Local Identity and Authority in a Disputed Hinterland: The Pennsylvania-Maryland Border in the 1730s

In the eighteenth century, most English colonists on the North American mainland were uncertain about the physical limits of provincial jurisdiction. Settlers on the frontiers of the British colonies often found themselves on lands claimed by the French, by an Indian tribe, by an adjacent province, or by a neighbor. Overlapping jurisdiction undercut the very foundation of authority and frequently resulted in open violence. For local inhabitants, provincial leaders, agents, and imperial administrators, such conflicts were common, lengthy, and complex.¹ For much of the hundred years prior to the American Revolution, these controversies reflected the dramatic importance colonists attached to the related problems of extending authority, defining territorial limits, and negotiating collective identities.

The jurisdictional confusion and violent episodes that punctuated life in the disputed hinterlands of colonial British America also highlighted distinctive provincial and local perspectives on authority. While leaders of adjoining colonies sought to extend formal provincial authority into regions where their claims overlapped, the inhabitants of this hinterland found ethnicity, kinship, and socioeconomic status to be far more important sources of legitimacy for leadership selection and

conflict resolution. In the disputed regions a persistent tension emerged between those representing expansive provincial authority and those who were only interested in local issues. The dynamic interplay between local and provincial outlooks, between deference and force, between defiance and compliance in the disputed lands of early America—all shaped the evolution of attitudes about authority and the formation of a social identity on the frontier. One web of encounters in a disputed arena, the borderlands between Maryland and Pennsylvania in the 1730s, provides a telling instance of conflict over authority and the development of local identity.²

Acts of violence on the frontier were fairly frequent. Although the legal system might well attempt to resolve disputes, it could just as easily ruin a man. Despite the fact that guardians and agents of authority often encountered a good deal of opposition, the courts did meet regularly.³ It was overlapping jurisdictional claims, rather than the lack of arenas for formal conflict resolution, that made the imposition of formal authority such a thorny problem and precipitated the recourse to open violence. It is difficult to negotiate mutually acceptable limits to collective identity when there is no agreement on the legitimacy of the adjudicators. Pennsylvania Councillor James Logan summed up the dilemma best when he noted that the Marylanders west of the Susquehanna River would prove more difficult than ordinary squatters: “We know not how to make war with them,” but, he continued, it was “intolerable to be thus insulted” by the encroach-


³ See “Lancaster County Court of Quarter Sessions, 1729-1742” (Lancaster County Historical Society, Lancaster, PA); and Alan Tully, William Penn's Legacy: Politics and Social Structure in Provincial Pennsylvania, 1726-1755 (Baltimore, 1977), Appendix III.1. See also “Baltimore County Court (Proceedings), 1736/37” and “Criminal Judgments (Cecil), 1733-41” and “Land Records (Cecil), 1734-1740” (Hall of Records, Annapolis, MD [hereafter, HR]).
ments.\(^4\) Logan saw no problem in the harsh treatment normally accorded squatters because the legitimacy of the Pennsylvania action was uncontested. But with the Marylanders, the situation was complicated by their ability to identify with another jurisdiction for protection.

While local border communities formed their own basis of legitimacy in the course of this longstanding boundary dispute, the various courts continued to extend provincial authority. Many of the cases involving border unrest were heard before either the Maryland Provincial Court or the Pennsylvania Supreme Court, and when the cases were handled at the county level, there was still a good deal of input from the provincial capital.\(^5\) From 1734 to 1738, over forty border dwellers were forced to appear before a formal court on charges directly stemming from the boundary dispute. Over two hundred local men and women were specifically named in depositions, court minutes, Council minutes, or correspondence as being either directly or indirectly involved in the dispute from 1730 to 1738.\(^6\) Those who had the misfortune of being seized on warrants from either Pennsylvania or Maryland became pawns in an interprovincial game of power politics in which the stakes were high and the interests of the local inhabitants were frequently sacrificed for strategic advantage.

For purposes of analysis, several encounters along the disputed border have been arranged into dramatic clusters or scenes. Four such

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\(^4\) James Logan to John, Thomas, and Richard Penn, Jan. 20, 1731/32, Penn Papers, Official Correspondence, I, 165 (Historical Society of Pennsylvania [hereafter, HSP]). In the same letter, Logan notes with grim satisfaction the burning of thirty squatters’ cabins on Conestoga Manor.

\(^5\) In particular, see Minutes of the Supreme Court of Pennsylvania, Sept. 24 1736, Board of Trade Papers (Proprietaries) (hereafter, BTP), vol. 13 (1730-1737), S93 (HSP); “Provincial Court Judgments, 1734-38” (HR). For provincial involvement in local court proceedings, see Thomas Penn to Samuel Blunston, July 7 and Aug. 1, 1733, Penn Papers (unbound) (HSP); Samuel Blunston to Thomas Penn, Feb. 12 and March 10, 1733/34, Lancaster County Papers (hereafter, LCP), pp. 1 and 3 (HSP); James Logan to Proprietors, March 31, 1735, Box 32, Case 2, Papers of Governors of Pennsylvania (HSP). For the involvement of Daniel Dulany in the proceedings of the Lancaster County Court of Quarter Sessions, see Logan to the Proprietaries, Dec. 19, 1735, Logan Family Papers, 2023 (HSP).

\(^6\) “Provincial Court Judgment Books” (HR); “Lancaster County Court of Quarter Sessions, 1729-1742”; Minutes of the Supreme Court of Pennsylvania, BTP, vol. 13 (1730-1737). For the estimated total number of local participants, all depositions, court minutes, Board of Property minutes, and Provincial Council minutes were searched, and the names were indexed and cross-referenced.
scenes will be explored to illuminate the formulation of unique local identities and the evolution of provincial authority in a disputed hinterland.\footnote{For a more complete consideration of the local perspective, see Dutrizac, “Empire, Provinces, Frontier,” chapter 5.}

Scene I opens in June 1732. Charles Carroll and John Ross, two members of the Maryland gentry, journeyed up the west side of the Susquehanna River to an area a few miles south of Codorus Creek and very close to the 40th parallel.\footnote{The material pertaining to Carroll’s journey is drawn from the Representation of John Ross and Charles Carroll to Governor Ogle, July 6, 1732, in Samuel Hazard, et al., eds., Pennsylvania Archives (hereafter, PA) (119 vols., Philadelphia and Harrisburg, 1852-1935), 1st Series, 1:333-35; and the Deposition of Luke Mercer, July 6, 1732, ibid., 1:335-36. By 1735 approximately 170 families lived within a few miles of the western shore of the Susquehanna River. Another thirty to forty resided near present-day Hanover on or near a large tract patented in 1735 by the Marylander, John Digges. The problem of estimating the number of persons dwelling in the disputed regions west of the Susquehanna is a difficult one, given the limited records. The approximations used in the text are based on a set of assumptions detailed in Dutrizac, “Empire, Provinces, Frontier,” 421 (n.4). For an analysis of population movements in the border regions, see James T. Lemon, The Best Poor Man’s Country: A Geographical Study of Early Southeastern Pennsylvania (New York, 1972), chapter 2; Abdel Ross Wentz, The Beginning of the German Element in York County Pennsylvania (Lancaster, 1916), chapter 3; James G. Leyburn, The Scotch-Irish: A Social History (Chapel Hill, 1962), 179; and Dieter Cunz, The Maryland Germans: A History (Princeton, 1948), 48. For the importance of squatters, see James Steele to John, Thomas, and Richard Penn, Aug. 2, 1731, James Steele Letterbook, vol. II, 25 (HSP); James Logan to Laetitia Aubrey, Sept. 30, 1732, James Logan Letterbooks (hereafter, JLLB), 1731-1732, p. 78 (HSP). The volume of Maryland land transactions in the Lower Counties is reflected in the “Index to the Land Records” (HR). For a detailed breakdown, see Dutrizac, “Empire, Provinces, Frontier,” 349.} Although the disputed border region, including the Lower Counties, involved millions of acres, there were only a few locations where direct confrontation occurred. Of these flashpoints, the Codorus Creek area was by far the most volatile. Carroll and Ross intended to locate a warrant for 10,000 acres issued by the Maryland Land Office. What they saw when they arrived was a sparsely settled, fertile region particularly suited to wheat farming. They chose to stay at the house of John Hendricks, who called himself a Pennsylvanian, but whose loyalties were mixed and who, at various times, alienated both Marylanders and Pennsylvanians alike. Not far to the north of his plantation lay the farm of Joshua Minshall, the only other settler west of the Susquehanna River who actively supported
Pennsylvania jurisdiction. Just south of the Hendricks property, Carroll and Ross had to pass the rough-hewn cabins of several recent arrivals from Maryland. Led by a brash and defiant Thomas Cresap, this latter group was quickly becoming the focal point of the border unrest. Unlike the many squatters that Carroll and Ross may have observed in the area, Cresap and his fellow migrants held formal patents for their lands and were openly defying the Lancaster County inhabitants across the river. Had they asked Hendricks, the two travelers also might have discovered that John Wright, a Lancaster County magistrate, was planting crops on the west side of the river. They also might have learned of the growing feud between Cresap's followers and James Paterson, a Lancaster County resident who lived on the eastern shore of the river. A licensed Indian trader, Paterson owned several horses that roamed free on the west side. These horses would frequently trample the crops of the Marylanders, but this seemed of little consequence to Paterson, who perceived the Marylanders as squatters. Cresap and his family responded by killing, or threatening to kill, Paterson's horses. The level of conflict among local inhabitants on the Susquehanna had begun to escalate.

By the summer of 1732, German settlers were crossing the Susquehanna River, despite Pennsylvania efforts to prevent the settlement of the west shore until a satisfactory arrangement could be made with the Indians. Wherever the authority of the two provinces overlapped, a shrewd settler stood to gain, although the risks were high. If he could avoid being drawn directly into conflict and was willing to live with less security, he could take advantage of cheap land prices and the postponement of quitrent payments to enhance his position in society.

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9 For the plats, see Plats (Baltimore County), Patent Certificates #4517, #681, #868, #1173, #3869, #2513 (HR).

10 There are several references to these activities. Two of the more detailed accounts may be found in the Affirmation of James Hendricks, Nov. 23, 1732, PA, 1st Ser., i:348-49; and the Affirmation of William MacManneck, Nov. 24, 1732, ibid., i:354-55.

There was a strong incentive simply to take possession of land without warrant. Both provinces soon accepted the inevitable and permitted people to settle in the disputed region without a formal title and with little or no payment. For those who believed they were being poorly treated by one province, the option of changing provincial loyalty was a tempting alternative. At the very least, it gave some settlers an opportunity to bargain, even if the lack of security did lead other inhabitants to abandon the region.\textsuperscript{12} The presence of a long-disputed border acted as an incentive for those who either had enough assets to gamble on the result or who had so little that the prospect of avoiding expensive payments proved to be particularly attractive. Whatever the motivation, the influx of migrants into the disputed border areas placed a significant strain on the legal system.

Although Governor Samuel Ogle of Maryland later argued that the Germans had not been granted patents during that summer, at least fifty of these families had agreed to claim land under Maryland jurisdiction by 1736.\textsuperscript{13} Eventually, Samuel Blunston was given permission to counter the Maryland initiative by granting licenses to settlers instead of formal patents.\textsuperscript{14} By that time, however, the west side of the Susquehanna River opposite Hempfield Township was largely inhabited by those who accepted Maryland jurisdiction either openly or tacitly.

In light of these circumstances, the proposed attempt by Carroll and Ross to locate a 10,000-acre grant in this vicinity was viewed by Pennsylvanians as a critical threat. The two visitors were soon confronted by a Lancaster County posse armed with a warrant for one

\textsuperscript{12} Declaration of James Logan, Aug. 15, 1730, Logan Papers, vol. 3, 163 (HSP). Other inhabitants pursued another course of action. Article XI of the Agreement of 1732 specifically refers to border dwellers who simply took out "double Title; that is to say, from both the said Proprietors or their Commissioners or Officers, under which they have sheltered themselves by turns against each of the said Proprietors . . .": "Articles of Agreement," \textit{PA}, 2nd Ser., 16:460. For another perspective, see Samuel Blunston to Thomas Penn, Oct. 17, 1734, LCP, p. 5.

\textsuperscript{13} This inference is drawn from the content of the letter signed by fifty Germans renouncing their Maryland affiliation. Michael Tanner, et al. to Thomas White, Aug. 11, 1736, in William Hand Browne, et al., eds., \textit{Archives of Maryland} (hereafter, \textit{AM}) (35 vols., Baltimore, 1883-), 28:100-101.

\textsuperscript{14} Thomas Penn to Samuel Blunston, Jan. 10, [1733]/1734, Penn Manuscripts (unbound) (HSP).
John Tradane, a runaway debtor now claiming to be a Marylander. The arrest of Tradane was a thinly disguised attempt to incite the “homeny” gentry. According to Hendricks, if either Ross or Carroll had protested the arrest, they would have been seized. John Wright, Jr., son of a Quaker magistrate, taunted the Marylanders with threats to carry them off like common criminals to prison where “the best of their Homeny Gentry in Maryland should not get them out.”

With James Paterson, Jr., shouting defiantly that he would “fight to ye Knees in Blood before he should loose his Plantations on either side of the River,” this encounter must have had a significant effect upon the local witnesses. Observers might have wondered whether John Wright, Jr., was echoing his Quaker father’s sentiments when he summarily informed one of the richest men in Maryland that he would “teach them to come to take up their Lands and that neither they nor their Marylanders should come there to make a Homeny Country of their Lands.” Carroll and Ross wisely opted for discretion and did not challenge the Pennsylvania jurisdiction.

When Carroll and Ross returned to Annapolis, they quickly petitioned the governor and his Council. In this petition, Charles Carroll, a man with strong business connections in Philadelphia, openly called upon the governor to resist the “pretended Power of Pensilvania.” Although he did not find the method personally appealing, Carroll believed that Maryland would settle the northwest frontier only by fighting “Force by Force.” He claimed that James Logan was behind the Pennsylvania actions, urging the local settlers, in Paterson’s words, “to stand up Manfully for Pensilvania against the Marylanders.” The local inhabitants on the Susquehanna had struck a nerve, and honor now demanded a response.

In sum, by the time the news of the short-lived proprietary Agreement of 1732 reached Annapolis and Philadelphia, the border region already had begun to witness an increase in tensions. It was a long way from the chambers of Whitehall to the one- and two-room

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16 Representation of John Ross and Charles Carroll, July 6, 1732, ibid., 1:334.
18 Ibid., 1:335.
19 Representation of John Ross and Charles Carroll, ibid., 1:334.
cabins scattered throughout the disputed border region. Still largely symbolic in the sense that the confrontations implied rather than embodied violence, the encounters on the west shore of the Susquehanna River illustrate a striking lack of deference and an intensity of feeling. Beneath the surface of the transactions, there was a hidden agenda. James Paterson, Jr., or John Wright, Jr., would probably not have behaved as they did if they had been dealing with Pennsylvania gentry, but given that they were dealing with outsiders who were threatening their well-being, they pointedly withheld the deference normally shown to people of higher socioeconomic standing. The jurisdictional confusion allowed local inhabitants on both sides to deride provincial officers and “gentlemen.” Even as they protested that their actions were legitimate, border dwellers undercut the deference upon which legitimacy relied. For men like Thomas Cresap and James Paterson, Jr., the conflict provided a rare opportunity to challenge authority figures in an open arena.

A series of events during the late summer and early fall of 1735 provide the substance for a second scene. By this time, the Agreement of 1732 had lapsed and the proprietors were embarking on a costly civil suit. Robert Buchanan, the sheriff of Lancaster County, crossed the Susquehanna River with warrants for Jacob Loughman, Francis Clapsaddle, and Andrew Magill. He and his posse found Magill working with two Marylanders, Patrick Connor and Joseph Ogle, in the latter’s field. According to Connor and Ogle, the Pennsylvanians tore down their fences, trampled the corn, and assaulted Magill. When Joseph Ogle demanded the reason for this action, Buchanan showed him a writ. Magill said he would not willingly surrender to Pennsylvania authority, as he now paid taxes to Maryland. If he owed money to someone in Pennsylvania, then the proper Maryland authority should be contacted. Given the fact that Thomas Cresap represented Maryland authority in the area, Buchanan understandably scoffed at this suggestion. He then ordered two of his deputies to take Magill to the Lancaster jail.


It was one thing to arrest an Irishman; it was another matter to take a German. The next day, Buchanan sent his brother and another deputy to Jacob Loughman's house. Unfortunately, the only record of what happened is Loughman's deposition, but in its detail this account is revealing. According to his testimony, the two Pennsylvanians approached the house in a friendly manner. Although Loughman informed them that he could not shoe their horses, he agreed to their request for some tobacco. As he was cutting the tobacco, Buchanan and his under-sheriff arrived to inform him that they had a writ for him at the suit of two Philadelphia merchants. Despite Loughman's claim that the debt had been paid, Buchanan insisted that he had to come with them. The German resisted, and when his wife came to his aid, she was whipped by the Pennsylvanians. At this point Loughman agreed to go peacefully with Buchanan. When he asked the sheriff why his apparent creditors had not filed suit through a Maryland court, the Pennsylvanians gave him another beating and refused to permit him to post a security for his appearance at court.

On the road they met Peter Gartner, another German settler. Buchanan proposed to take Gartner as surety, but Loughman, speaking in German, told his countryman not to accept. Gartner then explained to Buchanan that Loughman had a brother-in-law on the east side of the river who would act as surety. Probably warned by Gartner, an angry group of Germans soon confronted the Pennsylvania posse. Loughman deposed that only five of his countrymen were present, while John Powell, the under-sheriff of Lancaster County, placed the figure at over twenty. According to the latter's subsequent testimony, the Buchanan party, with Loughman in tow, was stopped by Mark Evans, an individual with some standing among the Germans. Evans had originally been a Pennsylvanian, but when that province had denied his request for a grant west of the Susquehanna River, he had turned to Maryland. He had then received a Commission of the Peace

22 Deposition of Jacob Loughman, Oct. 18, 1735, ibid., 28:82-84.
from his new province. Buchanan explained to him that they were taking Loughman to jail, to which Evans responded that he was certain bail could be found. At this juncture several other Germans appeared on the scene, including Michael Risenar, an employee and stalwart supporter of Thomas Cresap. Matters became heated, and one of the Pennsylvanians struck a German, which produced a general brawl. The upshot of this confrontation was that Loughman was freed and Robert Buchanan, sheriff of Lancaster County, was taken as a prisoner to Annapolis.

Given the biased nature of the witnesses, it is difficult to assess the implications of these dramatic encounters. Some observations are possible. If the backgrounds of Magill, Clapsaddle, and Loughman represent that of at least some of their neighbors, then the disputed border region was a haven for those trying to avoid former creditors and carve out new lives for themselves. Evans’s reasons for becoming a Marylander were also significant. As long as Pennsylvania was not prepared to offer land grants west of the Susquehanna River, then Maryland authority would be accepted and incursions by Lancaster County officers resisted. Beneath the visible signs of collective action lay clear indications of economic self-interest. With both sides insisting upon the legality of their actions, the legitimacy of provincial authority was in a shambles. A sheriff in one province was seized and imprisoned in another province by the very people he was sent to arrest. Magistrates in one jurisdiction were seeking a warrant for the arrest of a magistrate in another jurisdiction. Rewards were being offered for the

24 Examination of Mark Evans, April 15, 1737, Affidavits of the Burning of Cresap’s House and Killing Malone, Calvert Papers, Colonial Ventures, Maryland-Pennsylvania Boundary Dispute, Dated 1680-1769 (hereafter, CP, Affidavits) (Maryland Historical Society).

25 There are several references to this twenty-eight-year-old carpenter in the depositions of the participants. See, for example, Depositions of Samuel Smith and Benjamin Chambers, Dec. 4 and 8, 1736, PA, 1st Ser., 1:513-15, 519-21; Deposition of Michael Risenar, Oct. 25, 1735, AM, 28:86.

26 Examination of Mark Evans, April 15, 1737. With his return to Pennsylvania jurisdiction, Evans was rewarded with a commission as justice of the peace. He became an important target for the Maryland garrison and was subsequently captured and sent to Annapolis. Samuel Blunston to Thomas Penn, Jan. 13, 1736/37, LCP, p. 29; Minutes of the Provincial Council, Aug. 26, 1736, PCP, 4:58; Lordship v. Mark Evans, Provincial Court (Judgments), Liber E.I.2 (1735-1737) (HR).
seizure of the chief legal officers in the region. These circumstances hardly bespoke an extension of legitimacy on the frontier. If local inhabitants argued that Cresap was scarcely more than a brigand, they also had some justification for perceiving the brash Robert Buchanan as a poor symbol of authority. Samuel Blunston thought that Buchanan's behavior not only undermined Pennsylvania claims but was unbecoming for a provincial officer. The impetuous sheriff soon lost his position.\(^\text{27}\)

A final observation on this cluster of encounters relates to the ethnic character of the conflict.\(^\text{28}\) Buchanan probably would not have suffered the indignity of being carried off to Annapolis like a common criminal if he had not sought to arrest a German. The seizure of Andrew Magill did not result in armed intervention; the arrest of Loughman was another matter. There are indications that the Marylanders who confronted Buchanan on the road were Germans. It was as fellow countrymen, not as Marylanders, that they rescued Loughman. As a group, the German settlers apparently were unimpressed with the pretensions of both provinces. If they followed a course of economic self-interest in the disputed hinterland, they also acted in a collective fashion. For these German migrants, like other settlers throughout British colonial America, family and ethnic ties remained more legitimate sources of identity than local representatives of some distant, alien, hierarchical authority. Unlike settlers in more established regions, they were able to take advantage of the fragile nature of authority on the frontier to define legitimacy in local terms.

Despite their lack of enthusiasm for either province, the Germans espoused the jurisdiction of Maryland when they perceived it was in their collective best interest. When they began to entertain the prospect

\(^{27}\) Samuel Blunston to Thomas Penn, May 3, [1735?], LCP, p. 21. The exact date of Buchanan's dismissal as sheriff of Lancaster County is uncertain, but it occurred before the fall of 1736.

\(^{28}\) The ethnic composition of the borderers varied over the length of the border. English settlers formed the majority in the Lower Counties, although there were small pockets of Swedes and Welsh. Scotch-Irish and English settlers dominated the Cecil-Chester border, while on both sides of the Susquehanna River, close to the 40th parallel, Germans outnumbered both the English and the Scotch-Irish. Lemon, *The Best Poor Man's Country*, chapter 2; Wentz, *The Beginning of the German Element*, chapter 3; Leyburn, *The Scotch-Irish*, 179-82; and Cunz, *The Maryland Germans*, 48-52.
of becoming Pennsylvanians again, they did so as a group. Mark Evans, one of the leaders of the assault on Buchanan, defended his later decision to disavow Maryland by arguing that all his countrymen had decided on this course of action and he could hardly have done otherwise. Peter Gartner and Jacob Loughman also switched sides. Both Evans and Loughman were later seized by a Maryland posse, but not surprisingly, they denied becoming Pennsylvanians.29

Within a few months, Maryland officials enlisted a large group of Scotch-Irish settlers living in Chester County to dispossess the Germans and hold their lands under Maryland law.30 With promises of arms and protection, several of them visited the Codorus Creek area.31 In a short time, the prospect of obtaining 200 acres of improved land at a cheap price attracted the attention of over sixty Chester County inhabitants, led by Henry Munday and Charles Higgenbotham.32 Warned by Samuel Blunston of this new Maryland tactic, Pennsylvania authorities acted quickly to meet the threat. Munday was arrested and brought before the Council, but Higgenbotham and many of his followers made their way west of the Susquehanna River. A worried Samuel Blunston urged Thomas Penn to do all in his power to block "Irish Newcomers or other Disaffected persons" from moving into the area, for "if they should get strength Enough to Dispossess the Dutch it might be Difficult to get the Donegal people to go against their Countrymen."33

29 Examination of Mark Evans, April 15, 1737; [Samuel Blunston] to Thomas Penn, March 7, 1736/37, Penn Papers (unbound).
31 Samuel Blunston became aware of this development, but was unable to prevent the Scotch-Irish from crossing the river since Maryland sympathizers controlled the ferry crossing points. Blunston to Thomas Penn, Oct. 21, 1736, LCP, p. 27.
32 This figure is based upon two lists of names of persons interested in relocating on the German lands. One list included thirty-one names while the other had fifty-two names; however, there was a good deal of overlap. The lists may be found in the Minutes of the Provincial Council of Pennsylvania, Nov. 23, 1736, PCP, 4:101-2. See also Examination of Edward Leet, Nov. 24, 1736, ibid., 4:104-6.
33 Samuel Blunston to Thomas Penn, Oct. 21, 1736, LCP, p. 27.
Given the prospect of losing their strongest support against the Marylanders, the Lancaster County magistrates decided upon a drastic course of action that provides the material for the third scene. Late in November 1736, Sheriff Samuel Smith led a group of some twenty armed men, most of whom were Scotch-Irish, across the Susquehanna River. Cresap and five of his followers barricaded themselves in a cabin, which the Pennsylvanians then surrounded. Throughout the day, several more inhabitants from the east shore joined the besiegers. Finally, the Pennsylvanians set fire to the house. When Cresap and the others tried to escape, the Marylander was captured and Loughlin Malone, one of his supporters, was mortally wounded. The subsequent uproar over this recourse to violence gave the Maryland Council a good pretext to petition the king. Recognizing the need to establish the credibility of their particular interpretation of the incident, both provinces rushed to get as many depositions as possible. Of all the examples of conflict on the border, the capture of Thomas Cresap yields the best evidence of a local perspective on authority in a disputed hinterland. Accounts by the participants and observers are highly partisan, but they remain a rich source for exploring the social context of identity and legitimacy on the frontier.

On the surface, Samuel Smith was the leader of the Pennsylvanians. As sheriff of Lancaster County, he was responsible for the enforcement of legitimate authority. His presence alone guaranteed that the Pennsylvanians who seized Cresap were acting within apparent legal limits. Yet, Smith's control over his assistants was tenuous at best. Throughout

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34 The posse planned to make its way under cover of darkness to the cabin of Thomas Cresap and seize the Marylander on a warrant for the murder of Knowles Daunt. Taking the wrong path and losing the element of surprise, it arrived at Cresap's in full daylight. What then happened has become the subject of much of the literature that has focused on the "border war." In particular, see Bailey, Cresap, chapter 4; Lawrence Wroth, "The Story of Thomas Cresap, a Maryland Pioneer," *Maryland Historical Magazine* 9 (1914), 1-37; "Cresap's War," *Historical Papers of the Lancaster County Historical Society* 13 (1909), 237-54. For the most recent treatment, see Paul Doutrich, "Cresap's War: Expansion and Conflict in the Susquehanna Valley," *Pennsylvania History* 53 (1986), 89-104.


36 There are close to thirty depositions either directly or indirectly related to the capture of Thomas Cresap. The Pennsylvania statements have been published in *PA*, 1st Ser., 1:504-26; the Maryland material may be found in the CP, Affidavits.
the day, he struggled to counter the determination of men like David Priest and John Ross to take Cresap by any possible means.\textsuperscript{37} Ross had only recently taken up land in the area, but he was quickly emerging as the most militant local spokesman for Pennsylvania expansion, while Priest, an early recipient of a “Blunston License,” was no stranger to physical violence.\textsuperscript{38}

The decision to burn Cresap’s cabin clearly did not have Smith’s support. He repeatedly pleaded with the Marylander to surrender, and even when Cresap refused, Smith remained reticent. When Cresap’s mother-in-law, Francis Foy, appeared on the scene, the sheriff asked her to persuade her relatives to surrender. Foy contended that such an attempt would be a waste of time, for Cresap would never give up. As evening approached, it became clear to everyone that Smith had no intention of ordering Cresap’s cabin set ablaze. There is evidence to suggest that the sheriff was compelled by his deputies to remain at the scene until they received further orders from Samuel Blunston.\textsuperscript{39}

Smith seems to have been conscious of the weak legal justification for burning the house of a man who held a Commission of the Peace. He may have been surprised to hear Cresap reading from Hawkins’s \textit{Pleas of the Crown} the proper section on the penalties for “breaking in or Offering so To Do or Destroy or Burn Houses.”\textsuperscript{40} One can well imagine the consternation with which Smith would view a man like Cresap who, at one and the same time, could quote precedent from an English law book and vilify his opponents as “Damn’d Scotch Irish Sons of Bitches” and the Pennsylvania leadership as “Damn’d Quaking Dogs.”\textsuperscript{41}

Smith had to use all his persuasive skills to prevent several onlookers from being forcibly detained by Priest and other like-minded members of the Pennsylvania party. Only a direct order from the Lancaster County magistracy overcame his steadfast refusal to burn Cresap’s

\textsuperscript{37} Deposition of Samuel Smith, Dec. 4, 1736, \textit{PA}, 1st Ser., \textit{1:}514-15.

\textsuperscript{38} In 1730 Priest had been found guilty of assault at the Lancaster County Court of Quarter Sessions. See “Lancaster County Court of Quarter Sessions,” p. 55.

\textsuperscript{39} Examination of Francis Foy, March 30, 1737, CP, Affidavits.

\textsuperscript{40} A Relation of the Case of Thomas Cresap, [ca. early 1736/37], ibid.

\textsuperscript{41} Deposition of Arthur Buchanan, Samuel Scott, John Kelly, and David Priest, Dec. 3, 1736, \textit{PA}, 1st Ser., \textit{1:}505.
An ambivalent blend of defiance and deference characterized the behavior of Smith’s assistants. As long as the sheriff was willing to take Cresap, they deferred to him, albeit somewhat reluctantly. When it became clear that Smith did not intend to force the issue, his assistants simply overrode his authority. In this instance, Blunston’s order to burn the cabin appears to be a response to an action that was going to happen anyway.

The Marylanders within the cabin further illustrate the ambiguous nature of authority and legitimacy in the border region. With Thomas Cresap and his wife were Miles Foy, George Bare, Jacob Minshaw, Michael Risenar, Loughlin Malone, and Daniel Southerland. The most vocal and visible supporters of Cresap throughout this period were his relatives, but on this occasion only Miles Foy, his father-in-law, was present. The Pennsylvanians could scarcely have picked a better time to capture Cresap. Of the others in the cabin, Jacob Minshaw, a former servant of a local Pennsylvania leader, had now apparently indentured himself to Cresap. Later testimony revealed that in return for his freedom, he planned to kill John Ross, who had bought his former master’s farm. The remaining men had agreed to help Cresap against the Pennsylvanians for an annual salary of £12 and their freedom. Southerland was a carpenter whom Cresap had originally hired to build a new cabin. Having no particular interest in fighting the Pennsylvanians, he escaped through the chimney when Smith offered amnesty to anyone who gave himself up. Cresap’s confidence in this motley group was such that he threatened to shoot anyone who would not fight. Fear and family solidarity, not a sense of deference, formed the basis for whatever authority Cresap exercised.

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42 There is no direct reference to this order in the Pennsylvania depositions, but two of the Maryland witnesses clearly believed that the arrival of Smout signalled the final assault. Deposition of Samuel Smith, Dec. 4, 1736; Deposition of Joseph Ogle, Nov. 29, 1736; and Examination of Francis Foy, March 30, 1737, CP, Affidavits.

43 Normally, several of the Marylanders’ brothers-in-law would also have been present. However, William Cannon was still in a Pennsylvania jail, and the day before Cresap had sent a party south to pick up arms and reinforcements. This group probably included Edward Evans and John Lowe, since Cresap would have been reluctant to trust anyone outside his family to deliver the supplies. Deposition of Daniel Southerland, Dec. 8, 1736, PA, 1st Ser., 1:518.

To be sure, the formal source of legitimacy for his actions rested in his Commission of the Peace, and in his militia rank, but it is equally true that, unlike the local Lancaster County or Baltimore County gentry, Thomas Cresap lacked the social and economic stature to command the respect and deference needed to legitimize his actions.

Another dimension of the conflict highlighted in this scene was the continuity found in the relationships of the participants. Most of the persons involved in this dramatic encounter were well-known to one another. The Maryland women recognized most of the key members of the Pennsylvania party. Francis Foy had an amicable conversation with Samuel Smith, given the circumstances. When Joseph Ogle arrived at the house, he was immediately threatened by John Ross; however, the Marylander also recognized John Ellison among the besiegers. After exchanging greetings, they went for a walk by the river, reviewing the day’s activities in a friendly manner.45 Earlier in the day, another Marylander came to Cresap’s plantation to borrow some iron chain. Henry White had paid taxes to Maryland for several years, and yet, upon his arrival, he received a friendly handshake from Michael Atkinson and Ned, one of John Wright’s servants. Apparently, the Marylander spent some time among the Pennsylvanians without being threatened.46

During the siege, Arthur Buchanan, the brother of the former sheriff of Lancaster County, engaged in a fascinating conversation with Loughlin Malone, one of the Marylanders in the house. Malone called out to Buchanan that he remembered visiting the latter’s home when they had both lived in Ireland. In a paternalistic fashion, Buchanan chided Malone for supporting Cresap, to which the Marylander replied that he had taken an oath before Governor Ogle to assist Cresap against the Pennsylvanians. Why would a frightened laborer, surrounded by an armed group of men and in the presence of his gun-wielding employer, begin a conversation with one of the leaders of the besiegers? For that matter, why did Buchanan respond as he did? Is it possible that neither participant realized the gravity of the situation? Perhaps it was merely a case of false bravado, but there is another possible explanation. In the midst of a very volatile situation, here were two

45 Deposition of Joseph Ogle, Nov. 29, 1736.
men who appeared to be more interested in talking than in fighting, more conscious of memories shared than impending conflict. 47

These conversations in themselves suggest little but, taken together, they present an often overlooked aspect of life in the disputed regions. Several of these men had relationships that remained stable, despite the confusion generated by the boundary conflict. Men could array themselves on opposite sides in the controversy and remain on amicable terms. Although this attitude may not have been pervasive, it did exist, particularly among those participants who shared either a common ethnic background or a similar socioeconomic status.

A final observation on the Cresap capture concerns those who were not present during the encounter. The absence of Cresap's brothers-in-law has already been noted, but there were others whose presence one might have expected. Tensions had been accentuated by the shifting loyalties of the German population west of the river, yet the list of Pennsylvania participants compiled by the Maryland government does not include one of the Germans who were involved in the "Revolt of the Dutch." 48 No doubt, they were aware of the "Chester County Plot." Why would the very people who had the most reason to see Cresap seized scrupulously avoid participation in his capture? Although the Maryland efforts to dispossess the Germans had precipitated the provincial order to capture Cresap, this was not the reason why most of the local Pennsylvanians had acted. Some, like John Ellison and John Wright's two servants, had simply been conscripted, but others were concerned about their own landholdings. 49 According to Blunston, most expected to receive a substantial reward. 50 It was not warm regard for the Germans that led these men to heighten the conflict. Acting as a group, the Scotch-Irish of Donegal Township

47 Deposition of Arthur Buchanan, Dec. 1, 1736.
48 For a list of the captors, see BTP, vol. 13 (1730-1737), S90. The list of German signees of the August letter may be found in AM, 28:102-3.
49 David Priest, William Clarke, and John and James Patten had recently received licenses from Samuel Blunston for lands west of the Susquehanna River. John Ross had acquired John Emerson's farm on the east shore, but had to deal with the former owner's widow, who openly supported Cresap. "A Record of Licences . . .," May 2, Aug. 24, 1734, and Jan. 16, 1734/35, in George P. Donehoo, ed., A History of Cumberland Valley in Pennsylvania (Harrisburg, 1930), 44, 47, 51.
50 Apparently, Penn was not particularly forthcoming with financial assistance. Samuel Blunston to Thomas Penn, Nov. 1736, LCP, p. 27.
assisted the sheriff, while the Germans, also acting in concert, avoided the conflict. Presumably, Samuel Blunston knew it was far better to keep the "allies" separate than to insist upon a joint attempt to take Cresap.

If the Germans were noticeable by their absence, so too was Samuel Blunston. He made the final decision to take Cresap and supplied the Pennsylvanians with arms. He also provided Smith with the warrant and issued the direct order to set Cresap's cabin ablaze if the Marylander refused to surrender.\textsuperscript{51} His correspondence with Thomas Penn, both before and after the incident, further reveals his involvement.\textsuperscript{52} As a Quaker magistrate and an aspiring politician at the provincial level, Blunston had to appear to be above such matters, and he therefore avoided any overt action. Direct participation might have led to a lessening of the status necessary to sustain his provincial ambitions. It certainly would have proved an embarrassing contradiction to his Quaker principles. Still, he needed to demonstrate his concern for the local inhabitants. Blunston did not hesitate to supply the posse with arms and to defend its actions after the Pennsylvania government sought to dissociate itself from the incident, but he was unwilling to lead the posse, which would have enhanced his local reputation to the probable detriment of his provincial ambitions. As it turned out, he managed to avoid losing his local support, while he fended off the Pennsylvania Council's accusation that he had aggravated the border strife. Blunston walked a very thin line as he balanced local and provincial interests, but when forced to choose between the two, the Lancaster County magistrate opted to secure his provincial interests.

If Blunston hoped that Cresap's capture would defuse the crisis on the west side of the Susquehanna River, he was quickly disabused. Maryland posses continued to roam freely on the east side of the river, forcing the Lancaster magistrates to maintain a constant guard. None of the Pennsylvania leaders could stir from home for fear that they might be seized by Marylanders.\textsuperscript{53}

\textsuperscript{51} Deposition of Joseph Ogle, Nov. 29, 1736; and Examination of Michael Atkinson, Jan. 5, 1736/37, CP, Affidavits.
\textsuperscript{52} Samuel Blunston to Thomas Penn, Nov. 1736, LCP, p. 27; Blunston to Thomas Penn, Dec. 10, 1736, ibid., p. 23; Blunston to Thomas Penn, Jan. 13, 1736/37, ibid., p. 29.
\textsuperscript{53} Samuel Blunston to Thomas Penn, April 12, 1737, ibid., p. 33.
By contrast, Charles Higgenbotham, the former Chester County resident and new leader of the Maryland "garrison," confidently petitioned the Maryland Council for promised rewards. He informed Governor Ogle that unless the garrison received the rewards for those captured, it would "relinquish the Governor's Interest." The Council bowed to this pressure, ordering the immediate payment of the rewards and the prosecution of the prisoners. As Blunston had suspected, the Scotch-Irish of Donegal Township were unwilling to resist their countrymen who had taken possession of the German farms west of the Susquehanna River. He believed that with effective leadership, the Germans "might make a pretty good Defence," since there was "no doubt but the people on this side [were] pretty well tyred in giveing such repeated attendance." At the same time, the relationship between the Lancaster County magistrates and the Pennsylvania Council grew increasingly strained as it became clear that the latter was dissociating itself from what James Logan described as the "wild & unjustifiable" behavior of those living along the Susquehanna.

John Charlton, who was appointed captain of the Codorus Creek "militia" after Higgenbotham's departure, proved to be even more aggressive than his predecessors. The Marylanders now openly circulated among their former neighbors in Chester and Newcastle Counties. One such venture, which vividly illustrates the delicate nature of authority on the border, forms the basis for the final scene. Charlton and four others stopped at a tavern in East Nottingham along the

54 Petition of Joseph Perry and Charles Higgenbotham, [May 18 1737], AM, 28:121. This petition was considered by the Maryland Council on May 18. The Maryland government had issued a proclamation on Oct. 21, 1736, offering a £10 reward for the capture of each of the Germans who had participated in the "Revolt of the Dutch" and £20 each for the capture of Lancaster County Sheriff Samuel Smith, and magistrates Edward Smout, Wright, and Blunston. Proclamation of Oct. 21, 1736, ibid., 28:103-6.
55 Besides his share of the rewards, Higgenbotham received further compensation directly from the governor. He became overseer of Ogle's plantation. Evidently, the governor had been duly impressed by the thoroughness with which Higgenbotham had dealt with the Germans and believed that he would bring the same toughness to the management of plantation servants and slaves. Samuel Blunston to Thomas Penn, July 1 1737, LCP, p. 33.
56 Samuel Blunston to Thomas Penn, Dec. 10, 1736, ibid., p. 27. See also Samuel Blunston to Thomas Penn, April 12, 1737, ibid., p. 33.
57 Samuel Blunston to Thomas Penn, Jan. 13, 1736/37, ibid., p. 29. See also Blunston to Thomas Penn, Jan. 27, 1736/37, ibid., p. 35.
58 Samuel Blunston to Thomas Penn, Jan. 13, 1736/37, ibid., p. 29.
disputed border. They demanded and obtained beer, despite the tavernkeeper’s initial refusal to serve members of the “Maryland garrison.”

Elisha Gatchell, a local Quaker and Chester County magistrate, happened to be in the room. The magistrate “asked them why they went about this Country thus armed” to which they responded, “for their Pleasure and Safeguard.” James Barrysford, one of the Marylanders, then grabbed Gatchell with the exclamation, “Damn you old Dog, I have a great mind to carry you to Annapolis.” When the Pennsylvanian commanded them to keep the peace, another Marylander pointed a gun to his chest shouting, “God damn you, your Peace & your Master too.” The exchange grew more heated and within minutes, Gatchell was beaten, tied to a horse, and carried off to Baltimore County.

Thomas Hughes, the tavernkeeper, had the presence of mind to rush to the nearby plantation of John Copson, a member of the Maryland Provincial Court. Copson and Hughes then pursued the Marylanders across the Susquehanna River where they found Charlton and the others, with Gatchell still in tow, at another public house. The provincial justice demanded to know by whose authority they had seized “Justice Gatchell . . . especially in a place, that to his . . . knowledge had for nigh these twenty years been allowed to be in Pennsylvania.” Charlton and Joseph Parry replied that they had acted on the express orders of Governor Ogle, but when Copson asked to see the orders, they indicated that it had been a verbal communication. The justice angrily accused them of lying and was prepared to bind them over to the next court. A Baltimore County magistrate, Nathaniel Rigby, was called upon to confirm Charlton’s story. Although he knew nothing of an order to take Gatchell, Rigby requested a private conference with Copson. He informed the provincial justice that he had witnessed an information against Gatchell that had been presented to Ogle. Gatchell had been accused of saying that Lord Baltimore had “run to France” to avoid answering the Penns’ Chancery Bill, which sought to enforce Baltimore’s adherence to the


60 Affirmation of Thomas Hughes, July 29, 1737, ibid., pp. 197-99.

61 Ibid.
Agreement of 1732. Copson finally decided to bind over both the Marylanders and Gatchell.

Here then was yet another example of the delicate balance between provincial and local perceptions of authority. Copson was clearly opposed to the behavior of the Maryland garrison, and he was concerned that a fellow justice would be so treated. His immediate reaction to Charlton’s explanation was based on the conviction that Ogle would never have supported such a blatant disregard for lawful jurisdiction. For Charlton, Parry, and Barrysford, like many others before them, the contested borderlands provided an opportunity to flaunt traditional deference and to challenge authority figures with relative impunity. It was not simply a matter of attacking a particular individual. Barrysford spoke for many of the local protagonists when he damned not just Gatchell the man, but his “Peace” and his “Master” as well. For those who could not aspire to the provincial elite, it must have been exhilarating to ride up to a local tavern with a county justice of the peace tied to one of the horses. For both participants and observers, this assuredly fostered a sense of defiance.

Men and women living on this frontier shared uniquely local perceptions about law and order. While the terms “Marylanders” and “Pennsylvanians” have been used for convenience throughout this discussion, ethnic and familial loyalties were of greater consequence to local inhabitants than provincial affiliation.62 While border inhabitants

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62 James T. Lemon makes a strong case for the emergence of individualism on the southeastern frontier of Pennsylvania, but the evidence presented in this essay suggests that this individualism can only be understood within a social context in which family and ethnic ties were crucial. James Henretta has posited the argument that the mentalité of the local inhabitants included a strong collective consciousness which drew its strength from ethnic identification and had far more influence on behavior than self-interest. However, it would be inaccurate to perceive the orientation of Scotch-Irish or Germans on the border as communal. Families in the disputed region lived on separate farms, and there is no evidence of common lands. The kinship network was important to the Marylanders west of the Susquehanna, but the Cannons, the Lowes, the Cresaps, and the Foys lived as autonomous units within the network. See Lemon, Best Poor Man’s Country; Lemon, “The Weakness of Place and Community in Early Pennsylvania,” in James R. Gibson, ed., European Settlement and Development in North America: Essays on Geographical Change in Honour and Memory of Andrew Hill Clark (Toronto, 1978), 190-207; Lemon, “Spatial Order: Households in Local Communities and Regions,” in Jack P. Greene and J.R. Pole, eds., Colonial British America: Essays in the New History of the Early Modern Era (Baltimore, 1984), 86-122; James Henretta, “Wealth and Social Structure,” in ibid., 262-89; and Henretta, “Families and Farms: Mentalité in Pre-Industrial America,” William and Mary Quarterly 35 (1978), 3-32.
remained conscious of the opportunities for personal gain on the frontier, they tended to act in a manner consistent with their German, Scotch-Irish, or English countrymen. Until 1736, most of the Germans who crossed the Susquehanna River were only too willing to accept Maryland jurisdiction, while Lancaster County magistrates had little difficulty in forming posses of Scotch-Irish settlers to impose their authority over the Germans. When the Germans decided, in August 1736, to revoke their earlier affiliation with Maryland, the situation was quickly reversed. Several Scotch-Irish migrants were persuaded by Maryland officials to leave Chester County and dispossess the Germans west of the Susquehanna River. As a result, as Samuel Blunston ruefully noted, the Pennsylvania magistrates could no longer count upon the Scotch-Irish to provide armed resistance to the Marylanders, because they would not fight their countrymen.63

The disputed borderlands accentuated the line between “insiders” and “outsiders.” For the German and Scotch-Irish population west of the Susquehanna River, only fellow countrymen were fully trusted. Whether espousing Pennsylvania or Maryland pretensions on the border, these two groups acted collectively. Provincial officials, on the whole, were less sensitive to this reality than local leaders, although the Marylanders appeared to recognize its significance when they solicited Scotch-Irish from Chester County to dispossess the Germans. Among local leaders, Samuel Blunston and John Wright best understood the broader implications of this dimension and, as a result, forged an effective political alliance with both the Germans and Scotch-Irish by the 1740s.

The family remained a critical wellspring for local perceptions of authority. The Cresap family network was the nucleus around which “Marylanders” hovered. John Lowe, the Cannon brothers, Edward Evans, and Thomas Cresap had all married daughters of Francis Foy. The conflict was assuredly not limited to male participation: every member of the family shared in the defense of their lands, with wives and children proving to be as active as husbands and fathers. Indeed,

63 Samuel Blunston to Thomas Penn, Oct. 21, 1736, LCP, p. 72. For the political impact of the cultural differences between the German and Scotch-Irish immigrants who were flooding into Lancaster County, see Tully, Legacy, 54-57; and Lemon, Best Poor Man’s Country, 22-23.
many depositions attest to the active involvement of women. Francis Foy and her daughters actively aided their male kin and supplied the strong emotional links that held the group together. Hannah Cresap was at least as vehement as her husband, and her sister, Elizabeth Lowe, was considered by Samuel Blunston to be one of the Maryland ringleaders.\(^64\)

There is strong evidence that it was through the women that the Marylanders had advance knowledge of Pennsylvania plans.\(^65\) Hannah Cresap certainly had several friends who were the wives of Pennsylvania protagonists in the dispute. Throughout the conflict, women could move about freely, and their influence on the course of events was considerable. Although Pennsylvania accounts of the Maryland women must be treated with caution, their collective description leaves little doubt that they were perceived to be prime instigators in the conflict.

If women played a significant role in the dramatic challenge to authority in the borderlands, so too did the children. For the sons of James Paterson, John Wright, and John Lowe, the potential loss of the lands west of the Susquehanna River was a direct threat. In the mid-1730s, John Wright, Jr., had settled on land his father had purchased on the west side of the river, and both he and James Paterson, Jr., whose father was involved in the Indian trade, perceived the influx of “homeny” claimants in a similar light. Daniel and William Lowe actively supported the aggressive tactics of their uncle, Thomas Cresap. In a sense, the border conflict provided these young men with an opportunity to prove their manhood and to shape their own destiny.\(^66\) Particularly in the early stages of the conflict west of the Susquehanna, the relations between the Cresap network and the Patersons and Wrights might best be described as a feud.

The term “local” belies the fact that significant social stratification existed in the border region, especially among the Pennsylvanians.

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\(^{64}\) Blunston considered Elizabeth Lowe to be “one of the worst of them.” Samuel Blunston to Logan, n.d. [ca. late 1736], PA, 1st Ser., 1:317. For Hannah Cresap, see the Deposition of William Glasspill, Feb. 15, 1733/34; the Deposition of Michael Dooling, Feb. 15, 1733/34; and the Deposition of Samuel Smith, Dec. 4, 1736, ibid., 1:412, 414, 514.

\(^{65}\) Deposition of Daniel Southerland, Dec. 8, 1736, ibid., 1:517-18.

\(^{66}\) For the activities of the Lowe boys, see Dutrizac, “Empire, Provinces, Frontier,” 368.
Men like Samuel Blunston, John Wright, and John Emerson were the acknowledged leaders of the local Pennsylvanians on both sides of the river. Substantial landholders, they also had political ambitions at the provincial level.\textsuperscript{67}

In marked contrast to the leadership of Lancaster County, there was little to distinguish the leaders of the Maryland settlers in the Codorus Creek area from their followers. Thomas Cresap and his family had encountered frequent economic setbacks before their move up the Susquehanna River.\textsuperscript{68} Lured by the prospect of cheap land, Cresap was quick to grasp the implications of the Maryland proprietor’s policy. Within a couple of years, he was surrounded by his father-in-law and several brothers-in-law, together with their families.\textsuperscript{69} Despite his frequent visits to Annapolis and the later conferral of a Commission of the Peace upon him, Cresap lacked the status of Samuel Blunston and his associates. It would be inaccurate to portray Cresap as simply an opportunistic bully, for there are indications that many settlers on the east side of the river perceived him as a kindred spirit who had successfully confronted the power of the local elite. While he and his followers remained free to act in direct opposition to the recognized Lancaster County authority, Cresap received tacit support from many nominal Pennsylvanians.\textsuperscript{70}


\textsuperscript{68} For a discussion of Thomas Cresap’s background, see Kenneth P. Bailey, \textit{Thomas Cresap, Maryland Frontiersman} (Boston, 1944), chapter 2.

\textsuperscript{69} For confirmation of the family connections of the key Maryland participants, see Testamentary Proceedings, Liber 30, folios 149 and 214 (HR). The latter records confirm that Cresap, William and Robert Cannon, and Edward Evans were brothers-in-law. Francis Foy was Hannah Cresap’s mother, and Miles Foy apparently was her step-father. John Lowe was yet another brother-in-law. See Bailey, \textit{Cresap}, 39; and Samuel Blunston to Thomas Penn, Feb. 12, 1733/34, LCP, p. 1.

\textsuperscript{70} Samuel Blunston to Thomas Penn, Aug. 25, 1734, LCP, p. 5; Blunston to Thomas Penn, May 3, [1735], ibid., p. 21; Blunston to Thomas Penn, May 10, 1736, Penn-Bailey Collection (HSP); Blunston to James Logan, n.d. [ca.late 1736], \textit{Pd}, 1st Ser., 1:319. Please note that the latter correspondence has been incorrectly dated by the editors of the Pennsylvania Archives. They have indicated that the letter was written to Governor Patrick...
It is hardly surprising that many of the local participants in these dramatic encounters were poor, often landless, laborers. For those with land, the acquisition of a small tract had been their first step up the social ladder from servitude. Frequently, these men and women found themselves facing people of similar social and economic status and for whom they might have a good deal of sympathy. Apart from immediate family, the Cresap garrison was comprised exclusively of servants or laborers hired for the express purpose of forming an armed posse. For £12 per annum and the prospect of free land, former indentured servants were only too willing to risk physical violence. With certain notable exceptions, the people who participated in the various “riots” on the border were from the social class that members of both provincial elites perceived as “trash,” “ruffians,” and “rabble.”

What is more intriguing is the opportunity to challenge their social “betters” that the lack of uncontested authority afforded these men and women. Throughout the period of border unrest, there are examples of former servants confronting the gentry of both provinces. The jurisdictional confusion provided both the pretext and a rival source of legitimacy to justify such blatant challenges to the social hierarchy. The mask of deference, which would normally shield the gentry from the animosity of the poor “trash,” was permitted to slip away if the focus of wrath was someone from the “other” province.

Although the direction of initiatives in the boundary conflict was primarily from the provincial capitals outward to the borderlands, these directives were freely interpreted at the local level. Indeed, the independent actions of groups on the frontier frequently forced the provincial leaders to respond in unanticipated ways. Various men moved back and forth between the local and the provincial levels. This was especially true among Pennsylvanians. Samuel Blunston and John Wright were not only local leaders, they were also comfortable in the presence of the Philadelphia elite. Their ability to communicate

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Gordon in 1732, but the content clearly points to a late 1736 or early 1737 date. It is addressed to the President of the Council and, thus, Logan was the recipient. See also Blunston to Thomas Penn, Oct. 21, 1736, LCP, p. 27.

71 Samuel Blunston to Thomas Penn, Aug. 15, 1734, LCP, p. 7. The depositions yield ten servants, six “labourers,” and thirteen tradesmen. Most of these may be found in PA, 1st Ser., vol. 1 and in AM, vol. 28.
with borderers on one level and provincial councilors or Thomas Penn on another level proved a crucial factor in the extension of provincial authority into the hinterland as well as the enhancement of the identity of these aspiring politicians. Thomas Cresap was less cultivated than these Lancaster County magistrates; he appears to have been more comfortable in a log cabin on the Susquehanna River than in the Provincial Council chamber at Annapolis. Still, he met with Governor Ogle and various councilors on several occasions and had an audience with Lord Baltimore. He so impressed the Attorney General of Maryland, Daniel Dulany, that he became the latter's land agent after the boundary crisis ended. More resourceful and at home on the frontier, Cresap could deal with the boundary question at the provincial level if required.

The Orders-in-Council of 1737 and 1738 effectively ended the open border warfare. Although the boundary dispute was not formally resolved for another twenty-five years, no subsequent period compared to the crisis of legitimacy that occurred in the border region in the 1730s. The open attacks on magistrates, sheriffs, and constables reflected a unique configuration of motive and behavior that culminated in royal intervention. As the crisis escalated into border warfare, many provincial Marylanders and Pennsylvanians realized that the effective control of the hinterland was at stake. The reach of a provincial "rule of law" and the degree of deference conferred upon provincial officials ebbed and flowed in direct proportion to the supply of arms and the number of men enlisted in the provincial governments.

Settlers in these areas were not unique in their reliance upon ethnic background, kinship networks, and socioeconomic dynamics to establish a local identity. They were operating within a context of a peculiarly fragile relationship between deference, force, defiance, and compliance. Between 1732 and 1738, some borderers saw the disputed hinterland as a splendid place to challenge hierarchical authority, precisely because the jurisdictional confusion made it difficult for either provincial government to impose its will. Others were terrified by the prospect of being herded off to either a Maryland or Pennsylvania jail. And still others tried to ignore the conflict altogether. Ironically, both Philadelphia and Annapolis aided and abetted the very process that undermined their collective authority and their efforts to forge a provincial identity on the frontier. By 1738 it became evident to provincial leaders that these activities were ultimately self-defeating
and that a compromise was essential. The need to negotiate limits to provincial authority proved stronger than the impulse to expand indiscriminately. Settlers in the disputed hinterlands assumed provincial identities only after negotiation, and only when this "identity" furthered both individual and collective local interests.

*King's College*

*University of Western Ontario*