’s and Cooper’s arrest and condemned the ongoing crime wave. “The House, with horror, look upon the frequent Murders that have been of late committed on some of the Western Indians in and to the Westward of this Province,” the legislators wrote, and Governor Penn assured the Delawares that he would try to punish the offenders. Apparently they were never caught. Nor were the two parties of colonists, “said to be Virginians,” who killed eleven Delawares and Shawnees ninety miles south of Pittsburgh at about the same time Joseph Wipey was meeting his fate near Ligonier. Despite a decade of lamentations, proclamations, admonitions, and rewards, Indians received scant justice on the Pennsylvania frontier.

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To a large extent the situation was incorrigible. Widespread frontier hatred of Indians encouraged abuses and the sheltering of culprits; settlements scattered over a vast area weakened government attempts to gather information; a paucity of provincial and imperial officials—distinct from town and county officials who usually shared the frontier prejudices—thwarted judicial administration at every stage. Yet neighboring New Jersey set an example of what could be done with luck and an aggressive chief executive.

New Jersey, to be sure, did not have Pennsylvania’s unbounded western domain, nor did it have Pennsylvania’s substantial Indian population; its frontier problems were accordingly more manageable. On the other hand, New Jersey’s self-interest in obtaining justice for the Indians may have been weaker. As Governor William Franklin informed Lord Shelburne in 1766, New Jersey was “less interested in keeping up a good Understanding with the Indians than almost any other Colony in N. America, as they do not pretend any Claim to Lands within our Limits, and as we have no Trade or Intercourse with them except now & then a Hunter of the Six Nations straggles down among our Frontier Settlements.”

Whatever the peculiarities of New Jersey’s situation, like other
colonies it had a frontier and like other colonies it had interracial murders. But under Governor Franklin murderers paid a heavy price, for he refused to let popular antipathy to Indians frustrate the administration of justice. In response to Shelburne's circular letter of 1766 to colonial governors that complained of recent "violences and Murthers," Franklin insisted that "whatever may be the Case in the other Colonies, nothing of the kind has been suffered to pass with Impunity in this Province. This I believe, His Majesty's Commander in Chief [Thomas Gage], & the Superintendent for Indian Affairs [William Johnson] will do me the Justice to acknowledge." And indeed they would, based on Franklin's recent efforts to arrest, prosecute, convict, and execute two murderers of Indians and to apprehend another murderer who sought protection among his frontier neighbors. A close look at the two cases reveals some parallels between New Jersey's frontier crimes and Pennsylvania's and highlights Governor Franklin's persistent efforts for interracial equity.

June 26, 1766: two Delaware women, Hannah and Catherine, residents of an Indian reservation in Burlington County, New Jersey, were "robb'd and murdered . . . in a most barbarous Manner." When their bodies were found three days later, county authorities made a hasty search for James Anen and James McKenzy, who had recently arrived from the Pennsylvania and Virginia frontiers and were reportedly en route to New York. Apparently they did not expect to be arrested: their identities were easily secured, they had publicly abused the two women shortly before the murder, they sold the victims' belongings a few hours after the crime, and they made little or no attempt to escape. Anen was soon seized in New Jersey; McKenzy was arrested a few days later in Philadelphia on the basis of a description in The Pennsylvania Gazette that urged readers to apprehend "a Scotchman, about 18 or 20 Years of Age, [who] wears his own Hair, light coloured, has no Beard, but a white Down on his Chin; one Leg sore, and thereby is lame, a Pair of whitish Stockings, one of which was stained with the Blood of the Indians. . . ." Anen and McKenzy were incarcerated in the Burlington jail until July 30 when they went before a Court of Oyer and Terminer. If the culprits expected a mock trial, they badly misjudged Governor Franklin, who later boasted to Lord Shelburne that "I omitted nothing in my Power to have the Villains apprehended, & was so lucky as to have them taken in a few Days after, and brought to Justice." Franklin's justice was rigorous but apparently fair. The prisoners were examined separately; each admitted that he had intended to ravish the squaws and that he had witnessed the murders, but each blamed the
other for the lethal blows. The guilt of both men seems beyond doubt (one later confessed), and their brazen brutality must have offended all but the most vehement Indian-haters. "The youngest of the Squaws was near the Time of Delivery," the Pennsylvania Journal reported, "and had Marks of shocking Treatment, which the most savage Nations on Earth could not have surpassed." Such brutality apparently stemmed from the same frontier attitudes that inspired the Paxton Boys: Anen, 54 years old and a former resident of the Pennsylvania frontier, declared on the gallows that "he thought it a duty to extirpate the Heathen." Among his audience were "a few of the principal Indians of Jersey," whom Governor Franklin invited to bear witness to his colony's impartial justice. On August 1, 1766, Anen and McKenzy were hanged.  

Franklin was also responsible for the only other case in the Pennsylvania or New Jersey records of the 1760s and 70s in which murderers of Indians were brought to "condign Punishment." In April 1766, Robert Seymour (Seamor, Seamon, Simmons, Simonds) and David (some accounts say Robert) Ray were suspected of murdering an Oneida Indian who was trading in Minisink, New Jersey. Franklin was, he asserted to Shelburne, "indefatigable in my Endeavors" to have them arrested and tried. That proved more difficult than in the Anen and McKenzy case. Seymour, "a base Vagabond fellow" who had deserted from the British army, was soon apprehended, but not for long. His neighbors rescued him from Sussex County jail, hid him from the authorities, and "threatened Destruction" to anyone who tried to rearrest him. When Seymour eventually came out of hiding and "appeared as publickly about his Business as any other Farmer in the Neighbourhood," Franklin induced the sheriff of Morris County to seize him. And when the sheriff of Sussex County, where the trial would have to be held, insisted that no local jury would find Seymour guilty, Franklin urged the assembly to legislate a change of venue. It refused (as had the Pennsylvania legislature when Benjamin Franklin sought a similar law in the Paxton case), and the county's magistrates showed no inclination to call a special court to try Seymour; they were content to wait five months or more for the Circuit Court to reach Sussex. Franklin would not wait. He again appointed a Court of Oyer and Terminer to conduct a trial in the county where the crime occurred, and again he sought Indian observers. In this instance he preferred Indians who lived on the frontier near the English "as their Connections & Acquaintance may make their Report to the Oneidas, & particularly to the Relations of the Murdered Indian the more readily Credited, & thereby induce them to continue their Confidence in the British Government."
On December 18, 1766, a grand jury indicted Seymour for murder and Ray for manslaughter. At the trial the next day, Ray pleaded guilty and asked benefit of clergy; he was branded on the hand and released. Seymour, despite abundant evidence against him—including witnesses who swore that he admitted the crime “and declared he would destroy any Indian that came in this way”—seemed so confident of eventual release that he “behaved with great Boldness.” It did him no good. After a fair trial, judging from contemporary accounts, the jury found Seymour guilty. Even then he expected to be rescued. Franklin, however, had taken precautions: twenty-five militiamen guarded the prisoner day and night. Their presence cooled the ardor of the large crowd that attended the trial, and for good measure the presiding judge, Charles Read, “seemed to calculate his Discourse pretty much to the Audience, by painting the Heinousness of the Crime, the terrible Effect if might have had on the Frontiers, if the Indians had been possessed by the same Spirit of Revenge with the Prisoner [and] the ingratitude of it, as it was well known that the Oneida Nation, to which the murdered Indian belonged, had during the whole Course of the last War, co-operated with his Majesty’s Troops.” Although the prisoner continued to expect a rescue until he went to the gallows under heavy guard, an eyewitness reported that there was “not ... a Murmur among the People, and the most Sensible were fully convinced of the Justice of his Sentence.” Shortly before his execution, Seymour confessed his guilt. Abraham, an Oneida, attended the trial and execution and “appeared highly satisfied with the Justice of the Proceeding, which he said he should represent to his Brethren.”

Governor Franklin’s efforts were widely praised in the segment of the colonial population that favored order and equity. A few days after the execution, a Philadelphia businessman wrote to Superintendent Johnson that “The Government of New Jersey, certainly deserve great Credit for the Laudable Spirit, They have evinced, in punishing Indian Murderers. And to do Governor Franklin Justice It must be admitted, That He has been very industrious, To have, the last Fellow, in particular, convicted, As his Crime was aggravated, by a most atrocious Robbery.” Franklin also won praise from both houses of the New Jersey Legislature. “We and every Inhabitant of this Colony,” the Upper House declared, “have Reason to rejoice that Justice has been executed on such abandon’d Villains.” The Pennsylvania legislature lauded Franklin’s success too and called upon Governor Penn to emulate it. The Paxton murders and the government’s failure to avenge them, the Assembly told Penn, have engendered a special Indian animosity toward
Pennsylvania, but “like Offences, in the King’s Neighbouring Government of New Jersey, have been brought to condign Punishment, and thereby a satisfactory Attonement made to the Indians for the Loss of their Brethren.” Only such a vigorous administration of justice could restore “the Government [of Pennsylvania] to its former Power and Dignity, lately so insolently trampled on,” and convince “those Offenders, that altho’ Justice may sometimes Sleep, it can never Die.”

* * *

New Jersey’s handling of the two murder cases in 1766 demonstrated that not every colonist wanted to exterminate the Indians and that colonial courts on rare occasions administered impartial justice; the baneful shadow of the Paxton Boys did not reach every corner of British America. But New Jersey’s record was atypical. While Sir William Johnson and his subordinates made good use of the New Jersey cases in their attempts to convince friendly tribes of the colonists’ good intentions and commitment to interracial equity, the successes of a single colony in a single year could hardly offset Pennsylvania’s sorry record or similar cases in other colonies. More representative was an instance of wholesale murder just across Pennsylvania’s northern border. In 1772, David Ramsay, a frontier trader living in the vicinity of Fort Niagara, murdered and scalped eight Indian men, women, and children. Despite abundant evidence against him, including a confession which pleaded self defense under improbable circumstances, William Johnson saw little chance of a conviction, even if Ramsay were taken to Canada (under the Mutiny Act) where the prospect of a fair trial was greater than in New York. “He is a fellow of a bad Character,” Johnson told Croghan, “and was banished from the [trading] Posts before, for his Villainy. However I don’t think he will Suffer, had he killed a Hundred.” And so it was. Ramsey was tried in Montreal but released for lack of evidence.

As early as the summer of 1766 General Gage summed up the pattern that would exist with alarming consistency from 1763 to 1775: “The Murthers which have been too frequently committed and gone unpunished, and the people settling themselves upon Lands belonging to the Indians, It’s greatly to be feared, unless some speedy and vigorous measures are taken to prevent both, will too soon involve us again in all the misery of an Indian war.” Imperial agents such as George Croghan, who knew the Indians well, corroborated the general’s fears. In May 1766 Croghan reported that representatives of the Shawnees, Delawares, Iroquois, and Hurons who visited him at Ft. Pitt were “very
discontented in their Minds on account of having several of their people killed by the English, some on the Frontiers of Virginia, Pennsylvania, and the Jerseys, besides three Shawanese murdered & Plundered by two men who ran away from this Post down the River.” To the Indians the pattern seemed more than incidental; they sensed a fundamental colonial plot to oust them altogether. “This Conduct they say of their Fathers the English,” Croghan reported, “does not look as if they were disposed to live in Peace with their Children, the Indians.” Several years later, Sir William warned Governor Penn that “the Ill treatment which the Indians have of late but too often received from the Frontier Inhabitants, . . . have occasioned more general discontent than is imagined, for altho’ the friends of the deceased are always pleased at being consoled with, yet where so many Instances happen, and such a Spirit manifests itself amongst the Inhabitants, the Indians are induced to think that we have some general Design against them.”

Condolence gifts, even retributive justice as in New Jersey’s cases, simply could not offset the cumulative effect of frequent frontier murders that went unpunished.

Colonial Pennsylvania never solved the problem. Governor Penn acted sincerely but ineffectually after each episode; the Pennsylvania Assembly repeatedly voted funds for rewards and gifts; and the imperial agents concerned with Pennsylvania’s frontier strove tirelessly to quell the Indians’ unrest and to blunt their inclination toward revenge. Although no major war broke out between 1764 and 1775, for several months in 1774 Virginia was embroiled in “Lord Dunmore’s War” with the Shawnee, and unresolved murders and frequent retaliatory raids remained a standard frontier feature to the embarrassment of Pennsylvania officials and the exasperation of England’s Indian agents. “It is the most astonishing thing in the world,” Arthur St. Clair told John Penn after Joseph Wipey’s murder in 1774, that “the common people of this Country, actuated by the most savage cruelty, . . . wantonly perpetrate Crimes that are a disgrace to humanity.”

Lawless frontiersmen plagued Sir William Johnson to the end of his life. His last letter, dated July 4, 1774, reported to General Gage that Captain Michael Cresap and others had murdered thirty or more Shawnees and Iroquois near the forks of the Ohio River. “This lawless Banditti according to Custom fled, after doing the mischeif,” Johnson explained, and many innocent settlers fell to the Indians’ wrath. But, Johnson assured Gage, “The Irregularities committed on the Frontiers since You went for England [Feb. 1773; Gage returned to America in May 1774] were indeed so many & encreased so fast they they alone
would be sufficient to bring on a War without the recent provocation the Indians received from Cressop, for Numbers of these Ruffians . . . relying on the impotence of the Several Govern[en]ts are regardless of any restraint, and are daily guilty of Robberies & Murders. . . .” Johnson sadly concluded that frontier justice was beyond his control: “I have the mortification to find that my Schemes & endeavours for preserving or restoring tranquility are frequently defeated by the gross Irregularities of our worst Enemies the Frontier Banditti.”

* * *

From the earliest days of American colonization, English authorities insisted in treaties with friendly or defeated tribes that henceforth Indians who damaged English property or took English lives be tried and punished by colonial courts, not by tribal authorities; at the same time, colonial courts explicitly or implicitly retained jurisdiction over Englishmen who violated Indians or their property. Provisions to that effect appear frequently in seventeenth- and eighteenth-century treaties. Pennsylvania was no exception. In 1685 William Penn summarized the judicial arrangement he had made with the tribes near Philadelphia: “[I]f any of them break our Laws, they submit to be punisht by them: and to this they have tyed themselves by an obligation under their hands.” Half a century later, Governor George Thomas reminded Indian delegates to the Lancaster Treaty conference of 1744 that if whites killed or abused Indians, “You are not to take your own satisfaction, but to apply to me and I will see that Justice be done you; and should any of the Indians rob or murder any of our People, I do expect that you will deliver them up to be tryed and Punished in the same manner as White people are. That is the way to preserve Friendship between us, and will be for your benefit as well as our’s.” Governor Thomas thereupon demanded custody of two Indian suspects.

Several assumptions underlay English insistence on judicial monopoly over crimes involving Indians and Europeans. Primarily it came from the notion that the Crown had political sovereignty over the whole continent—though not necessarily ownership of lands occupied by Indians—and all the peoples in it. The king’s law must therefore prevail whenever possible. (It was not possible, of course, in remote Indian villages or among powerful independent tribes.) Of almost equal importance was the assumption that a system of written laws and codified procedures was superior to “savage” customs and concepts.
based on oral traditions. "[T]he Indians," contended a treaty provision of 1765, "have no establish'd Laws for punishing the Guilty." Third, Indian leaders were assumed to have little coercive power over their subordinates, who often went to war for individual motives rather than reasons of state. According to Croghan, Indian leaders "can't be accountable for the ... Conduct of their Warriors, who are governed only by the persuasion of the Chiefs." Indian leaders admitted as much. "[W]e can nott be accountable fer our Warers [warriors'] Conduct," an Iroquois spokesman acknowledged in 1761, "as we have No Laws to punish them as you have to punish y'ou[r] people." Finally, the colonists assumed that an aggrieved Indian—or in the case of murder, his kin—would take revenge against the culprit or a substitute figure, usually a member of the culprit's family or clan or—in the case of colonial transgressors—against a member of his colony or (like the frontiersmen) his race. Conrad Weiser, a skillful eighteenth-century interpreter and negotiator, observed that "when an Indian in his own Judgment thinks him self wronged by Some Body, more Especially by the white people, he will never forgive, and he is apt to revenge himself, and urged to do it by his Country people." Despite such deep-rooted and pervasive cultural sanctions, Indians in the Pennsylvania area showed remarkable restraint in the face of overwhelming provocation. Individual acts of revenge continued, but many tribes accepted—at least outwardly—colonial insistence on exclusive jurisdiction in interracial cases. As late as 1774 the Senecas delivered two accused tribesmen to colonial authorities for trial and punishment.

Perhaps in the seventeenth century, when English settlement was relatively sparse and most colonists lived close to the centers of authority, there was some validity in the English claim to a more orderly and regulated frontier. It was certainly not valid in the 1760s and 70s, a fact the Indians soon recognized. They complained frequently and justifiably of traders who flouted colonial and imperial regulations, of settlers who squatted on Indian lands in violation of gubernatorial and royal proclamations, and of murderers who killed Indians without fear of reprisal by their own governments. "You that have Laws, and say you can make your People do what they are desired," an Iroquois speaker admonished in 1768, "should prevent all this, and if they won't let us alone you should shake them by the Head. We believe that you are wise, and that you can do all this, but we begin to think that you have no Mind to hinder them." The speaker was right about the proper course for colonial authorities but wrong about their ability to accomplish it. The truth was that on the frontiers of Pennsylvania and neighboring colonies
the provincial and imperial authorities could not do what the Indians—or they themselves—wanted. William Johnson, increasingly disturbed by the rebelliousness of American colonists against England, blamed frontiersmen and colonial governments alike: peace was improbable in light of “the disorderly measures of the inhabitants, & the present imbecility of the American Governments, who are I fear as unable to procure, as their people are unwilling to afford [,] justice for the Indians.” In Indian affairs, the frontier had succumbed to anarchy. There was no effective law, no method of enforcement, and no adherence to superior authority. To a considerable extent, colonists and Indians had reversed their roles: now Indians rather than colonists needed protection from bloodthirsty enemies; now colonists rather than Indians took revenge on a perpetrator or his “kin”; now Indians rather than colonial spokesmen complained that their opponents could not control their subjects.

The reality of the reversed roles was not lost on the Indians or on a few insightful Englishmen. “You often tell us,” an Iroquois speaker noted in 1768, that “we don’t restrain our People, and that You do so with Yours; but, Brother, your Words differ more from your Actions than ours do.” Six years later, a Seneca chief admonished Superintendent Johnson: “Brother, We are sorry to observe to you that your People are as ungovernable, or rather more so, than ours.” About a month before his death, Sir William acknowledged the Indians’ equal or greater adherence to law and order. “The few [hostile] Acts they have committed compared with what they suffer are nothing,” he confided to General Frederick Haldimand, “especially when we consider that they are a People without Laws or Authority, & that we pretend to both, tho as they say we Manifest neither.” General Gage implicitly endorsed the assessment when he reported to the Earl of Dartmouth that New York had relinquished—on orders from George III—the two Senecas who had been turned over to colonial authorities as suspected murderers. “Accounts came in so fast,” Gage explained, “of Murders committed by the Frontier People upon Indians, that we could give them no Satisfaction for, that it was judged adviseable to restore the two Prisoners to their Nation, as the only means to pacify them.” The surviving records confirm what Gage, Johnson, and the Indians perceived: by the second half of the eighteenth century, Indians in the area from New York to Virginia had the more law-abiding society.

The colonists’ inability to maintain order and punish frontier miscreants proved especially dangerous after 1775 when the rift with England widened. Both parties to the imperial dispute wanted Indian
allies, or at least they wanted to deny such allies to the opposition; both parties therefore courted the major tribes. From the outset, however, royal spokesmen held the better cards. With some justification they could claim that they had tried to restrain the colonists by establishing a "permanent" boundary line, by punishing—when possible—frontier murderers, and by making generous condolence gifts to aggrieved tribes. If the Indians considered any Englishmen true friends—or at least lesser enemies—the honor must have gone to Sir William Johnson (and his nephew/son-in-law Guy Johnson, who succeeded him in 1774 as Superintendent of Indian Affairs in the Northern Department), William Franklin, George Croghan, and several other imperial officials. Surely the Indians knew that their most dangerous enemies were the American frontiersmen who seized Indian lands and committed crimes, even murder, against Indians with indifference and impunity. When the American rebellion reached the point where Indians along the Pennsylvania border had to align themselves with one side or the other, the issue was scarcely in doubt. The Paxton Boys and their legatees had left them little choice.

NOTES

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1. Archives of the State of New Jersey, 1st ser. 9 (Documents Relating to the Colonial History of the State of New Jersey... 1757-1767, ed. Frederick W. Ricord and William Nelson [Newark, 1885]): 569-570 (hereafter cited as N.J. Archives). Throughout this essay I have usually cited only the most authoritative version of each source; in a few instances I have also indicated more readily accessible versions. Some documents—Shelburne’s circular and many of Sir William Johnson’s letters, for example—appear in two or more collections with minor orthographic variations.

2. Pennsylvania’s ill-treatment of the Indians in the 1760s and 70s was probably matched—and at times exceeded—by Virginia’s and the Carolinas’. No colony’s record was spotless, but in general the New England colonies had fewer incidents because their Indian populations had by then diminished to very small numbers, New York’s Indians were almost entirely in the northern section where Sir William Johnson kept affairs in relatively good order, and Georgia’s colonial population was still sparse. Maryland, Delaware, and New Jersey had few Indians and proportionately little frontier area. For a discussion of New Jersey’s handling of interracial crime in the 1760s, see below, pp. 13–17.

3. Pennsylvania’s early Indian relations have been frequently recounted and often uncritically praised. Comprehensive or interpretive studies include Rayner Wickersham Kelsey, Friends and the Indians, 1655–1917 (Philadelphia, 1917); Thomas E. Drake, “William Penn’s Experiment in Race Relations,” Pennsylvania Magazine of History and


5. The word "Banditti," with various modifiers, appears frequently in documents of the 1760s and 70s. William Johnson and Thomas Gage were especially fond of it.

6. Exact figures on frontier casualties are, of course, impossible to determine, but a sense of their abundance can be gleaned from C. Hale Sipe, The Indian Wars of Pennsylvania, 2 ed. (Harrisburgh, 1931), chs. 5-21, passim. For a more precise but limited example see "List of Pennsylvania Settlers Murdered, Scalped and Taken Prisoners by Indians, 1755-1756," Pa. Mag. Hist. & Biog., 32 (1908): 309-319.


wide range of publications and manuscripts. For specific citations see Hindle, “March of the Paxton Boys”; Dunbar, introduction to Paxton Papers; and note 10 below. None of the Paxton Boys was ever prosecuted. Lazarus Stewart, a notorious border ruffian, was arrested in 1770 but not for his role in 1763. On this point, Francis Parkman, The Conspiracy of Pontiac and the Indian War after the Conquest of Canada, 6th ed. rev., 2 vols. (Boston, 1874), 2: 128, is incorrect. See Pa. Col. Recs., 9: 683, 687.


11. Franklin’s Narrative of the Late Massacres, in Lancaster County . . . (Philadelphia, 1764) is best consulted in Leonard W. Labaree and William B. Wilcox, eds., The Papers of Benjamin Franklin, 22 vols. to date (New Haven, 1959–), 11: 42–69, which has an extensive introduction and copious notes. The Narrative (without annotation) and the other key publications, with a few tracts previously unpublished, are in Dunbar, Paxton Papers. For authenticity’s sake, I have quoted from the Early American Imprint microcards of the original editions of the Paxton tracts.


14. A [second] Dialogue, Containing some Reflections on the late Declaration and Remonstrance (Philadelphia, 1764), 9; An Historical Account of the Late Disturbance . . . , 2nd ed. (Philadelphia, 1764), 7; Franklin, Narrative of the Late Massacres, 13. The quotes also appear in Dunbar, Paxton Papers, 119, 129, and 63 respectively. Some idea of the breadth of anti-Indian sentiment is conveyed in a letter from Penn to William Johnson, about two weeks after the compromise at Germantown. Penn still feared for the Moravian Indians’ lives and was not sure the government could protect them much longer. Johnson Papers, 4: 327.

16. The attack on the wagon train and the subsequent siege of Fort Loudon were primarily clashes between frontiersmen and royal troops, but they began with frontier determination to keep trade and condolence goods (including, perhaps, scalping knives) from reaching the Indians, and the whole episode was closely connected to Pennsylvania's management of Indian affairs. See Stephen H. Cutcliffe, "Sideling Hill Affair: The Cumberland County Riots of 1765," The Western Pennsylvania Historical Magazine, 59 (1976): 39-53; and Eleanor M. Webster, "Insurrection at Fort Loudon in 1765: Rebellion or Preservation of Peace?" ibid., 47 (1964): 125-139; Franklin to John Ross, 8 June 1765, Franklin Papers, 12: 172-173; Thomas Wharton to Franklin, 25 Mar. 1765, ibid., 92-95; Samuel Wharton to Franklin, 27 May 1765, ibid., 142-145; John Penn to William Johnson, 23 May 1765, Johnson Papers, 11: 746-747; Penn to Thomas Gage, 28 June 1765, Pa. Col. Recs., 9: 275-277. A participant's account is James Smith, An Account of the Remarkable Occurrences in the Life and Travels of Col. James Smith... (Lexington, Ky., 1799), 60-63.


31. "Minutes of Conferences held at Fort Pitt, in April and May, 1768 . . .," ibid., 514–543.


33. Colonial officials were forever lamenting their inability to bring culprits to trial and made much of the few exceptions. The absence of any reference in the surviving records to a trial is therefore strong evidence that none occurred.

34. Deposition of Richard Brown, 7 Sept. 1771, ibid., 431–432; Arthur St. Clair to Joseph Shippin, Jr., 24 Sept. 1771, ibid., 437; St. Clair to Penn, 29 May 1774, ibid., 503–504; "A Message to the Governor from the Assembly," 23 July 1774, ibid., 555; Proclamation of 28 July 1774, Pa. Col. Recs., 10: 199; "A Message to the Chiefs and Warriors of the Delaware Indians," 6 Aug. 1774, ibid., 204–205; "A Message from the Governor to the Assembly," 18 July 1774, ibid., 196. In the absence of more evidence, there is no way of knowing how many of the murders in southwestern Pennsylvania should be attributed to Virginians rather than Pennsylvanians. Both colonies claimed the area, and many Virginians settled there in the 1760s and 70s.


36. Ibid., 575.


42. William Johnson to George Croghan, 11 June 1772, Johnson Papers, 12: 967; Thomas Gage to Johnson, 30 Nov. 1772, ibid., 1005; Johnson to Frederick Haldimand, 28 Aug. 1773, ibid., 8: 879.


46. Johnson to Gage, 4 July 1774, Johnson Papers, 12: 1114-1116. Cresap was never charged with murder, partly because Dunmore's War was soon underway and partly, perhaps, because he was not the principal culprit in the killings that touched off the war. Daniel Greathouse (Gratehouse, Gritehouse)—who was not prosecuted either—was, according to most testimony, the instigator of the slaughter of several Indian men and women, including the relatives of Mingo chief Logan. Cresap was blamed in Logan's famous speech and in Thomas Jefferson's Notes on the State of Virginia. Cresap was defended in a variety of later writings, especially in [John J. Jacobs], A Biographical Sketch of the Life of the Late Capt. Michael Cresap (Cumberland, Md., 1826). A few early accounts blame Cresap, for example the letter from Johnson quoted above and Johnson to Dartmouth, 20 June 1774, E. B. O'Callaghan and B. Fernow, eds., Documents Relative to the Colonial History of the State of New York, 15 vols. (Albany, 1853-1887) 8: 459-460. For evidence that exonerates Cresap from the Yellow Creek massacre but not from some of the other frontier killings, see “Extract from the Journal of Alexander M'Kee . . . ,” 3 May [1774], ibid., 464; William Crawford to George Washington, 8 May 1774, C. W. Butterfield, ed., The Washington-Crawford Letters (Cincinnati, 1877), 47-48; the several testimonies in Jacobs, Life of Cresap, appendix; Reuben Gold Thwaites and Louise Phelps Kellogg, eds., Documentary History of Dunmore's War, 1774 (Madison, Wisc., 1905), 9-19, 377-378; and the retrospective account in George Rogers Clark to Samuel Brown, 17 June 1798, Collections of the Illinois State Historical Library, 8 (Virginia Series, 3: George Rogers Clark Papers, 1771-1781, ed. James Alton James [Springfield, Ill., 1912]): 3-9.

47. See for example the treaty of 1621 between Massasoit of the Wampanoags and Plymouth Colony in [William Bradford and Edward Winslow], A Relation or Journal . . . of the English Plantation settled at Plimouth . . . (London, 1622; facs. repr. New York, 1966), 37, clause 2: “if any of his [Massasoit’s] did hurt to any of ours, he should send the offender, that we might punish him.” A treaty of 8 May 1765 between the English and the Delawares is far more explicit. The Delawares, article 7 says in part, “do promise & engage never to take revenge for any Act committed by Individuals of the British Nation . . . And should any of the Delawares . . . rob, murder, or otherwise misuse any of his Majesty's Subjects . . . they are without Excuse or delay, to bring such offenders to the nearest Garrison . . . ,” Pa. Col. Recs., 9: 278-279. See also note 49 below.


49. The treaty of 1677 between several Chesapeake tribes and Charles II (conducted by the governor of Virginia) provided that colonists who abused Indians or their property be turned over to colonial authorities for punishment, rather than be punished by the Indians, “which is but just and Reasonable they [the signatory Indians] owning themselves to be under the Allegiance of his most Sacred Majestie.” Va. Mag. Hist. & Biog. 14 (1906-1907), 289-296, clause 5.

50. See Article 7 of the “Treaty of Peace with the Delaware Nation . . . ,” Pa. Col. Recs., 9: 278-279. Occasionally English observers praised Indians for respecting individual rights or possessions, but generally Englishmen concluded that because Indians had no written laws they lived almost in a state of anarchy, as the Delaware treaty of 1765, for example, made clear. For an example of the former view see Hugh Jones, The Present State of Virginia, ed. Richard L. Morton (Chapel Hill, N.C., 1956), 57-58.


53. Lord Dartmouth to William Johnson, 6 July 1774, Docs. Relative to Col. N. Y., 8: 468; Dartmouth to Cadwallader Colden, 6 July 1774, ibid.


57. A strong case could be made that Indians did not view any European-Americans as real friends. For all his diplomatic skill, William Johnson was distrusted by many tribes for favoring Iroquois claims at their rivals’ expense. Moreover, Johnson was deeply involved in land acquisition, which inevitably meant a diminution in Indian holdings. And all British officials upheld European notions of sovereignty: the whole continent, they believed, was subject to imperial authority, to be imposed as rapidly as circumstances permitted. No prominent English or American figure, either in government or church affairs, was committed to Indian cultural or territorial integrity.

58. Despite the prolonged frontier atrocities, some Indians supported the Americans. The actions of the frontiersmen were therefore not always decisive, but they did, I contend, strongly predispose the majority of the tribes along the colonial frontier to side with the empire against its colonists.