The Treason of Ralph Morden and Robert Land

During the American Revolution only four men were hanged for treason in the state of Pennsylvania. One of these was Ralph Morden, an obscure laborer, who was executed at Easton in 1780 for helping a Tory named Robert Land jump bail and escape to Canada. The sentence against Morden was pronounced by the Supreme Court of Pennsylvania and confirmed by the Supreme Executive Council. Morden did not appeal the decision or petition for clemency, and there was apparently no public outcry.

The execution was described by Thomas Hughes, a young British officer then in Easton as a prisoner of war, who wrote in his journal on November 26, 1780: "A man was hanged this morning for piloting some people through the back woods, to the Indians. He was very old and left a wife and 9 children. His death was chiefly owing to his being a noted friend of Government."

That is all. There is no further discussion of the Morden case in Thomas Hughes's account, and there are no other contemporary references to it, except for the microscopic fragments of information that genealogists are accustomed to dredge up from old records. For one hundred and seventy-five years the case has failed to catch the attention of American historians, or even of specialists on the Loyalists in the Revolution. The local histories that touch upon it give it the briefest possible mention.

1 Unpublished dissertation by Henry J. Young, "The Treatment of the Loyalists in Pennsylvania," Chap. V, Johns Hopkins University, 1955. According to Mr. Young, only Abraham Carlisle, John Roberts, David Dawson and Morden were hanged for treason. Nearly five hundred were proscribed (by proclamation), many of whom would have been dealt with roughly if they had not fled, and one hundred and eighteen more were prosecuted in some way by the Supreme Court.


3 See William J. Heller, History of Northampton County . . . (New York, 1920), I, 139. Most of the other local histories ignore it.
The story behind this incident, however, is common knowledge in Canada. Robert Land became the first settler on the site of Hamilton, Ontario, and Morden's widow, Ann Durham Morden, was the first settler on the site of Dundas, Ontario. Legendary accounts of the wartime activities of the Morden and Land families, both large families, have made their names prominent in Canadian folklore. These Pennsylvanians, so little known at home, are revered in Canada as Founding Fathers. Nevertheless, until recently there has been no serious effort to check the legends against available contemporary records.

The facts at hand concerning Ralph Morden are relatively few. He was born in England in 1742, and at the time of his execution in 1780 was just thirty-eight years of age, not, as Thomas Hughes reported him, “very old,” after all. He was the fourth son of George Morden, who emigrated with his family to Philadelphia sometime before 1750. The family was inconspicuous, and left behind almost no records. Practically all that is known is that George Morden obtained twenty acres of land in Northampton County on the Delaware River in 1753, and fifty acres in 1755.

Family tradition holds that the Mordens first settled about forty miles north of Philadelphia in New Jersey, rather than in Pennsylvania. Perhaps they did. But they were soon situated in Mt. Bethel Township in the newly created Northampton County, Pennsylvania, in a frontier region about sixty-five miles from Philadelphia, where they were assessed for land taxes. Mt. Bethel was located at the foot of the Kittatinny Ridge, with a close view of the Delaware Water Gap, a dozen miles up the Delaware River from the countyseat of Easton.

In 1765, Ralph Morden married a New Jersey girl named Ann Durham. Although tradition refers to Ann as Irish, her family probably was one of the many English Quaker families which had sought

---

4 See especially the publications of the Wentworth, Niagara, and Ontario historical societies; “The Loyalist,” by Selwyn Banwell, Toronto Globe, Mar. 28, 1934 (also printed in book form); United Empire Loyalists Association of Canada, Transactions (Sesqui-Centennial Number, 1935).

5 Information concerning the Mordens has come primarily from C. A. Call, Lewiston, N. Y., Miss Sarah Crysler, Niagara Falls, Ontario, and T. Roy Woodhouse, Hamilton, Ontario.

6 Pennsylvania Archives, Third Series, XXVI, 125.

7 Ibid., XIX, 29.
sanctuary in Ireland, and had later removed to New Jersey. In any case, Ann was definitely a Quaker, and Ralph Morden very possibly became a Quaker through her. Of all the Mordens in his generation, he was the only known representative of that Society. If it is correct to suppose that he had been persuaded by his wife to adopt her faith, his subsequent execution for treason and her bereavement were but the more pitiful, for the role he played in the Revolution was indubitably influenced by Quaker principles.

Between 1766 and 1779 Ralph and Ann Morden had eight children, all of whom were brought up as Quakers, though not necessarily as pacifists. Two of them took the Patriot side in the war, while the remaining six went to Canada with their mother after the war was over. Three of Ralph Morden’s younger brothers served actively with the Loyalist forces—Moses Morden as a noncommissioned officer in a corps of New Jersey Volunteers, and Joseph and Daniel in Sir John Johnson’s New York Loyalist regiment.

Prior to the war, Ralph Morden was listed as a laborer in Mt. Bethel Township, where, in 1772, he paid the relatively small tax of one shilling, sixpence. His economic circumstances have nowhere been specifically described, but over the years he had not prospered, for his land tax was no greater in 1779 than it had been earlier. It could never be said that the Mordens were substantial property owners, with even a tangible stake in the status quo. If Morden eventually became a Tory, as charged in the indictment against him, his allegiance was not based on economic considerations. It can be said with equal justice, however, that his conviction for treason was not based on the desire of a bankrupt Revolutionary committee to confiscate his estate. The transcript of conviction states that he did

---

8 The origin of the Durhams remains obscure. Miss Crysler furnished the “probable” information in the text. No records of Ralph Morden or Ann Durham have been found in Quaker libraries. It is possible that Ann Durham was related to Robert Durham, the manager of the Durham furnace, south of Easton. “Durham boats” were familiar sights on the Delaware River as early as 1758 and for a hundred years thereafter.

9 Mimeographed genealogy of the Mordens (and others) by L. A. Turner of Bell, Calif. Thomas Hughes was in error as to the number of Morden children.

10 Morden petitions, 1788, in Ontario Archives, Second Report (1904–1905); also land petitions in Public Archives of Canada, Series 5 and 5–1.

11 Pennsylvania Archives, Third Series, XIX, 29. The name is spelled Mordon. Sometimes more exact information can be obtained from the original manuscripts in the Division of Public Records, Harrisburg.
not have "any Goods or Chattles Lands or Tenements in the said County of Northampton or elsewhere." \(^{12}\)

Living in the rolling, wooded hills just south of the Pocono Mountains, Ralph Morden had more of a reputation as a woodsman than as a farmer or laborer. He had roamed far and wide in northern Pennsylvania and New York, and had perhaps stopped, among other places, to visit his brother Joseph in the Mohawk Valley. There is even the report that he had been to Niagara Falls shortly before the war began. Like most Quakers in the vicinity, he was on friendly terms with the Delaware Indians, and there is reason to believe that he had acquaintances among the Mohawks and other members of the Iroquois Confederacy, who later supported the British. In years to come, his wife and children were to own land in Canada adjacent to that of Joseph Brant, one of the most effective of the British Indian leaders.

Local histories are less than clear as to the exact state of affairs in the wilderness of northeastern Pennsylvania in the early years of the Revolution. Apparently, there were small, roving bands of Indians in the service of both sides, which were occasionally accompanied and directed by white leaders. The depredations of these marauders struck terror into the hearts of the more isolated frontiersmen, but the number of combatants was not great, and there was never any concerted activity in this area comparable to the formation of the Tory Rangers in the Mohawk Valley.

On May 12, 1780, Ralph Morden was caught red-handed in what appeared to be a treasonable enterprise—helping Robert Land, an "old offender," to flee the country. \(^{13}\) It is improbable, however, that either Morden or his captors expected at the time of his capture that he would be hanged for his offense. All the traditional accounts by either the Mordens or the Lands state that Morden gave himself up voluntarily, although it was late in the day when they were surprised and he might have taken to his heels and escaped as Land did. Unfortunately, Land's long record of service to the British now counted heavily against Morden, who was in greater danger than he realized.

\(^{12}\) Since Morden was at that time on the tax list, one can only conclude that this statement was a legal fiction. Instead of confiscating his property, the jury may have had compassion on his wife and children and adopted this fiction to leave his property untouched. The transcript of conviction is in the Division of Public Records, Harrisburg.

\(^{13}\) Letter from Samuel Rea to Joseph Reed, President of the Supreme Executive Council, May 20, 1780, and transcript of conviction, Division of Public Records, Harrisburg.
Although Robert Land is better known than Morden, it is equally difficult to obtain reliable information on him; perhaps it is more difficult because there are so many apocryphal stories about Land. There is a persistent tradition that he was born in Tiverton, Devon, England, and came to this country with his brother twenty-five years before the Revolution. On the other hand, enlistment papers in his name, dated 1758, indicate that he was born in New York State, and enlisted as a private in a detachment of New York troops during the Seven Years' War. A third possibility is that he was one of the Connecticut settlers in the Upper Delaware Valley, or at least an employee of the Delaware Company, which claimed the northern part of Pennsylvania for Connecticut. According to this tradition, he was the son of Samuel Land, an Englishman, and was sent to that area in 1763 as a justice of the peace.

Whatever his origins, Land had settled in the Delaware Valley across the river from Cochecton, New York, sometime before the Revolution. By trade he was a wood turner, and a farmer and magistrate as well. His wife was the former Phoebe Scott, an aunt of General Winfield Scott. By 1776, Robert and Phoebe Land had five sons, two of them old enough for military duty, and three daughters.

Land's activities during the Revolution are briefly described in his petition, dated 1794, to Lieutenant Governor John Graves Simcoe in Upper Canada: "That he came into Niagara as an express from Gen. Sir Henry Clinton in the Year one thousand seven hundred and

---

14 Land's English birth is unsubstantiated by documentary proof. It is mentioned only in the legendary accounts by John H. Land, Minnie Jean Nisbet, and others, in the Robert Land files of the Hamilton, Ontario, Public Library.

15 Second Annual Report of the State Historian (New York, 1897), I, 845.


17 Burbank; also articles by Jennie L. Skinner in possession of Miss Eleanor Trask, a descendant of John Land, in Honesdale, Pa.

18 Interviews with George Laidler of Hamilton, Ontario, and R. Brian Land, a descendant, Reference Librarian in the Toronto Public Library. See also petition of Robert Land, June 6, 1794, Papers and Records of the Ontario Historical Society, XXIV, 84.

19 In this order: Abigail (married Birney, later McCarty), John (remained in Pennsylvania), Abel, Ephraim, William, Rebecca (Kate, married Hughson), Robert, Phoebe (married Lucas). Robert Land I is described as short, stout, and fair, Phoebe as tall and dark; he lived to be 82, she to be 93. Abel Land was the ancestor of Charles A. Lindbergh.
seventy-nine—previous to which he had been employed in carrying expresses for the British army for two years . . . and once after long confinement and condemnation he made his escape.” Land might have said that he had made two escapes, one in 1779, the other in 1780. The first occurred when he was released from confinement on bail in September, 1779, because his name was not on the state’s list of proscribed traitors. The second was the more exciting affair in May, 1780, when he jumped bail and made his final getaway.

The reputation of the Land family as active, militant Loyalists is shown also by the fact that the oldest son John was jailed at the beginning of the war and kept in custody during most of the conflict; the second son Abel served in the British military forces, first in conjunction with Indian troops, and later as an engineer. Abel Land described his service as follows: “That in the early part of the late American War (he) with his Father, commonly called Captain Robert Land, took arms for Government and entered upon actual service under Captain Brandt, was afterwards taken prisoner at a place called Cochecton when acting as a volunteer under the said Captain Brandt, made his escape from confinement and joined the Royal Standard at New York when he entered into service in the Engineer Department.”

How much Land's neighbors knew of these pro-British military activities cannot be determined. But if Abel Land was taken prisoner at Cochecton while serving as a volunteer under Captain Brant, the famous Mohawk Indian, one can assume that the neighbors all heard about it. That Abel was not lynched then and there indicates, perhaps, that there were numerous other Tories in the vicinity. The

21 According to James B. Quinlan, History of Sullivan County [N. Y.] (Liberty, N. Y., 1873), 198, “John Land endeavored to be prudent and wary, but became so obnoxious to the whigs that he was arrested, and sent to a New Jersey prison known as the log-jail. From this he escaped; but was soon retaken, when he was wounded in the head with a sword, and hanged until life was nearly gone. He was then told he would be hanged in earnest next time, and, heavily ironed, was once more cast into prison. Subsequently, a whig named Joel Harvey became responsible for his good conduct, and he was permitted to enjoy the liberties of the town. He lived with Harvey until 1783, when he returned to Cochecton. . . . He became a respectable citizen of the United States, although he was stigmatized until the day of his death, as ‘John Land, the tory.’”
22 Petition of Abel Land, July 15, 1795, Papers and Records of the Ontario Historical Society, XXIV, 84.
British and their Indian adherents launched seven raids in Northampton County in the course of the war, causing an estimated damage of £6,996 4s. 7d. The most important was Brant's attack on what is now Port Jervis, leading to the Battle of the Minisink on July 22, 1779, a disastrous battle for the Patriots.

The relationship of Robert Land with his neighbors is somewhat incoherently described in a letter from Captain John P. Schott to General Edward Hand, Commander of the Forces on the Frontier, dated March 12, 1779, the day before Land's capture. From this letter it would seem that while some of his neighbors harbored and sheltered him, others were ready to shoot him on sight. The language of the letter is a typical Pennsylvania-German rendition of English:

"Last night at about ten o'clock came one Arthur Ventail which informed me that there has been some Tories seen and he about tark came to the house of Denial Cartwright and as he open'd the door he seen Robert Land one the greatest villans in this part who Instantly jumps up and got his gun this V.tail step'd back he being not armd. . . .

I have despadged him with four Melisia vallantears giving those fife for six days provision and some ammonition These Tories are come now from N. York supposing with derections for the Intians This Cartwright hes but a poor character among the poiple and I believe myself if he was not a Tory himself he might have send one of his sons to acquaint the nibours of their being there. . . .

Captain Schott was right that Land had come from New York, but Land's primary mission was to carry dispatches to Colonel Butler of the Tory Rangers, then at Niagara. There is no official British record connecting Land's activities with the Indians of Northampton County. Captain Schott's vigorous effort to capture him succeeded, for, as Land later reported to General Clinton, "on the 13th day of March (he) was taken prisoner and carried back to the Minisink, and there tryed by a Court Martial and condemned to be hung. But the sentence being recalled (he) was then committed to Eastown Goal where he remained confined till the 30th day of September when he was admitted to Bail." Land's statement is con-

23 Pennsylvania Archives, First Series, IX, 765-771.
26 Ibid.
firmed by court records which show that he was indicted for high treason before the Supreme Court of Pennsylvania, and later released on bail, having remained in the Easton jail from March until September 30, 1779.\textsuperscript{27}

These documents refute in several particulars, though not in all, the legendary accounts in Canadian publications. There are many versions of these legends, but this in general is their story. In the autumn of 1778 (some accounts say 1777) Land and two brothers named Faulkner had been busy commandeering horses, without permission of their owners, for the use of British troops in the Delaware Valley, and their Indian allies. In reprisal, the Land homestead had been visited at night and burned by Patriots, disguised as Indians, from the New York side of the river. Mrs. Land and six children escaped by minutes only, through the warning of a friendly Indian.

Robert Land, the story continues, arriving home shortly afterward, found his house in ashes and the livestock slaughtered, and concluded that his wife and all the children who had been with her were dead. He therefore determined to flee to Canada, and went to Mt. Bethel to seek the aid of his friend, Ralph Morden. Traditionally, Land and his wife remained separated for ten or more years, each convinced that the other was dead.

Up to this point, most of this doleful but appealing story is probably not true.\textsuperscript{28} The narrative then goes on to tell how Land secured Morden’s aid in guiding him and the Faulkners to an unguarded “Indian Ladder” over the Kittatinny Ridge and into the Poconos, through which they could escape.\textsuperscript{29} When they arrived at the rendez-

\textsuperscript{27} Oyer and Terminer Docket (September, 1778–December, 1786), 31, Records of the Prothonotary of the Supreme Court, City Hall, Phila.

\textsuperscript{28} Mistakes in the traditional accounts undoubtedly arose from lapses of memory during the years before anything was written down. The first written record was by the Rev. T. Webster in a Montreal magazine, \textit{The New Dominion Monthly} (February, 1869); the next was Quinlan’s history of Sullivan County, N. Y. Quinlan wrote (p. 198 [note]): “The Revolutionary incidents here recorded were communicated to the author, in 1850, by Hon. Moses Thomas and other aged gentlemen of unquestioned respectability, who lived in the Cushetunk region from their birth.” See also Alsup Vail Tyler, “Damascus Manor, An Early History of the Upper Delaware Valley,” 10, and “Cushetunk Bi-Centennial, 1754–1954,” in possession of Mrs. Floyd Henzelman, Easton, Pa.

\textsuperscript{29} The “Indian Ladder” is referred to in all the legendary accounts. It is not known whether the term applies in general to Tot’s Gap, or whether there was an actual ladder on one of the nearby cliffs. Sometimes the Indians used as ladders long, thin evergreens that had been limbed, leaving the stumps of the branches about a foot long.
vous, instead of meeting the Faulknners, Land and Morden found American guards who had been treacherously warned, they believed, by the Faulknners. Morden gave himself up. Land escaped through the woods amid a shower of bullets, wounded and losing so much blood that the American guards and Morden were convinced that he would die.

The traditional accounts of this capture are supported by two contemporary letters and a petition by Land himself to General Clinton. No part of the story is more minutely described, though the exact motives or purposes of Morden’s and Land’s activities are by no means clear. They can only be inferred from the circumstances mentioned in these documents. Writing four days after the event, a “gentleman” from Sussex County, New Jersey, who was a member of the party which surprised them, gave this account:

On the morning of the 12th Instant, Lt. Col. William Bond had received intelligence of a person who calls himself Capt. Land, who was recruiting for the Indians in North Hampton county State of Pennsylvania—And concealed his recruits on the Blew Mountains at Tottamy’s Gap, and that in the evening of the said day Mr. Land and his party was to march to join the Indians; in consequence of which Col. Bond raised a party of ten men, and way laid the roads where he expected them to march, and fell in with them about eight o’clock in the evening, when a smart firing ensued, but for a short space, the enemy being weaker than was expected.

Further details are supplied in a report to the president of the state’s Supreme Executive Council, written ten days after the event by the lieutenant responsible for the Mt. Bethel area. Although he was not an eye-witness, Lieutenant Samuel Rea had complete reports from those who were. Referring to Land as an “old offender” whom he had “made return of 2 years ago to Council,” Rea wrote:

... two of them were made Prisoners, viz. Ralph Morden and a British Prisoner who it seems had leave to run at large. They had each of them near 30 lb of Flour on their Backs. Land tis said was seen to fall when fired upon and dropt his knapsack Beaver hat & Cane. Tis supposed he was Mortally wounded as ther was plenty of blood discovered next morning—diligent search has been made, but to no purpose. Tis thought he was either killed or

30 New Jersey Archives, Second Series, IV, 406.
31 Samuel Rea to Joseph Reed, May 20, 1780, Division of Public Records, Harrisburg. Rea was also one of nine justices of the peace in Northampton County. September Quarter Sessions Docket, 1780, Northampton County Court House.
conveyed away Privily by the Torres as a number of them reside near this Place wher the action happened. Morden it seems made some Confession—but as the particulars have not come to hand cannot form [sic] you therewith.

Actually, Land had not been killed, and although he was badly wounded, he returned to New York and rejoined his family. His petition to General Clinton after his arrival stated that his long absence (in the Easton jail) had reduced his family to great distress, and he implored the general to grant them prompt relief. He said that he had been planning to proceed on his journey to Niagara on May 12, 1780, when his party had been waylaid by the rebels; it was only because he had been wounded that he had returned to New York without having accomplished his mission.32

Ralph Morden, meanwhile, found himself a prisoner in the Easton jail where Robert Land had previously spent so many months. His trial was a fair one, contrary to the tradition that he was “hanged out of hand.”33 The case was, indeed, heard before the Supreme Court of Pennsylvania, sitting at Easton as a Court of Oyer and Terminer and General Gaol Delivery.

Morden was charged with being a British spy, and with being on a mission to incite the Indians to attack the settlers. His defense, according to tradition, was that he was a Quaker and had merely been trying to save a life. He said that his relationship with both sides in the seesaw war had been confined to acts of mercy and kindness. He seems to have thought that the charges against him were false and could not be proved. Unfortunately, the specific evidence produced in court is no longer available, though it is recorded that he pleaded not guilty.34 The most damning circumstance apparently was that he had on his person when captured a letter of protection, or pass, from the British. The presiding judge’s brief commentary on the case related only to Morden’s treason for allegedly joining the Indians.35

34 Oyer and Terminer Docket (September, 1778–December, 1786), 78–81, Records of the Prothonotary of the Supreme Court, City Hall, Phila.
35 Thomas McKean to his wife, Sarah McKean, Nov. 2, 1780, McKean Papers, VI, 30, The Historical Society of Pennsylvania (HSP). The letter was carried to Philadelphia by John Van Campen, newly elected member of the Supreme Executive Council from Northampton County. Van Campen was present when the Council confirmed Morden’s death sentence. Colonial Records, XII, 520, 534–535.
The transcript of conviction is not too enlightening. It is similar to the transcripts of other treason trials and is little more than a routine form. Greatly abbreviated, it states that Ralph Morden did “maliciously and traiterously with a great number of Traitors and Rebels (whose names are as yet unknown to the Jurors) being armed and arrayed in a hostile manner with force and arms did falsely and traiterously assemble and join himself against this Commonwealth” and did “give and send Intelligence.”

It should be remembered that this trial took place only two years after the Wyoming Valley massacre, less than fifty miles from Easton, and only one year after the Sullivan Expedition to stamp out Indian opposition along the New York frontier. Furthermore, news of the treason of Benedict Arnold at West Point had just reached the area a few weeks before the trial began. Every evidence of spying was taken seriously, even circumstantial evidence, and the charge of inciting an Indian attack, once sworn to, could not easily be disproved.

The trial began on October 30, 1780, in the large courthouse on Easton’s Centre Square, which had so recently been the starting point for General Sullivan’s expedition, and, before that, the scene of several Indian treaties. There were seven witnesses for the prosecution, including two colonels; Nicholas Depue was the only witness for the defense. Depue, a Patriot, had been a member of the county committee which in 1776 had journeyed to Carpenters’ Hall in Philadelphia to answer the call of the Continental Congress for the formation of a state militia. One Joseph Hodge was held on bail for £4,000, in inflated paper money, “on condition that he appears from day to day to testify against Ralph Morden”; he seems to have been the prosecution’s star witness. Robert Land was “three times solemnly called”; as he did not appear, bond was forfeited by two citizens. Besides Land and Morden, three others were named in the

---

36 Transcript of conviction, Division of Public Records, Harrisburg.
37 Oyer and Terminer Docket (September, 1778–December, 1786), 79–81, Records of the Prothonotary of the Supreme Court, City Hall, Phila.
39 When Land jumped bail, George Palmer, a surveyor for the Penns, who had put up some money for him, petitioned for its remission, and John Arndt of Northampton County wrote Joseph Reed, Dec. 2, 1780, supporting the petition: “Land it seems espoused the Royal Cause,
indictment, two of them not present. The third man got off with a warning, having been placed on bond for good behavior. Only Morden, the Quaker, received the death sentence.

The judges were Thomas McKean of Delaware, a signer of the Declaration of Independence, George Bryan of Philadelphia, and William Augustus Atlee of Lancaster, truly a distinguished panel of jurists. They were tough, but they were not "hanging judges." It is an interesting point that of the four men who were hanged for treason in Pennsylvania during the Revolution, three, including Morden, were Quakers. Ordinarily, judges and juries were more lenient with fighters than with people who claimed to be pacifists. Perhaps that generalization applies in this case.

Morden was unlucky to have as prosecuting attorney Edward Burd, war hero and former prisoner of the British. Burd's presence in this case was particularly disastrous for Morden because Burd was the young man who had married the beautiful and socially prominent Betsy Shippen of Philadelphia, older sister of Mrs. Benedict Arnold.

and went into New York with the Enemy, some time after he skulk'd out of N. Yok [sic], & was apprehended by a party of Gen'l Hand's men then stationed at the Minisink, and Confin'd in Easton Goal, and was then called upon amongst others, in a proclamation from the Supreme Executive Council, to render himself and abide his tryal, when he surrendered to me as a justice in pursuance of the said proclamation, and shortly after petitioned His Honor the Chief Justice to be admitted to bail, which was granted him, and I was ordered to take the Security if he could offer substantial men.

"It was then that Mr. Palmer, who is of an easy and good natur'd disposition, was prevailed upon to offer himself as security for the said Land's appearance & who at the very time told me that nothing besides the kind treatment he formerly received from Land, would have induced him to do anything of the kind for him." Conviction and Clemency Papers, Records of the Secretary to the Supreme Executive Council, 1780, Division of Public Records, Harrisburg.

One of those not there was Isaiah McCarty (or Osiah McCarter), who later became the second husband of Abigail Land, Robert Land's oldest daughter.

For many years McKean held office simultaneously in Delaware and Pennsylvania. He was later to serve three three-year terms as governor of Pennsylvania.

Bryan was considered the leading Radical in state politics, and had served as president of Pennsylvania when the government fled to Lancaster and York. He had played a leading role in ousting Quakers from key positions in Philadelphia.

Atlee, in 1777, had been in charge of all British prisoners of war when the government had been moved from Philadelphia to Lancaster and York.

Lewis Burd Walker, "Life of Margaret Shippen, Wife of Benedict Arnold," The Pennsylvania Magazine of History and Biography, XXV (1901), 29. It is worth noting that Justice
During the last weeks of October, and until the very day before he departed for Easton, Burd had been doing everything in his power to prevent the reunion of his wife's sister with her husband, arguing at length before the Supreme Executive Council against the order which banished Peggy Shippen Arnold from the state, but in vain.  

The Shippens and the Burds had thrown all their influence into the balance to save this girl whom they believed to be innocent of Benedict Arnold's schemes, and lost. And now, a few days later, the young prosecutor was trying a case of treason, with everyone in the courtroom aware of his own situation. Burd could not have taken this case lightly. He may even have striven for a conviction to prove what he thought of British agents. His performance as prosecuting attorney was carefully watched, no doubt, by Chief Justice McKean, who, on September 27, had been the first to inform the Supreme Executive Council of Arnold's treachery.

Ralph Morden was condemned to death for treason. On November 9, the Supreme Executive Council in Philadelphia confirmed the sentence and set the date of execution as November 25, 1780. Morden protested his innocence to the end, until they led him out to Gallows Hill. But if he had ever expected to be acquitted, he certainly misunderstood the men who tried him, and the temper of the times!

---

Atlee had studied law in Lancaster under Burd's grandfather, Edward Shippen, who was also the grandfather of Betsy Shippen Burd (Burd had married his first cousin) and Peggy Shippen Arnold.

Letters in Shippen and Balch Papers, HSP. See especially, Edward Burd to his father, James Burd, Nov. 10, 1780, Shippen Papers, VIII, 72, and James Burd's reply, Nov. 20, 1780, Balch Papers, 15. See also Colonial Records, XII, 520.

Ibid., 490.

Ibid., 534-535.