

The Conojocular War: The Politics of Colonial Competition, 1732–1737

IN JANUARY 1765, CHARLES MASON took a break from his work drawing a boundary line between Maryland and Pennsylvania to visit Lancaster, Pennsylvania, the site of the 1763 Paxton Boys' massacre of the Conestoga Indians. He did so, he wrote, out of "curiosity to see the place where was perpetrated last winter; the horrid and inhumane murder of 26 Indians: men, women, and children, leaving none alive to tell." What he found was hardly what he expected. Lancaster was not a lawless frontier outpost but a bustling and vibrant port on its way to becoming the largest inland city in British North America. It was "as large as most market towns in England," Mason observed.¹

Disappointed in his efforts to learn about the massacre, Mason soon "fell in company with Mr. Samuel Smith," who told him a story of a different, earlier conflict. In 1736, Smith recounted, Pennsylvania was "in open war" with Maryland "on the river Susquehannah." Smith, who had been serving as sheriff of Lancaster County at the time, recalled how at the height of hostilities, a Pennsylvanian force laid siege to the home of the leader of the Marylanders, one "Mr. Cresap." In the ensuing melee, Cresap's house was engulfed in flames, one Marylander died, and the Pennsylvanians captured and jailed Cresap and many of his men as they tried to flee the fire.²

The raid on Cresap's home served as the violent denouement of a nearly decade-long and costly conflict between these two neighboring colonies. Previously, the Crown, an ocean away and more concerned with

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¹ Charles Mason, diary, Jan. 10 and Jan. 17, 1765, MG614, Papers Regarding the Paxton Boys and Conestoga Massacre, LancasterHistory.org, Lancaster, PA.

² *Ibid.*

its mercantile affairs than with its expanding colonial empire, had paid little attention to the escalating tensions on the banks of the Susquehanna River, then the westernmost outpost of the British Empire in the middle colonies. The extreme violence exhibited in the raid, however, forced the Crown to act; it set in motion a series of hearings and a protracted court case that eventually ended with Charles Mason and Jeremiah Dixon surveying the boundary between these two colonies. That Mason did not know of this war—a conflict that had led to his current endeavor—shows how little those in imperial circles knew of this episode. That Smith thirty years later continued to brag about the “open war” between the colonies shows that the event retained a prominent place in the memory of those living in the area.

Like Charles Mason, almost all historians of early America today know of the Paxton massacre, an event that highlights the failure of William Penn’s vision of intercultural peace in his woods. The Conojocular War, the name of the “open war” Samuel Smith described, remains largely untold today. Only three recent articles have dealt with the conflict directly. In 1986, Paul Doutrich published a thorough article demonstrating how important the dispute was for securing Pennsylvania’s expansion west. Charles Dutrizac, in an article published five years later in this journal, used four episodes from the hostilities to analyze how participants’ “ideas about localism and authority informed their actions.” In the same issue, Thomas Slaughter examined the border dispute in light of other crowd actions in colonial America. In books and monographs on Pennsylvania’s history, the episode has received scant attention. Alan Tully’s book *William Penn’s Legacy* examines the conflict in its opening pages as an example of the effectiveness of Pennsylvania’s government. His more synthetic work *Forming American Politics* does not discuss it. In that book, he instead focuses on the politics of Philadelphia and the assembly to describe the political culture of Pennsylvania. Similarly, the two best syntheses of Pennsylvania history, *Colonial Pennsylvania*, written by Joseph Illick in the 1970s, and the more recent and more expansive *Pennsylvania: A History of the Commonwealth*, overlook the event entirely. Synthetic analyses of colonial Pennsylvania thus treat the Conojocular War as an irrelevant event—as a self-contained episode rather than a significant chapter in the story of Pennsylvania’s development.³

³ Paul Doutrich, “Cresap’s War: Expansion and Conflict in the Susquehanna Valley,” *Pennsylvania History* 53 (1986): 89–104; Charles Dutrizac, “Local Identity and Authority in a

That is not to say historians have always ignored the conflict. To the contrary, an earlier generation of historians knew the story well, although for them it was merely a matter of antiquarian interest. Robert Proud, author of the first history of Pennsylvania written after Independence, wrote of the “uneasiness and trouble” the Marylanders gave Pennsylvanians. In the first history of Lancaster County, published in 1811, I. Daniel Rupp described Cresap as “a restless, quarrelsome individual” and the Marylanders as “invaders.” Later in the nineteenth century, a time of pronounced state identity and allegiance, the war caused feuds between contending historians from Pennsylvania and Maryland. Marylanders claimed Penn won through fraud and deception, while Pennsylvania historians attacked the legitimacy of Maryland’s claims. One Pennsylvania historian called Cresap a “pliant” tool of Baltimore and cast Maryland’s actions as an attempt “to colonize” Pennsylvania. Conversely, Maryland historians have praised Cresap for his “hospitality” and portrayed the Pennsylvanians as intransigent. One Marylander even dedicated a chapter of his dissertation on the controversy to an analysis of William Penn’s character (it was not a kind assessment). Another Marylander who defended his colony’s actions deemed his Pennsylvania contemporaries “worthless.”⁴

The conflict deserves greater analytical attention than it has thus far received. The Conojocular War reveals an important, though often over-

Disputed Hinterland: The Pennsylvania-Maryland Border in the 1730s,” *Pennsylvania Magazine of History and Biography* 151 (1991): 35–63. In the same issue, Thomas examines the border dispute in light of other crowd actions in “Crowds in Eighteenth-Century America: Reflections and New Directions,” 3–34. Alan Tully, *William Penn’s Legacy: Politics and Social Structure in Provincial Pennsylvania, 1726–1755* (Baltimore, 1977), and *Forming American Politics: Ideals, Interests and Institutions in Colonial New York and Pennsylvania* (Baltimore, 1994); Joseph Illick, *Colonial Pennsylvania: A History* (New York, 1976); Randall Miller and William Pencak, eds., *Pennsylvania: A History of the Commonwealth* (University Park, PA, 2002).

⁴ For earlier histories of Pennsylvania that contained stories of the conflict, see Robert Proud, *The History of Pennsylvania*, vol. 2 (Philadelphia, 1798), 204–16; I. Daniel Rupp, *History of Lancaster County* (Lancaster, PA, 1844), 266–69; Franklin Ellis, *History of Lancaster County* (Philadelphia, 1883); William Egle, *An Illustrated History of the Commonwealth of Pennsylvania* (Harrisburg, PA, 1876), 822–25; Charles Keith, *Chronicles of Pennsylvania* (Philadelphia, 1917), 2:757–68; H. Frank Eshleman, “Cresap’s War: The Lancaster County Border Struggle,” *Papers Read before the Lancaster County Historical Society* 13 (1909): 237–54; Matthew Andrews, *History of Maryland: Province and State* (New York, 1929), 229–33; and Charles Tansill, “The Pennsylvania-Maryland Boundary Controversy” (PhD diss., Catholic University of America, 1915). Tansill’s final chapter, “The Character of William Penn,” amounted to a diatribe against Penn’s “duplicitous,” “masquerading,” and “self-aggrandizement.” Nicholas Wainwright recounted this latter historiographical attack in “The Missing Evidence: Penn v. Baltimore,” *Pennsylvania Magazine of History and Biography* 80 (1956): 227–28.

looked, aspect of the political culture of those living outside Philadelphia. Whenever two colonies competed for land, as they did in the Conojocular War, they relied on the allegiance of local settlers to bolster their claims to legitimacy. Competition created opportunities for colonists to use their shifting loyalties to win the best terms they could from colonial governments. Settlers often conducted these negotiations directly with a proprietor or one of his agents, and studying this contest for settler allegiance exposes a common political behavior in such remote areas. Indeed, for those in politically underrepresented western counties, whose homes often fell outside the purview of the assembly in a colonial capital, competition between colonies was more important to their politics than the institutional, urban-based politics that historians have most often analyzed.

The Conojocular War also sheds light on the history of Pennsylvania's expansion west and on the colony's shifting diplomatic policies toward Native American groups in the region. As Doutrich shows, Pennsylvania's ability to displace Maryland ensured that the colony would control settlement west of the Susquehanna Valley. In order to secure this claim, however, Pennsylvanians had to reconsider their alliances with Native American groups. Native Americans could sanction new settlements through treaties, and their backing could lend greater legitimacy to whatever colony secured their acquiescence. In the midst of hostilities, Pennsylvania officials reconfigured their relations with Native American groups by privileging the Iroquois—whose deed, they believed, could bolster their claim to the land—over groups such as the Conestogas, who inhabited the Susquehanna.

The shift in Pennsylvania's treatment of Native American groups also portended a significant new direction in the colony's expansionist policies. Before the clash with Maryland, Pennsylvania encouraged a slow and ordered westward push in part to keep promises made to the Conestogas that the colony would not extend west of the Susquehanna. The necessities of winning the dispute forced Pennsylvania to open the West to unfettered settlement. Pennsylvania officials tried to reign in this expansion and return to the status quo antebellum in the years following the cessation of hostilities with Maryland, but their efforts proved futile. Instead, settlements established because of the Conojocular War continued to grow, increasing tensions with displaced Native American groups.

A few words should be said about the name of this conflict. Settling on a designation for this event is problematic because it varies according to which state's historians discuss it. Evoking the animosities of earlier

generations, Pennsylvanians tend to call it “Cresap’s War,” impugning the leader of the Marylanders and implying that it was an offensive war fought primarily by a “quarrelsome” individual. It is the appellation of a victor whose virtuous actions defended the land from an unjust invasion. Marylanders, on the other hand, know it as the more benign “Conojocular War,” a reference to the geographic area in dispute based on a word derived from what Indians called the area. For the purposes of this study, I have adopted the term “Conojocular War” because it best reflects what was at stake in this contest. True, Cresap was a central figure in events. He was also a wily, daring character whose audacious acts give the story its vividness. But Cresap did not act as a lone wolf. Rather, he worked in concert with Maryland authorities. Moreover, as I hope to show, Pennsylvania was as active as Maryland in escalating tensions on the Susquehanna. Indeed, the largely Pennsylvania-based perspective of this essay makes me even more inclined to break with tradition and call it the Conojocular War precisely because of Pennsylvania’s aggressiveness, which paints a picture of the Quaker colony much at odds with its long-heralded pacifist principles.⁵

The appellation “war” might strike some today as an exaggeration. In a comparative sense, this conflict was not on par with imperial wars or with some of the wars colonies fought against Native Americans. Nonetheless, the causes underlying this conflict and the actions taken by both parties were similar to those seen in these larger, better-known wars. Both Maryland and Pennsylvania mustered militias, built fortifications, and took prisoners. At least two lives were lost in pitched assaults. Perhaps most significantly, many of those involved in the fighting called it a war, and their unceasing fear of imminent violence resembled the emotional strains that those in a war zone often feel. This was a conflict between two competing governments, each of which sought absolute legal, political, and economic control over a disputed area of land—not unlike virtually every war fought in colonial North America.⁶

At the same time, the “Conojocular War” was never quite the “open war” that Samuel Smith remembered when he told Charles Mason about it. Maryland and Pennsylvania were two British colonies under the same imperial legal system, and the officials in both colonies often used laws

⁵ See Aubrey C. Land, *Colonial Maryland: A History* (Millwood, NY, 1981), for a recent use of the title favored by Maryland historians.

⁶ Dutrizac, “Local Identity and Authority,” 35–63.

and precedents to justify their actions. Colonial officials from both Maryland and Pennsylvania respected at least the appearance of legal constraints because they understood that imperial structures could ultimately decide this case. Most early violence occurred under the guise of executing an arrest warrant, and the militias from each colony reported to their respective sheriffs and justices of the peace. The legal machinations they initially deployed seemed to reflect colonists' mindfulness of imperial regulations that they hoped would bolster their own claims in the eyes of the Crown. In time, however, these actions became a façade for what nearly all those involved—from high proprietary officials to those stationed on the fortified banks of the Susquehanna—called a war.

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The origins of the Conojocular War rested in ambiguities in the proprietary charters granted to William Penn and Lord Baltimore. There were two points of controversy between Baltimore and Penn. The first involved how to interpret the ownership of the area that is modern-day Delaware. Penn assumed he had received the land, then known as the Lower Counties, from the Duke of York, who had received the territory through a gift of his brother, Charles II. Baltimore, however, believed his charter entitled him to the land. This dispute had less to do with the land itself than it did with access to waterways, which served as highways for trade. If Penn lost the Lower Counties, he lost unrestricted access to the Delaware River, and with that, to Philadelphia, his colony's capital. The main point of disagreement was whether Europeans had settled on southern areas of the Delaware River before English ownership. If so, then the land transferred to the Crown through conquest, and the Duke of York was within his rights to give it to Penn. Baltimore, however, argued that the land was never in European hands and thus never transferred to the Crown, meaning that ownership had always rested with him.⁷

The second dispute regarded the fortieth degree, or the northern border of Maryland—a much trickier matter. Here, too, the disagreement was over a river. Both proprietors viewed the Susquehanna as a gateway

⁷ Baltimore claimed that his 1632 charter granted the land to his family, which stated Baltimore had all land on the Delmarva Peninsula that was "*hactenus inculta*"—that is, all lands "hitherto uncultivated." The Penns, on the other hand, argued that the Lower Counties had not been unoccupied lands, but land controlled by the Swedes and then the Dutch. If that was the case, then the land was transferred to the Crown when the Dutch ceded all land in North America to the English, and Penn's

to the West and future prosperity. Penn envisioned a second large city situated on the Susquehanna, complementing Philadelphia. Without control of the river, his western lands would become, in his words, a “dead lump,” because Baltimore would control all trade and own the most fertile lands. The real rub came down to interpreting the cartographic intent of each charter. Penn’s charter stated that his colony’s southern border was the “beginning of the fortieth degree.” Baltimore’s charter, on the other hand, contained the passage that his colony went up to “that part of the Delaware Bay that which lieth under the fortieth degree.”⁸

Today, these may seem very specific designations, and, indeed, the Crown meant the language of the charters to be as precise as possible. In an era of poor instrumentation and mapmaking, however, these descriptions proved troublesome. According to Penn’s maps, his colony started below where the Susquehanna River met the Chesapeake, well into modern-day Maryland. That border would have given him the entirety of the potentially lucrative river. In time, however, it became clear that Penn’s map was drastically inaccurate. Penn’s surveyors quickly realized that Philadelphia itself lay below the fortieth degree. This revelation meant that if Baltimore’s interpretation was right, then the vast majority of Pennsylvania settlement, including the colony’s capital, belonged to Maryland.⁹

Penn made overtures to Baltimore once he recognized the implications of these findings. In December of 1682, he asked Baltimore “to be soe good and kind a neighbour as to afford him but a back door” to his colony by offering to buy the land from Baltimore. Baltimore, already upset with much of Penn’s grant, had no room for altruism and refused to relinquish

charter entitled him to this territory. For detailed analyses of the legal negotiations dating back to William Penn, see Walter B. Scaife, “The Boundary Dispute between Maryland and Pennsylvania,” *Pennsylvania Magazine of History and Biography* 9 (1885): 241–71; William Robert Shepherd, *History of Proprietary Government in Pennsylvania* (New York, 1896), 117–46; Tansill, “Pennsylvania-Maryland Boundary Controversy”; Sydney George Fisher, *The Making of Pennsylvania* (Philadelphia, 1896), 318–46; Wainwright, “Missing Evidence,” 227–35 and “Tale of a Runaway Cape: The Penn-Baltimore Agreement of 1732,” *Pennsylvania Magazine of History and Biography* 87 (1963): 251–69; Tully, *William Penn’s Legacy*, 3–17; and Richard S. Dunn and Mary Maples Dunn, eds., *The Papers of William Penn*, vol. 2, 1680–1684 (Philadelphia, 1982), 379–438 and 494–500.

⁸ Jean Soderlund, *William Penn and the Founding of Pennsylvania: A Documentary History* (Philadelphia, 1983), 153; Charter of Maryland, 1632, The Avalon Project, Yale Law School, http://avalon.law.yale.edu/17th_century/ma01.asp; Charter for the Province of Pennsylvania, 1681, The Avalon Project, Yale Law School, http://avalon.law.yale.edu/17th_century/pa01.asp.

⁹ Fisher, *Making of Pennsylvania*, 330.

his rights. Both sides quickly realized that with so much at stake, personal negotiations were not going to solve these conflicting claims.¹⁰

Each proprietor grew certain that only a court could resolve their dispute, so they both began to prepare their cases. Each focused his argument on the clause regarding the fortieth degree. The specific legal sticking point was what “beginning” of the fortieth degree and “lieth under the fortieth degree” meant in terms of both geography and intent. Baltimore held that the two grants were clear and that Penn should have the land north of the fortieth parallel and Baltimore south of it. Penn, on the other hand, argued that the drafters of his charter had assumed that the fortieth degree was much lower than it was in actuality and that this intent was what mattered.¹¹

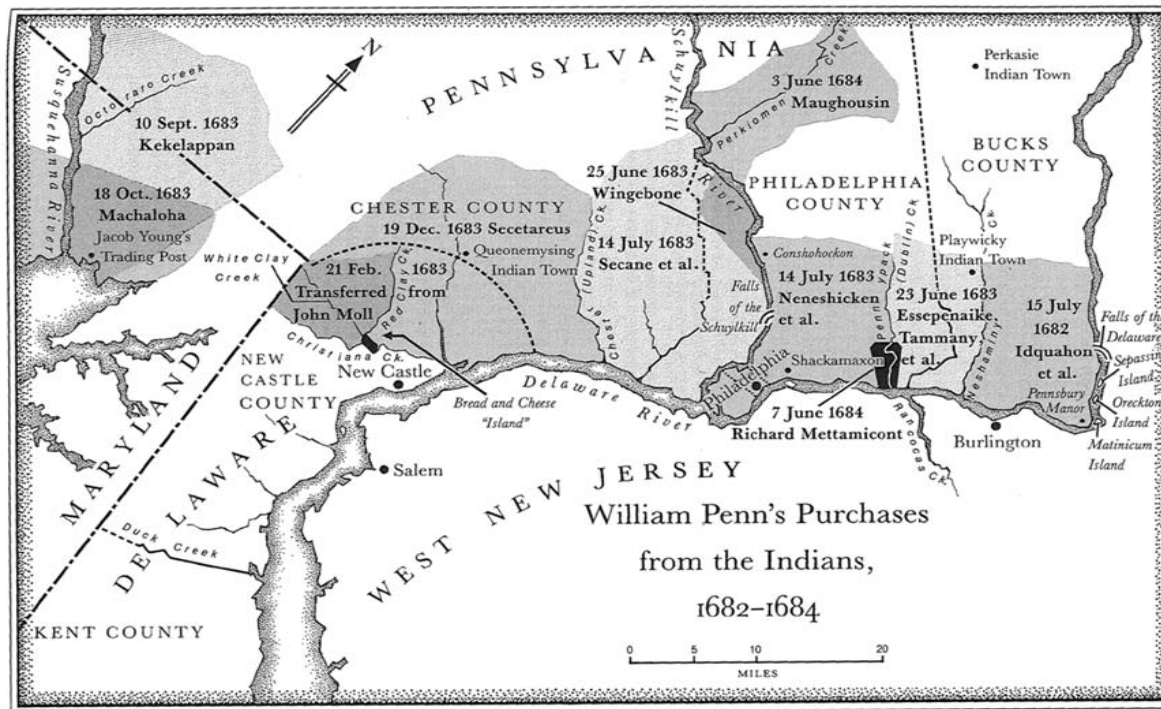
Penn took an additional measure that he thought would strengthen his case: he secured the land at the mouth of the Susquehanna through an Indian treaty. Penn could use the deed in court to show that the Indians invested with the original right to the land believed Penn to be the legitimate owner. Penn’s “Purchase of the Mouth of the Susquehanna River” was one of the shortest and vaguest of his original procurements. He bought the land from Machaloha, whose right to sell it has since been deemed “questionable” by scholars. As Richard and Mary Dunn have pointed out, Penn’s purpose was “to solidify his claim and notify the Lords of Trade,” the imperial organization meant to mediate disputes between colonies.¹²

Although the text of the deed instructed all settlers to “behave themselves justly and lovingly” towards the Indians, the dubious nature of the purchase suggests that when colonies competed over land within the British Empire, Penn, like others, would push aside native concerns. Such times laid bare the driving assumption of Penn’s Holy Experiment: Penn would someday control all the land granted in his charter, and he would take whatever steps were necessary to secure this claim from threats.

¹⁰ “A narrative of the whole Proceeding betwixt the Lord Baltemore and Captain William Markham Deputy Governor under William Pen, Esqre as also betwixt the Lord Baltemore , and the said Pen,” *Archives of Maryland: Proceedings of the Council of Maryland, 1667–1687/8* (Baltimore, 1883–1972), 5:380.

¹¹ Albert S. Bolles, *Pennsylvania: Province and State* (Philadelphia, 1899), 2:48–50.

¹² Clayton Coleman Hall, ed., *Narratives of Early Maryland, 1633–1684* (New York, 1910), 421; *Papers of William Penn*, 2:468 and 472; William Penn, “Purchase of the Mouth of the Susquehanna River,” Oct. 18, 1683, in *Papers of William Penn*, 2:492. Amy Schutt has done the most exhaustive recent analysis of Machaloha and concludes he was likely a Delaware. Amy C. Schutt, *Peoples of the River Valleys: The Odyssey of the Delaware Indians* (Philadelphia, 2007), 66 and 209.



Map of William Penn's purchases from the Indians, from Richard S. Dunn and Mary Maples Dunn, eds., *The Papers of William Penn*, vol. 2 (Philadelphia, 1982), 491. Courtesy of the University of Pennsylvania Press.

Indeed, such expectations influenced the action of officials in the years following Penn's death in 1718. By the 1720s, evidence suggests that high proprietary officials had begun to speculate in land on the west side of the river even as they promised Native Americans they would not settle on it. They did so because they, too, assumed that Indians would someday sell the land to Pennsylvania.¹³

In 1683, Baltimore took his dispute with Penn to the Crown as soon as he learned Penn's intentions. The king acted through the Lords of Trade in 1685. The Lords of Trade acted as advisers to the monarch on imperial matters. They often created the grants and charters for colonies and were the first venue for boundary disputes between these colonies. When conflicts arose between colonies, one of the aggrieved parties could take the case to the Lords of Trade, who would usually follow one of three avenues: they would offer recommendations for settlement, refer the matter to the Crown, or redirect the parties to established English courts. They decided to render a partial judgment in this case. Much to Baltimore's chagrin, the Lords of Trade accepted Penn's claim that Swedish and Dutch settlers had occupied the Lower Counties before Baltimore's charter. Their decision granted Penn the Lower Counties, but they left the exact boundary line between the Lower Counties and Maryland undetermined. The Lords of Trade also left the question of the borders in the West unanswered, perhaps because, with colonial settlements clinging to the coastlines, it seemed far too abstract an issue. By the 1720s, this abstraction had become a reality as demographic growth had pushed settlement into the contested western region.¹⁴

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William Penn died in 1718 with the dispute still very much unresolved. His widow, Hannah, inherited the colony and the problem of its borders. She administered the colony until her death in 1726. Negotiations between Maryland and Pennsylvania waxed and waned dur-

¹³ Samuel Blunston and James Wright both make numerous references to land they owed in their correspondence used in this paper. I infer that their claims predated the conflict. Likewise, James Patterson, a prominent Pennsylvania trader, also referred to horses he kept on the west side. Captain Civility, one of the chiefs of the Conestogas, accused Wright of surveying land and breaking the promises the colony made in 1730. Captain Civility to Governor Gordon, Sept. 28, 1730, in *Pennsylvania Archives*, ed. Samuel Hazard et al. (Philadelphia and Harrisburg, PA, 1852–1935), 1st ser., 1:271–72.

¹⁴ Wainwright, "Missing Evidence," 230–31; Fisher, *Making of Pennsylvania*, 318–46.

ing her tenure. Occasionally some dispute over the uncertain borders would flare up, usually when a colonist claimed allegiance to one proprietor while living on land claimed by the other. The disagreements during these years centered primarily on the more densely settled Lower Counties because settlers had not yet reached the Susquehanna River. In 1724, Hannah Penn and the fifth Lord Baltimore settled on a temporary compromise: each would respect the other's tenants already in the contested regions, stop granting new settlements on the disputed boundaries, and begin negotiations to finalize the borders. Hannah's death in 1726 left this last promise unfulfilled.¹⁵

After Hannah Penn's death, her sons Thomas, Richard, and John became the new proprietors. They picked up where their mother left off and pursued a solution to the boundary problems with vigor. In 1732, after much negotiation, they entered into an agreement that they and Baltimore hoped would settle the boundary conflict. The Penns allowed Baltimore to commission a map that they would use for the basis of all negotiations. The two proprietary families agreed to draw a line west from Cape Henlopen to mark the southern limits of the Lower Counties. This line would run until it reached the middle of the Delmarva Peninsula, where it would turn north, intersecting with a twelve-mile radius drawn around Newcastle at a point fifteen miles south of Philadelphia. At this intersection, the line was to run west across the Susquehanna for at least twenty-five miles.¹⁶

Both proprietors carried an air of formal diplomacy throughout the negotiations, as if they were kings of independent nations. They had good reason to act that way. Proprietary colonies were, in some respects, feudal fiefdoms in which the proprietors, as lords of the manor, could negotiate with other political entities over jurisdictional and diplomatic matters. In theory, proprietors were subordinated to the monarch, but in an empire in which communication was slow and control weak, proprietors could operate with only minimal oversight from the Crown. To be sure, proprietary powers eroded in Maryland and Pennsylvania, largely through the assertion of legislative prerogatives over proprietary dictates. Proprietary power and its feudal remnants remained strong when it came to control

¹⁵ Tully, *William Penn's Legacy*, 5–11; Shepherd, *Proprietary Government*, 32, 132. Shepherd describes the eight years of negotiations between the two sides after 1724 as “a series of empty promises.”

¹⁶ For the details of the proprietors' negotiations, see Wainwright, “Tale of the Runaway Cape,” and Tully, *William Penn's Legacy*, 5–11.



Map of the boundaries as drawn for the Agreement of 1732 with annotation showing location of Cresap, Ross, Wright, and Blunston's properties as well as the "Dutch" settlement. NB-003, folder 6, ser. 11, Penn Family Papers, Historical Society of Pennsylvania, http://digitallibrary.hsp.org/index.php/Detail/Object/Show/object_id/8534.

of land and colonial expansion, though. Indeed, this dispute over land between the proprietors of Maryland and Pennsylvania amplified the autonomous nature of proprietary colonies because proprietors controlled undeveloped territory, and that was what was at stake in these contests. In regions less directly encompassed by legislative authority, regions such as the Susquehanna River in 1732, the proprietor and his institutional representatives, such as land officials and justices of the peace, retained much of their power. As the agreement broke down in the years to come, the proprietors' control of these local offices provided the means through which they would wage the Conojocular War.

But before there was war, there was hope. In the summer of 1732, Lord Baltimore and Thomas Penn departed England to oversee the surveying of the boundary lines. As these proprietors crossed the Atlantic to see their estates for the first time, they entertained lucrative dreams for their contested lands. The agreement promised to reopen land sales and increase revenues. Richard Penn speculated that the quitrents on new grants could be higher than ever before because the "Lands . . . are more Valuable now, then they were before any Form of Government was Settled any Plantation made, or any Marketts found."¹⁷

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Thomas Penn encountered a social landscape in the Susquehanna Valley that looked far different from the one his father had. The area that William Penn had seen as the future of his colony had begun to realize his vision. Pennsylvania had experienced its first major immigration in the 1720s. The colony now teemed with Germans and Scots-Irish, many of whom sought the landed opportunity beyond the original eastern settlements. Many ended up in the Susquehanna River valley. A group of Irish Presbyterians dwelled near a tributary of the river about five miles to the north of the town in a settlement called Donegal. They had established a congregation there in 1719, but they had not yet received formal deeds to their land because of the uncertainty over titles. More than fifty people recently arrived from Germany lived opposite Donegal on the west side of the river and on another tributary. Sometime in the late 1720s, these Germans arrived through Holland seeking good land, comfort in

¹⁷ John and Richard Penn's Instructions to Thomas Penn, May 20, 1732, and John Penn to Thomas Penn, July 20, 1732, NV-211, pp. 54–58, ser. 1, Penn Family Papers, Historical Society of Pennsylvania.

Pennsylvania's reputed "mildness of government," and religious toleration. Although they had at first hoped to settle on the east side of the river near another German settlement, they decided to cross the water boundary in the early 1730s because they could not find suitable land.¹⁸

Pennsylvania officials addressed this growth by creating Lancaster County in 1729. The new county administration would address the needs of this new population and help maintain the order that Penn's vision called for. The proprietors hoped that Lancaster would serve as Philadelphia's western sister city, much as Penn had planned. In 1731, the town erected a courthouse, a mark of its importance within the expanding colony. Although in theory the new Pennsylvania county expanded as far west as Penn's charter extended, colonial officials wanted to stop settlement at the Susquehanna River. They expected the new county governance to enforce this policy.¹⁹

Maryland, too, began to stake a claim to the Susquehanna watershed. Joppa, situated on the banks of the Chesapeake near the Susquehanna River, was a growing Maryland community in the 1730s. It served as a trading center and midway point between the colonial capital and the mouth of the Susquehanna. The town, much like Lancaster, had a courthouse and a jail. Today, Joppa is a long-abandoned settlement. Yet, had the Marylanders secured the land west of the Susquehanna, Joppa's history would have paralleled Lancaster's; the city would have served as the focal point for trade and the migration west that the Susquehanna facilitated in the same way that Lancaster did. Sometime in 1731, a number of Maryland settlers had obtained grants for tracts of land on the west side of the Susquehanna that, as one Pennsylvanian noted, "lye many miles further north than this city of Philadelphia." These developments to the Susquehanna River valley meant that while proprietors in England negotiated an agreement, officials and colonists an ocean away were setting the stage for a future conflict.²⁰

The new settlements along the banks of the Susquehanna also upset Native Americans in the region, especially the Conestogas, who had long

¹⁸ Tully chronicles the settlement of the Irish and other lands on the Susquehanna in *William Penn's Legacy*, 3–28. Substance of Answer of Dutch to Governor of Maryland, 1736, in *Pennsylvania Archives*, 1st ser., 1:492–94.

¹⁹ For details on the creation of Lancaster County, see Patrick Spero, "Creating Pennsylvania: The Politics of the Frontier and the State, 1680–1800," (PhD diss., University of Pennsylvania, 2009), 110–13.

²⁰ Patrick Gordon to Lieutenant Governor Calvert, Sept. 13, 1731, in *Pennsylvania Archives*, 1st ser., 1:289–92.

been allied with Pennsylvania. Pennsylvania officials promised the Conestogas that no settlers would occupy the west side until—and if—this group decided to sell the territory. For years, the government, acting largely through offices controlled by the proprietor, took steps to honor treaty agreements. In 1728, Captain Civility, the spokesperson for the Conestogas, asked Governor Patrick Gordon to remove Edward Parnel “and several other familys who were settled on the west side of the river.” Gordon vacated them and promised Civility that “no person should settle on that side of the river.” When Cresap moved to the area, Civility approached Samuel Blunston, one of the leading proprietary officials in the region, and alerted him “That William Penn had promis’d them they should not be disturbed by any settlers on the west side of Sasquehannah, but now, contrary thereto, several Marylanders are Settled by the River, on that side.” To add to their concerns, Civility told Blunston that Cresap “beat and wounded one of their women who went to get apples from their own trees” near the Maryland settlement. The Conestogas thus approached their Pennsylvania allies for help in warding off the encroachment of a fellow British colony.²¹

The Shawnees, a roaming band about whom Pennsylvania officials always fretted, also complained to Gordon about illegal settlers. Gordon again used government institutions at his disposal to “dispossess all persons settled on that side of the river,” which he hoped would reassure the Shawnees “that those woods may remain free to the Indians.” Gordon went a step further. He sought to secure the Shawnee alliance by surveying “10 or 15,000 acres of land around the principal town where [the Shawnees] were last seated” for their use. Gordon essentially carved out an area of Indian autonomy and independence within Pennsylvania as a way to ingratiate the colony with much-needed allies. As one nineteenth-century historian remarked with surprise: “it is difficult to believe that as late as 1731 what was called an official map was published fixing the river Susquehanna as the extreme and western boundary of the province of Pennsylvania.” Local justices of the peace helped proprietary authorities

²¹ John Wright and Samuel Blunston to Governor Gordon, Oct. 30, 1732, and Deposition of Tobias Hendricks, Dec. 29, 1732, in *Pennsylvania Archives*, 1st ser., 1:363–65 and 362. Hendricks testifies that Parnel and four others actually lived on the land on which Cresap had settled. John Wright, Tobias Hendricks, and Samuel Blunston to Peter Chartiere, Nov. 19, 1731, in *Pennsylvania Archives*, 1st ser., 1:299; Dutrizac, “Local Identity and Authority,” 36; Captain Civility to Governor Gordon, Sept. 28, 1730, and Samuel Blunston to Robert Charles, Oct. 3, 1731, in *Pennsylvania Archives*, 1st ser., 1:271–72 and 295.

enforce this policy by punishing transgressions of this boundary. The actions of these local officials also reinforced the centrality of proprietary authority in these areas.²²

Maryland countered Pennsylvania's moves with an assertion of its right to the land. The leader of the Maryland contingent was Thomas Cresap, who in 1731 staked his claim opposite Blue Rock, an area known for a number of flats in the river near modern-day Columbia. Cresap demonstrated the connection between land and loyalty upon his arrival. He proudly stated that he considered himself "a tenant to the Right Honble the Ld Propr'y of Maryland . . . by virtue of his Lordships Grant." Perhaps not coincidentally, Cresap's settlement ran virtually due west of Philadelphia at the fortieth parallel. Cresap also opened a ferry on the wide and shallow section of the river near his claim. Proprietors controlled the use of internal waterways within their colonies; thus, only the proprietor could grant the right to ferriage on these waters. The Penns had competing ferries at John Emerson's plantation near Cresap's and at John Wright's house further north. Cresap's Maryland-licensed ferry, in addition to his settlement, represented a direct challenge to Pennsylvania's claim of sovereignty and became a major point of friction.²³

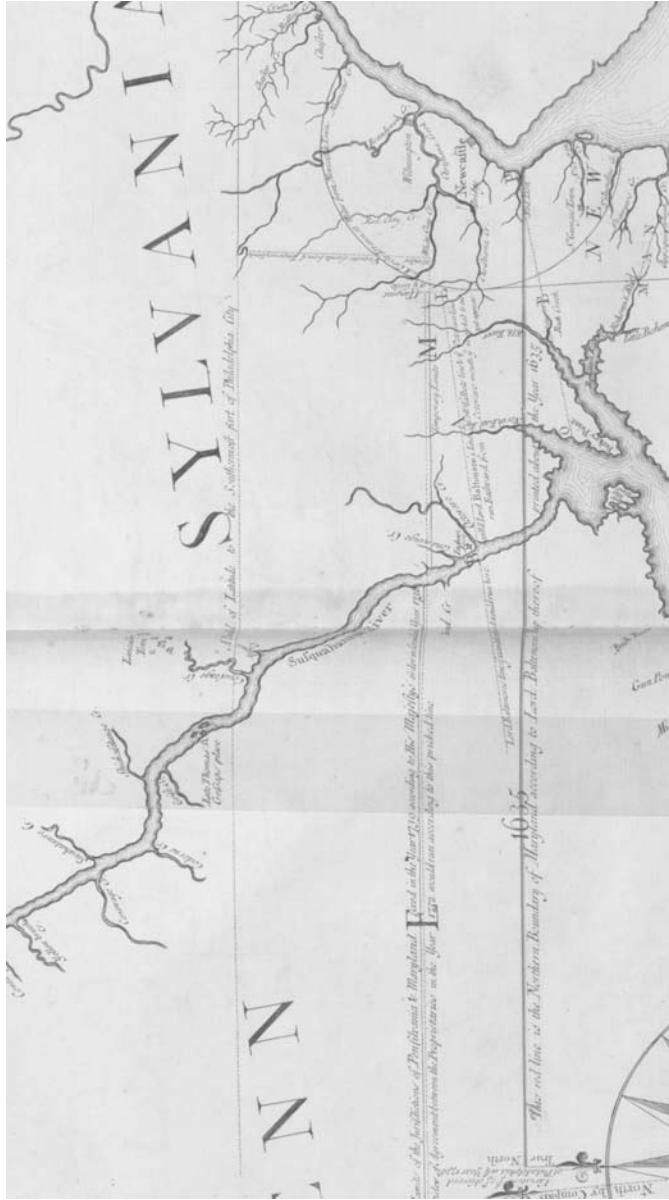
Baltimore's claim posed a unique threat to Pennsylvania officials trying to restrain settlement. Previously, Pennsylvania officials reined in settlers from their colony trying to squat on land west of the river. With Maryland apparently sanctioning settlement on land Pennsylvania claimed, Pennsylvania officials could not evict the newcomers, because they claimed to hold legal rights granted from a neighboring proprietor. As James Logan remarked, because their opponent was another British colony, he did not "know . . . how to make war with them."²⁴

Gordon decided that his best recourse was to call on the goodwill of Maryland's governor, Samuel Ogle. Both were executives of provinces in

²² Samuel Blunston to Robert Charles, Oct. 3, 1731; Governor Gordon to Governor Ogle, Apr. 18, 1732, in *Pennsylvania Archives*, 1st ser., 1:295 and 321–24; John Wright and Samuel Blunston to Governor Gordon, Dec. 30, 1732, in *Minutes of the Provincial Council of Pennsylvania, from the Organization to the Termination of the Proprietary Government*, in *Colonial Records of Pennsylvania*, ed. Samuel Hazard (Harrisburg, PA, 1838–53), 3:504–6; John Wright, Tobias Hendricks, and Samuel Blunston to Peter Chartiere, Nov. 19, 1731; Robert McMeen, "The Scotch-Irish of the Juniata Valley," *The Scotch-Irish in America: Proceedings of the Scotch-Irish Congress*, vol. 8 (Nashville, 1897), 115; Dutrizac, "Local Identity and Authority," 36.

²³ For Cresap's biography, see Kenneth P. Bailey, *Thomas Cresap: Maryland Frontiersman* (Boston, 1944). Governor Gordon to Lieutenant Governor Calvert, Sept. 13, 1731; Deposition of Thomas Cresap, Jan. 29, 1731, in *Pennsylvania Archives*, 1st ser., 1:311.

²⁴ James Logan quotation from Dutrizac, "Local Identity and Authority," 36.



"A Map of parts of the Provinces of Pennsylvania [Pennsylvania] and Maryland with the Counties of Newcastle, Kent, and Sussex on Delaware according to the most exact Surveys yet made drawn in the year 1740," produced by the Penns for the Crown to prove their case. Note the position of Cresap's house just above the fortieth parallel. NV-064, ser. 7, Penn Family Papers, Historical Society of Pennsylvania, http://digital.library.hsp.org/index.php/Detail/Object/Show/object_id/8535.

the British Empire, which meant they shared a responsibility to protect the geopolitical interests of the Crown. Gordon thus appealed to Ogle on the basis of their shared imperial duties. Gordon argued that Pennsylvania's model of ordered expansion and peaceful relations with native peoples was the best means to secure broader imperial interests. He began his plea by outlining the uncertain nature of imperial North American geopolitics, noting "the French . . . possessed . . . Canada and the vast country they call Louisiana" and thus "enclose all of these British colonies." Gordon worried that unrestrained expansion on the part of British colonies only played into French hands. Gordon also complained of "that rude fellow Cresap's behavior." Cresap, Gordon argued, could upset Native American relations in the empire because "those Indians consider us all as subjects of the same great Empire and their resentments against one part will unavoidably be attended with further unhappy consequences to others." Likewise, Gordon concluded that complaints about Cresap's actions should "concern Maryland as well as Pennsylvania, and as the British Interest may be affected by them, undoubtedly every good subject is concerned."²⁵

Gordon's call for comity fell on deaf ears. In 1732, geopolitical arguments resting on a conception of a shared British empire were ineffective, or at least unpersuasive. Gordon and Ogle had to worry about more than just the interests of the empire. They also had to protect the interests of the proprietors who had appointed them. These proprietary interests were concerned above all else with preserving future land claims. Maryland officials treated the geopolitics on the Ohio River as far removed from the issues at stake on the Susquehanna, perhaps because the colony had little vested interest in the politics of that area—perhaps also because Maryland lacked the same history of cultivating relationships with Native American groups that Pennsylvania had. Regardless, as Cresap's actions showed, Maryland was more interested in establishing settlements that protected Baltimore's claim than with maintaining good relations with local Indians on the Susquehanna.

Gordon's call for delaying expansion may have had more to it than just goodwill. Such a strategy also served Pennsylvania's interest. A delayed expansion preserved Pennsylvania's promise to its native allies that its residents would not settle west of the river. By maintaining the status quo, Pennsylvania officials would increase the likelihood that these Indian

²⁵ Governor Gordon to Governor Ogle, Apr. 18, 1732.

groups would one day choose to sell the land to Pennsylvania. Stopping Maryland's settlement would thus maintain Pennsylvania's strategic growth. A slow and orderly expansion also allowed the Penns to better organize revenue-producing proprietary manors.

As Marylanders disregarded calls for unity, the situation on the banks of the Susquehanna escalated. Several confrontations between Pennsylvanians and Marylanders took place. The skirmishes reflected the types of actions taken by two state-like entities competing to establish absolute legal control over a region. Maryland officials tried to sow doubt about Pennsylvania's claims by sending more settlers and surveyors; they also conferred legal status on individuals loyal to their cause. Ogle made Cresap the local leader of Maryland's cause by naming him a justice of the peace and captain in the Maryland militia. Pennsylvania's agents reacted to these moves by attempting to expel or arrest their Maryland counterparts as a way to challenge Maryland's assertion of jurisdiction and to demonstrate Pennsylvania's legitimate authority over the area.²⁶

An example of the intentionality of this type of targeting occurred in June 1732. Pennsylvanians heard that some well-connected and powerful Marylanders were inspecting the settlements on the west side, among them John Ross, speaker of the Maryland Assembly, and Charles Carroll. Their arrival on the west side seemed to confirm rumors that Ogle had "granted warrants to some great men in Maryland." Pennsylvania officials decided to use the appearance of these two prominent Marylanders as an opportunity to challenge Maryland's jurisdiction. Pennsylvania officials James Patterson and John Wright used an arrest warrant for a small farmer loyal to Baltimore as a pretext to see "whether . . . Ross or Carroll would oppose" its execution. If the speaker of Maryland's assembly had accepted the arrest, then Pennsylvania would have won this small but politically significant confrontation. The jurisdictional conflict turned physical when the Marylanders rejected Pennsylvania's legal authority. Patterson swore he would fight Marylanders "to . . . the knees in blood" and the Marylanders promised him they would "repel force with force." Though the contest stopped short of coming to blows, the tensions were real and constant as representatives from both colonies attempted to establish their absolute legal authority over the area.²⁷

²⁶ *Pennsylvania Archives*, 1st ser., vol. 1 and the Lancaster County Papers at the Historical Society of Pennsylvania are filled with accounts of the recurring confrontations between Pennsylvania and Maryland officials.

²⁷ Petition of Ross and Carroll, July 6, 1732, Deposition of Luke Mercer, July 6, 1732, and

Such conflicts continued with regularity. At the same time, emissaries from the colonies tried to enact the 1732 agreement between proprietors. The first meeting between the delegates from Maryland and Pennsylvania occurred on October 6, 1732, in Newtown, Delaware. The conference began with a bang—Thomas Penn spent over one hundred pounds treating the Marylanders to drinks and displays of gunfire—but ended with a fizzle. The commissioners could not agree on where, exactly, the boundary lines should run. The commissioners from Pennsylvania and Maryland played the diplomatic game until November 1733, when they finally agreed to disagree and disbanded. Indeed, once Baltimore saw the land in person, he became convinced that the Penns had conned him—and some circumstantial evidence suggests that he was right. The Penns may have secretly employed the mapmaker to draw a map more favorable to their interest. The map they commissioned in 1732 to serve as the basis for their negotiations contained an inaccuracy—a “false cape”—that served to give them far more land than Baltimore believed justified. Incensed, Baltimore left for England in May 1733, effectively declaring the agreement dead. At the time, James Logan, who had once wondered how two colonies could go to war with one another, concluded “tis now all over . . . the dye is cast and nothing but war remains.”²⁸

* * *

By the time Baltimore left, he and his agents had designed a strategy for Maryland to win the disputed land. First, Samuel Ogle had to establish Maryland’s firm control over the land west of the Susquehanna by convincing settlers to become loyal tenants of Baltimore. Second, Ogle had to establish Maryland’s legal jurisdiction through the appointment of justices of the peace and other offices. Finally, he had to convince those

Governor Ogle to Governor Gordon, July 10, 1732, in *Pennsylvania Archives*, 1st ser., 1:333–37. The rumor of the grants came from an anonymous letter Gordon received. He had then relayed the rumor to Ogle in a letter dated June 15, 1732, in *Pennsylvania Archives*, 1st ser., 1:330–31. In addition, Charles Dutrizac argues that both Ross and Carroll had received patents for upwards of ten thousand acres. I have not confirmed this finding, but it seems possible. Nonetheless, if true, neither patentee established plantations on the west side during this time.

²⁸ Journey to the New Town in Maryland, Receipt, 1732, NB-011, folder 6, ser. 3, Penn Family Papers. The report was published as *Articles of Agreement* (London, 1735), with the commissioner’s report affixed. Letter from Pennsylvania Commissioners for Newcastle to Maryland Commissioners, Mar. 28, 1733, NB-003, folder 9, ser. 7, Penn Family Papers. Wainwright, in “Tale of a Runaway Cape,” details the publication of this document, along with all other legal documents printed during the dispute. Logan quotation found on page 265.

with no preexisting loyalties who would settle in the area to ally with Maryland. Samuel Blunston, one of Thomas Penn's main agents in the contested area, described these tactics as an effort "to alienate the minds of the inhabitants of this province and draw them from obedience to their party." In England, meanwhile, Baltimore prepared to press his case in court using the loyalty of the settlers, the establishment of legal offices, and the taxes paid to him as evidence supporting the validity of his claim.²⁹

Ogle believed Thomas Cresap was the man to implement this plan. He had built the perfect résumé for the job Baltimore needed done. Cresap had earned a reputation as a scrapper who would pursue his own interests with ferocity. He had traveled extensively throughout western areas of the middle colonies before settling on the western banks of the Susquehanna. After arriving in Maryland, he headed out to western Virginia, perhaps even renting land from the Washington family, before returning to Maryland. Along the way, he had built a reputation for loyalty and grit. Baltimore made Cresap a justice of the peace sometime in 1732, hoping his ardor would serve Maryland's purposes well.³⁰

Cresap's commission reinforced the relationship between proprietors and their settlers in these zones. Proprietors felt duty-bound to protect those loyal to them, and settlers would only give their fealty to those who proved they could protect them. As one of the Marylanders stated, because Baltimore "had recd money for that land on which . . . Cressop lived, he would defend him from the proprietor of Pensilvania." The irony, of course, was that Cresap, as justice of the peace, was the person Baltimore was empowering to defend himself from Pennsylvania's encroachments. Baltimore had, in effect, given Cresap carte blanche to protect his own land and to secure Maryland's dominion in the process. Cresap soon enlisted others and empowered constables to build a bulwark to fend off Pennsylvanian attacks.³¹

Cresap went about courting settlers on the ground and quickly created a community on the west side loyal to Baltimore. He initiated a policy of accepting a variety of people seeking refuge, such as runaway servants from Pennsylvania. He also invited a number of relatives to join him. Moreover, sometime around 1732, the German community that settled to the north on Codorous Creek began to pay taxes to Maryland in

²⁹ John Wright and Samuel Blunston to Governor Gordon, Dec. 30, 1732. The best explication of this strategy was published in the *Pennsylvania Gazette*, Feb. 3, 1737.

³⁰ Bailey, *Thomas Cresap*.

³¹ Deposition of Joshua Low, Dec. 28, 1732, in *Pennsylvania Archives*, 1st ser., 1:356.

exchange for formal recognition of their land ownership. The community was a large settlement for the time with at least fifty heads of household. Their allegiance to Baltimore was crucial because if they stayed loyal to Maryland, Baltimore could use their continued fidelity as evidence that those who already lived in the region recognized his claims as legitimate.³²

With Baltimore in England and Cresap operating with a commission in the West, Thomas Penn began to orchestrate Pennsylvania's counter-strategy through Samuel Blunston, a Quaker loyal to Pennsylvania's interests. Penn aimed his institutional powers at Cresap, who represented Maryland's claim to absolute legal authority over the area. By arresting him, Pennsylvania would establish its authority by removing the figure that represented Maryland's legitimacy. Andrew Hamilton, soon to be of Zenger trial fame but then the main legal advisor to Penn, met with Blunston and gave him specific orders for carrying out the arrest of Cresap. Although no record exists of his instructions, correspondence between Penn and Blunston suggests that Hamilton advised the latter to arrest Cresap at any point when he was not at his house. Blunston, a pacifist Quaker, delegated the violence to the Scots-Irish settlers from Donegal and the Scots-Irish sheriff.³³

On January 29, 1734, Robert Buchanan, the sheriff, received intelligence that Cresap would be out "squareing logs for a house and building a flat for the ferry." Pennsylvania officials realized they had the opportunity to seize their antagonist. Promising compensation, Buchanan enlisted a group of men loyal to Pennsylvania to cross the river and arrest Cresap. The Pennsylvanians raided the Maryland camp and captured eight of Cresap's workmen. They failed, however, to find Cresap. Some of the Pennsylvanians carted the prisoners to Blunston's house, which served as Lancaster's jail, while others, contravening their orders, proceeded to Cresap's home to seize him. Surrounded, Cresap holed up in the house with other Maryland loyalists and refused to answer the warrant. During the confrontation, someone from Cresap's house fired a shot that struck Pennsylvanian Knowles Daunt in the knee, a wound that proved fatal.³⁴

³² Substance of Answer of Dutch to Governor of Maryland, 1736, in *Pennsylvania Archives*, 1st ser., 1:492–94, details the Germans' migration and reasons for allying with Cresap before switching their loyalties to Pennsylvania.

³³ Samuel Blunston to Thomas Penn, Jan. 2, 1734, vol. 1, p. 17, Lancaster County Papers; Samuel Blunston to Thomas Penn, Jan. 30, 1734, in *Pennsylvania Archives*, 1st ser., 1:410–12; Thomas Penn to Samuel Blunston, Jan. 10, 1734, and Thomas Penn to Samuel Blunston, Feb. 4, 1734, box NB-011, folder 20, ser. 2, and NB-003, folder 10, ser. 7, Penn Family Papers.

³⁴ Samuel Blunston to Thomas Penn, Jan. 30, 1734.

The raid on Maryland's community sparked a series of arrests, counterarrests, and general harassment. The open violence bred a state of fear throughout the fast-militarizing Susquehanna Valley. Each side justified its actions by claiming that the other colony's jurisdiction was illegitimate and individuals loyal to it were illegally settled and liable to removal, arrest, and punishment. Soon, servants and farmers as well as colonial officials were involved in the border strife. Blunston feared that the Cresapians "can so easily Come over in the Night & Burn our Houses," and he worried about Pennsylvania's lack of arms and "Military men."³⁵

Cresap, too, feared for his safety. In the aftermath, Cresap's house became a virtual fortress, with Cresap refusing to leave his yard. Blunston advised Penn that "it will be in vain . . . to expect to take him any where but at home (which has hitherto been advised against)." Knowing that Penn had mustered the support of the Scots-Irish settlement at Donegal to serve as his military might, Cresap believed "a number of Scotch Irish . . . lyes in ambush for him to the quantity of one hundred and fifty . . . so that he dare not hide at home for fear of his life." Cresap stood in his doorway, Blunston reported, "armed with pistols in his belt a gun in his hand and long sword by his side like Robinson Crusoe" as a way to protect himself and convey an air of authority. By August 1734, Cresap had a captain's commission and formed a regular militia that mustered weekly. For nearly three years, militias mustered, drums of war sounded, and violence became a regular part of life for those living near the Susquehanna River. As George Aston reported, "the people" did "not seem well pleased with this state of war."³⁶

At the same time that confrontations increased in violence and frequency, Penn realized that he also had to combat Maryland by changing the colony's policy on expansion. Maryland's method of encouraging new settlers and winning the support of old ones seemed to be working, so Penn needed a new strategy. Rapid expansion was his answer. In April 1734, Penn told Blunston that "surveying lands to the inhabitants over Sasquehannah is what should not be an hour neglected." Penn wanted to

³⁵ Samuel Blunston to Thomas Penn, Mar. 15, 1734, vol. 1, p. 3, Lancaster County Papers.

³⁶ Samuel Blunston to Thomas Penn, Mar. 10, 1734, Samuel Blunston to Thomas Penn, May 12, 1734, Samuel Blunston to Thomas Penn, July 22, 1734, vol. 1, pp. 3, 7, 17, Lancaster County Papers; Thomas Penn to Samuel Blunston, Apr. 3, 1734, NB-003, folder 22, ser. 7, Penn Family Papers. The exact spelling of Aston's name is uncertain. In the document cited it is spelled Asheton, but in other documents Aston. Since Aston is a far more common spelling of a last name, I have changed it here. John Hendricks and Joshua Minshall to Thomas Penn, May 6, 1734, NB-025, folder 39, ser. 1, Penn Family Papers.

make these grants as legal as possible, so he dispatched a surveyor as “the only sure means of regular settlement.” Once, the Penns and their subordinates had tried to restrain settlement to honor their treaties with natives as well as to facilitate an ordered expansion west. Now, colonial competition forced Pennsylvania officials to abandon this longstanding policy. Instead, they emphasized the unspoken assumption that undergirded officials’ thinking: land not yet purchased would, nonetheless, be part of Pennsylvania. These steps would protect this future.³⁷

As both sides tried to settle more territory, the area of contention expanded beyond lands directly bordering the Susquehanna. Indeed, competition fueled a rapid and uninhibited push far into the West, an even sharper break from Pennsylvania’s previous policy. When Penn gave Blunston “one hundred blank warrants signed and sealed which are designed for any persons that have an inclination to settle over Sasquehannah without regard to the distance westward,” Blunston resigned himself to doling out grants to “loose-settlers” in these western reaches for practical reasons. Blunston figured that because of “the dispute between the provinces,” such less-than-respectable types “ought to be encouraged” so Pennsylvania could have “warrants and surveys” that established Penn’s legal claim to the land in the event the controversy entered British courts.³⁸

As Pennsylvania’s proprietor began issuing licenses for settlement on the west side of the river, Maryland ratcheted up its own surveying. One Maryland surveyor ventured up to Cresap’s house but, fearing for his safety, retreated south. Later, Pennsylvanians arrested another Maryland surveyor for trying to remove Edward Murphy from his land in Lancaster County. Suggesting just how much the maneuvers were like a chess match in which dueling proprietors tried to capture one another’s settlers as a way to gain ground, Penn’s officials determined to protect Murphy—and the government’s claims to his land—“by removing him further into the Province, and Settling Some Sturdy Person that will keep possession on the Plantation in Right of this Government.”³⁹

³⁷ Thomas Penn to Samuel Blunston, Apr. 3, 1734; Samuel Blunston to Thomas Penn, Mar. 15, 1734.

³⁸ Thomas Penn to Samuel Blunston, Aug. 8, 1734, NB-011, folder 25, ser. 3, Penn Family Papers; Samuel Blunston to Thomas Penn, Aug. 13, 1734, vol. 1, p. 7, Lancaster County Papers; and Thomas Penn to Ferdinand Paris, Feb. 12, 1736[7], NB-003, folder 17, ser. 7, Penn Family Papers. Paris was the attorney for the Penns.

³⁹ James Steel to Elisha Gatchell, Oct. 8, 1736, James Steel Letterbook, 1730–41, p. 124, Logan Family Papers, 1664–1871, Historical Society of Pennsylvania.

* * *

The competition between polities over land and settlers created economic and political opportunities not usually afforded would-be settlers. Normally, the proprietor established land prices and terms. In the case of Pennsylvania, a land office with an agent in charge of setting prices granted lands with the proprietary seal. The proprietor also appointed a number of surveyors to mark and value tracts. Although neighboring colonies' prices might ostensibly influence Pennsylvania's land practices, in most cases there was little room for negotiation on the part of the settler. With such fierce competition for settlers, however, neither colony could dictate costs or the terms of expansion.

Nowhere is this more apparent than in "shifting" of tenants. The practice of renouncing one proprietor for another was perhaps the greatest threat to proprietary governments. In a rare moment of unity, both Maryland and Pennsylvania explicitly rejected the practice when settlers attempted to do it in the Lower Counties in the 1720s. The competition for the West, however, changed the rules of the game; settlers could play one proprietor off the other for better terms. In July 1734, a Maryland commissioner came to the west side of the Susquehanna and promised to lay out lands for settlers—squatters, really—who had not received official grants, although they were sympathetic to Penn. Blunston believed the situation was dire: "either save them to us or let them know they may shift for themselves." Penn agreed and granted them low terms. A few months later, Penn embraced Marylanders who desired to switch their allegiances. In late December 1734, "12 or 14 Dutch inhabitants" who lived on the "other side opposite" Samuel Blunston, likely some of the settlers who had accepted land from Cresap, visited Pennsylvania officials. They asked "to take licence under" Penn; believing they had "been imposed on by the Marylanders," they "incline[d] to be Pennsylvanians."⁴⁰

Colonial competition not only helped those on the west side of the river, it also provided an opportunity for Scots-Irish Presbyterians long settled on the eastern bank to negotiate new terms. Many of these settlers provided the backbone of the proprietor's military, and they used their

⁴⁰ Discussions of shifting can be found in Governor Gordon to Governor Ogle, Feb. 17, 1732/33, in *Pennsylvania Archives*, 4th ser., 1:509–13; Governor Gordon to Lord Baltimore on Mar. 28, 173[3], Provincial Council Minutes, in *Colonial Records*, 3:531–37; Governor Gordon to Lord Baltimore, Feb. 17, 1732/33, in *Pennsylvania Archives*, 4th ser., 1:506–9; Samuel Blunston to Thomas Penn, July 22, 1734; Samuel Blunston to Thomas Penn, Jan. 2, 1735; Thomas Penn to Samuel Blunston, Jan. 10, 1735; Shepherd, *Proprietary Government*, 117–46.

service and the threat of shifting allegiances to negotiate their land grants. In a speech to Penn, they promised him their loyalty and expressed their hope that he would take “this happy opportunity [to grant lands] before any such thing be offer’d,” implying that should Maryland approach them offering recognition of their land, then they might consider joining its cause. For specific terms, the settlers asked Penn not to make “either the purchase money or ye yearly quitrent of ye lands [they] shall be allow’d to enjoy so high as other parts of ye province” because Donegal was “so far back from markets, whereby [they] are incapacitated from raising money.” Blunston advised Penn to make special consideration for them, for “there must be some difference made betwixt the Donegalians and others or the former wil think they are not favoured.” Penn heeded Blunston’s advice and offered them a compromise in which settlers could choose from a variety of payment options. It was an unprecedented offer.⁴¹

Maryland, for its part, tended to offer good opportunities for those newly arrived or disillusioned with the ordered expansion Pennsylvania tried to facilitate. Cresap had regularly provided protection to servants fleeing their masters in Pennsylvania. He also welcomed other Germans to settle on the west side of the river. In 1736, Ogle traveled to New Castle to enlist recently arrived Irishmen to his side with promises of land on the west side of the Susquehanna in exchange for service.⁴²

As the varied allegiances of these colonists suggest, one’s Old World background did not determine one’s political allegiance. Maryland had both German and Scots-Irish supporters, as did Pennsylvania. Among those most loyal to Cresap were Michael Risner and Bernard Woimer (probably a corruption of Weimar, a city in Germany), both recent German arrivals. Penn enlisted settlers in the Scots-Irish settlement of Donegal to form militias to support fellow Pennsylvanians who happened to be German. In one case, a Scots-Irish settler loyal to Pennsylvania tried to convince a boyhood friend in the employ of Cresap to renounce his allegiances and join Pennsylvania. What these stories suggest is that personal choice, rather than ethnicity, drove political decisions.

The courting of settlers was so personal that many settlers negotiated directly with the proprietor, and their choice often reflected the type of

⁴¹ For the speech, see James Anderson to William Allen, Address to the Proprietor, June 26 and 30, 1733, NV-089, p. 29, ser. 6, Penn Family Papers; Samuel Blunston to Thomas Penn, Jan. 3, 1736, vol. 1, p. 23, Lancaster County Papers. For details of the arrangement, see Tully, *William Penn’s Legacy*, 5–11.

⁴² Samuel Blunston to Thomas Penn, Oct. 21, 1736, vol. 1, p. 27, Lancaster County Papers.

government that appealed to them. Settlers in Donegal showed an inclination toward Pennsylvania because of their treatment so far, but they also noted that they did not expect to be “made tenants in ye common sense of ye word, this being what [they] can never, with any pleasure, think of subjecting again [their] necks unto.” They thus understood the proprietary nature of the colony in terms similar to, but decidedly different from, the manor life they knew in Ireland. They expected Pennsylvania to offer them greater liberty than the place they had left, where they were subject to the caprice of uncaring landlords. They thus let Penn know they would pay him for his protection, as they had done for their British landlords, but they expected him to maintain a different type of government in his woods.⁴³

The intensity of colonial competition created new political and economic prospects for women, too. Many took an active part in the affair and, in so doing, broke out of social norms to further their individual, familial, and communal interests. A number of Pennsylvania women served as emissaries and provided intelligence to Blunston—among them Esther Harris, whose husband, John, owned a ferry on the Susquehanna, was well-connected among both settlers and Indians, and whose home served as a major trading center. Jenny Wright, wife of John Wright, one of the leading Pennsylvanians in the region, played a similar role.⁴⁴

Women in the Maryland interest were even more active in the conflict. Mary Emerson used competition to challenge the limited legal rights afforded widows and women in Pennsylvania. Her husband, John, had been a loyal supporter of Pennsylvania, having participated in the failed attempt to arrest Cresap in 1734, and the proprietor rewarded his service with a ferry license on the Susquehanna. When he died sometime in 1735 or early 1736, Penn took Emerson’s land and his license from his widow and gave them to John Ross, a resident of Donegal who had also served Pennsylvania’s interest well. Mary received some remuneration for the improvement on the land, but she wanted to keep the house and the ferry. By May 1736, a frustrated Mary had aligned herself with the Marylanders, deemed Cresap “the best friend she ha[d] in the world,” and gone to Ogle to plead her case. In 1737, she threatened “to burn to ashes

⁴³ For the Scots-Irish speech, see John Anderson to William Allen, Address to the Proprietor, June 26 and 30, 1733.

⁴⁴ For examples of the roles Esther and Jenny played, see: Thomas Penn to Samuel Blunston, Apr. 18, 1736, NB-011, folder 43, ser. 3, Penn Family Papers; and Samuel Blunston to Thomas Penn, Jan. 13, 1737, vol. 1, p. 23, Lancaster County Papers.

[the] house” that was once hers. At one point, Ross heard that she and Cresap’s wife had hatched a plan in which Mary Emerson would distract Ross with a game of cards, allowing Cresap and his forces to seize him. James Steel, a member of Penn’s inner circle, expressed dismay “that the laws of Pennsylvania and the magistrates of Lancaster” could not “bridle the insolence of a turbulent woman.”⁴⁵

Many of the women who joined the Maryland cause did so to protect their property when the male members of their households no longer could. Betty Low was among the most active participants for the Maryland side. Pennsylvania had seized and imprisoned some of her family members, including her husband. In their absence, she led a company of the Maryland militia. Her prominence frustrated Blunston, who called her “one of the worst of them.” Blunston, unsure how to handle a woman acting in such a way, sought the proprietor’s approval to seize her. In another case, Blunston sold some property he had acquired on the west side of the river when the male lessee of the tract died. The man’s widow, children, and father-in-law, however, refused to vacate. Instead, they switched their allegiances and gave “intelligence and succor” to the Marylanders, hoping that “if the Marylanders could get the better they

⁴⁵ It is likely that the ferry was auctioned off and the proprietor purchased it. The last mention of Emerson being alive was in a letter Penn wrote to Blunston dated Apr. 18, 1736. In May, Penn sent Blunston a copy of the grant he had given Emerson and advised him he was to put the property up for sale, along with the terms of service in the grant. Penn then advised Blunston to “bid on my account,” so he could still own the valuable land and dole it out to one of his loyal tenants. Thomas Penn to Samuel Blunston, May 6, 1736, NB-011, folder 44, ser. 3, Penn Family Papers. The property attracted numerous bidders, and Penn eventually spent more than he wished. Samuel Blunston to Thomas Penn, May 10, 1736, NB-025, folder 9, ser. 1, Penn Family Papers. For specific details on Penn’s plans for the land, see James Steel to Dr. [Samuel] Chew, winter 1737, James Steel Letterbook, 1730–41, p. 131. The handling of Emerson’s land provides further evidence of proprietary power in these western areas and among those vested in the institution of the proprietor. Steel wrote, “Some time after the Death of John Emerson who had the Grant of a Plantation within our Proprs Mannor of Conestogo, the Same being taken in Execution and Sold by the Sheriff to pay his debts, was purchased for the Proprs use as lying within a large quantity of rich Land, and thereupon a Tenant was Settled to keep the plantation in Order and for that purpose two Servant men were purchased here the last fall and Sent up with the Tenant who also had their Indentures with them.” Later, after Ross established himself, he found a number of stray horses with Emerson’s mark. When he asked Steel for advice on what to do with them, Steel advised him to sell them as “for in England (and I suppose the same in Ireland) all Strays &c. are the property of the Lord of the Manor where they are found and it must at least, if not more be so to the Proprs of a large province, Vested with such Extensive powers as the King was pleased by his Royal Charter to Grant.” James Steel to John Ross, Sept. 14, 1737, James Steel Letterbook, 1730–41, p. 160. W. Murray, “The case relating to the dispute between Lord Baltimore and the Penns,” *Register of Pennsylvania* 2 (1828): 209–16; James Steel to John Ross, Apr. 8, 1737, James Steel Letterbook, 1730–41, p. 139; Samuel Blunston to Thomas Penn, May 10, 1736.

should keep the place.” As these examples suggest, settlers gained power when colonies competed for their allegiances in contested areas. They could bend proprietary wills to meet their needs and desires.⁴⁶

* * *

After more than four years of constant but low-level conflict, the war had settled into a tense stalemate. Both Maryland and Pennsylvania had amassed groups of settlers actively supporting their respective causes. Both sides also took well-planned actions, targeting specific individuals and groups who represented the other side’s authority. Pennsylvania pursued Cresap, and Maryland took aim at Blunston and others with proprietary powers. Things changed in August 1736 when the German community that had long allied with Maryland publicly declared its allegiance to Pennsylvania in a petition to the Maryland government.⁴⁷

The shift of the German community altered the course of the conflict. The settlers, Pennsylvania officials reported, cited the “oppression and ill usage we have met with from the government of Maryland, or at least from such persons who have been empowered thereby,” as the reason for their turn. Impertinent Maryland officials were not the only reason they abandoned the colony. They spoke of Pennsylvania’s “mildness,” which they believed promised them a measure of peace and security that Maryland did not offer. Pennsylvania’s government appealed to them because of what it stood for and because of the proprietor’s actions toward his settlers. In a statement to Penn, the German settlers noted that under Maryland, they “received a treatment . . . very different from that which the tenants of your government have generally met with.” In a contest between two colonies vying for settler allegiance, these German settlers used the opportunity to choose the model of governance they preferred.⁴⁸

The loss of the German community, the first and largest group of settlers on the west side of the Susquehanna, threatened to destroy Maryland’s strategy. Maryland had used their allegiance as evidence of that colony’s long-standing settlement of the region. Their switch

⁴⁶ Samuel Blunston to James Logan, undated (likely Jan. 1737, improperly dated 1732 in the source), in *Pennsylvania Archives*, 1st ser., 1:316–20.

⁴⁷ For the public pronouncement in which the German settlers explicitly rejected Maryland for its behavior, see *Archives of Maryland*, vol. 28, *Proceedings of the Council of Maryland, 1732–1753* (Baltimore, 1908), 100–101. Blunston recounts the constant harassment both sides received in Samuel Blunston to Thomas Penn, May 3, [1736], vol. 1, p. 21, Lancaster County Papers.

⁴⁸ *Archives of Maryland*, 28:100–101; Murray, “Dispute between Lord Baltimore and the Penns.”

strengthened Pennsylvania's legal standing in a potential court case and undermined a key piece of Maryland's argument. Word of the Germans' disaffection caused Ogle to take offensive actions to dissuade the group from their decision. On September 5, over three hundred militiamen from Baltimore County, including the county's sheriff, traveled to the west side of the river. There they joined Cresap's militia, which had grown into a professional force in which members were reportedly paid twelve pounds per annum for service. The large Maryland contingent forced the Germans to flee their homes and take refuge across the river with John Wright, Blunston's closest ally. The Maryland militia mustered for nine days and traveled throughout the settlement with "beat of drum and sound of trumpet to awe those poor people into compliance." They hoped their processions, musters, and other military trappings would impel insecure colonists to return to Maryland through a show of sheer force.⁴⁹

Pennsylvanians on the east side of the river saw the conflict in the stark terms of war, with Marylanders as their enemies. A rumor spread among those loyal to Pennsylvania that the Maryland's three-hundred-man militia planned an assault on Pennsylvania. As a preemptive move, Blunston organized one hundred Pennsylvanians from Donegal and Lancaster, armed them, placed them under the command of the sheriff, and sent them across the river in two barges to do battle. The Marylanders, who were eating dinner, fled at the sight of the approaching Pennsylvania militia. The Maryland militia regrouped and in the days that followed made numerous overtures to the Germans, who repeatedly rebuffed them.⁵⁰

Once it became clear that the symbolic presence of the militia could not convince the Germans to return to Maryland, the militiamen adopted more coercive methods—raiding German homes and seizing "Linnen Cloth for Public Dues." Since taxes were a measure of one's allegiance, Maryland militiamen took the linen as dues so they could claim these settlers were still Marylanders. The sheriff, obviously trying to compete with Pennsylvania, also made pecuniary offers, promising to treat the Germans better in the future and remitting their taxes "until they were better able to pay." As an added gesture of goodwill, the sheriff returned all the seized

⁴⁹ Proclamation of James Logan, Sept. 17, 1736, *Pennsylvania Gazette*, Sept. 23, 1736; James Logan to Daniel Dulany and Edmund Jennings, Dec. 10, 1736, box 50, folder 23, ser. 3, Cadwalader Family Papers, Historical Society of Pennsylvania. A detailed description of the events can be found in Samuel Blunston to Thomas Penn, Sept. 8, 1736, vol. 1, p. 9, Lancaster County Papers; and the Deposition of William Downard, Dec. 2, 1736, in *Pennsylvania Archives*, 1st ser., 1:513.

⁵⁰ Samuel Blunston to Thomas Penn, Sept. 8, 1736.

goods. If the Germans refused to acknowledge Maryland's authority, however, he vowed to come back "with a much greater force," eject them, and repopulate their land with "Lusty young men."⁵¹

The Marylanders' behavior was too much for most German settlers to forgive. They had become so aligned with Penn that Blunston reported that most "are Mighty Desirous to live under this Governmt, and Some of them wil rather quit their possessions then return to their former Slavery." For German settlers, many of whom had come from a society in which tenancy to large landlords was the norm, this conflict between two proprietors must have looked somewhat familiar. In the colonies, though, they could switch allegiances depending on which lord's government best addressed their interests. Just as the respective assemblies of Maryland and Pennsylvania checked the ability of these proprietary colonies to become feudal lordships, so too did colonial competition in border zones weaken proprietary institutions and give settlers greater political power.⁵²

Penn's reputation for compassion attracted these settlers to his fold. Their malleable allegiance, however, gave them the negotiating power to ensure that the proprietor lived up to his promise, and Penn worked hard to maintain the loyalty of his new allies. Maryland, in a last-ditch effort to win back the Germans, arrested some of the most prominent Germans and jailed them in hopes that the settlers would return to Maryland's fold. Penn took pains to aid the imprisoned and their families. He sent emissaries to the jail with food and money and provided the same for the prisoners' families, along with an armed guard. In doing so, he sought to assure these settlers that he was committed to providing the protection proprietors pledged to their tenants.⁵³

Penn's acceptance of the Germans, the first settlers in the disputed region, and his willingness to defend them from Maryland's aggression were essential to his strategy for victory. He did so not just to uphold his

⁵¹ Ibid.

⁵² Ibid.

⁵³ Receipt of Philip Syng, Jan. 13, 1736, and Receipt of Caspar Wistar, Feb. 28, 1736, NB-025, folder 55 and 58, ser. 1, Penn Family Papers. Thomas Penn also makes note of Wistar's travels to the prisoners in a letter to Samuel Blunston dated Jan. 20, 1736[7], box NB-011, folder 38, ser. 3, Penn Family Papers, where he assures Blunston that Wistar "set several right," perhaps implying the imprisoned Germans may have thought of quitting their loyalties. James Steel describes the aid and supplies he sent to those on the Susquehanna and those imprisoned throughout his letters, but see his July 18, 1737, letter in particular for the issues he had to deal with. Maryland, for instance, would only accept Maryland money for food and other supplies for the prisoners. Steel to Dr. [Samuel] Chew, July 18, 1737, James Steel Letterbook, 1730-41, p. 152.

proprietary duties but also to show imperial officials that he considered the Germans his tenants. Penn made his rationale for supporting the Germans explicit in a letter to his attorney in London. He wrote that had he not recognized the rights of the German settlers who claimed Pennsylvania allegiance on the west side of the Susquehanna, "it would have amounted to an acknowledgement that we did not believe they were within our province and consequently the place where I now write [Philadelphia] is within the Bounds of Maryland."⁵⁴

Penn's treatment of the German community reveals the contours of the British Empire on the fringes of settlement in the middle colonies. Pennsylvania and Maryland operated largely free from imperial intrusion for much of the conflict. Nonetheless, officials always kept in mind the possibility that imperial officials might interfere. They therefore acted with their eye toward precedents that they believed would help them prevail in a court of law. Penn's actions towards the Germans also underscore the importance of the proprietors' direct relationships with settlers in winning the contest.

With the loss of the German settlers, Marylanders had to recalibrate their approach. They turned to Native American groups to bolster Maryland's claim within the imperial system. Ogle began to cultivate relations with the Six Nations Iroquois in 1736, hoping to formally purchase the west side of the Susquehanna from them. Ogle's courting of the Six Nations posed a dilemma to Pennsylvania officials in charge of Indian relations. A deed from a Native American group that the Crown recognized as holding the original rights to the contested land would provide strong evidence in a trial in England or a hearing before the Board of Trade.⁵⁵

Official Pennsylvania policy, however, had long recognized the Conestogas' right to the land. Just a few years earlier, colonial officials had even gone so far as to forcefully remove Pennsylvania squatters to uphold their promises to the Conestogas. The Six Nations, however, claimed that the Conestogas were their dependents and lacked the authority to sell such land. Moreover, many British officials had come to accept Iroquoian claims of dominion over other groups in the mid-Atlantic. If Maryland received a deed from the Six Nations and Pennsylvania from the

⁵⁴ Thomas Penn to Ferdinand Paris, Feb. 12, 1736[7].

⁵⁵ Thomas Penn to unknown, Apr. 18, 1736, and Thomas Penn to Samuel Blunston, Apr. 18, 1736, NB-011, folders 42 and 43, ser. 11, Penn Family Papers.

Conestogas, the Crown would likely have to determine which Indian group was the rightful owner. In such a situation, Pennsylvania officials had to worry that imperial officials would choose the Iroquoian claim over that of the Conestogas.

In the face of such uncertainty, Thomas Penn decided once again to do what was necessary to bolster his position in a British court of law. In October 1736, he held a treaty with the Iroquois in Lancaster in which, in exchange for the conveyance of the land west of the Susquehanna to Pennsylvania, he recognized the Six Nations' claims to supremacy over other native groups in Pennsylvania. The treaty marked yet another major shift in traditional Pennsylvania policy. William Penn had, as Francis Jennings pointed out, largely "ignored" the Iroquois claims of dominance over the Conestogas. Jennings argued further that the Iroquois's claims of dominance were largely "fabricated," but in 1736, Pennsylvania "gang[ed] up with the Six Nations" to make it "real."⁵⁶

From this point forward, Pennsylvania policy recognized the Conestogas as a friendly people lacking any real political power. Similarly, the Shawnees, who had earlier been offered a tract of land in the western region, were not consulted in 1736, and the treaty made their land claims and political status subordinate to the Iroquois. Viewed in light of the ongoing Maryland conflict and the contest for power among Native American groups, the treaty was mutually beneficial for Pennsylvania and the Six Nations, as each gained an edge over its respective competitors. For those excluded, the shift in Pennsylvania policy created grievances that would fester.

Such compromises between idealism and pragmatism anticipated the Walking Purchase of 1737, a notorious land grab that historians have interpreted as signaling a larger, more general change in proprietary views toward western expansion, Indian relations, and land acquisition. Viewed alongside the 1736 Lancaster Treaty and the ongoing and costly conflict with Maryland, the Walking Purchase appears less anomalous and instead part of a wholesale shift in Pennsylvania officials' views toward expansion that the demands of colonial competition had wrought. One of the underappreciated reasons for the Walking Purchase was Pennsylvania's concern that Dutch settlers from New York had begun to stake a claim

⁵⁶ Francis Jennings, *The Ambiguous Iroquois Empire: The Covenant Chain Confederation of Indian Tribes with English Colonies* (New York, 1984), 321–22; Jennings, "Pennsylvania Indians' and the Iroquois," in Daniel K. Richter and James H. Merrell, eds., *Beyond the Covenant Chain: The Iroquois and Their Neighbors in Indian North America, 1600–1800* (Syracuse, NY, 1987), 82.

over the land acquired by it. After having waged a costly five-year campaign against Maryland, proprietary officials took the actions necessary to head off a potential conflict with New York. Indeed, William Penn's treaty with Machaloha in 1683 suggests that these actions were not without precedent. Concerns about competition from neighboring colonies reflected the larger problem facing the British Empire in this era. In a British empire in which imperial authority was weak, neighboring colonies saw one another as competitors and pursued their own expansionist aims with little concern for the larger geopolitical issues of imperial growth. Such individual actions often led them to undercut each other in ways that might alienate Indian allies and strengthen the position of a growing and unified French imperial power.⁵⁷

* * *

Backed by settler allegiance and a title from the Six Nations, Pennsylvania tried to rid the region of Cresap and his followers. On November 25, 1736, Samuel Smith led nearly forty people, mostly from Donegal, to Cresap's house. They came under the pretense that they wanted to arrest Cresap for the murder of Knowles Daunt (the Pennsylvanian killed in a raid two years prior). The Pennsylvanians brought rum and other victuals, suggesting they were willing to stay for a long time. A tense standoff ensued. As Arthur Buchanan tried to cajole a few of the Irish immigrants living in Cresap's house into joining the Pennsylvanians, Cresap's very pregnant wife went into labor. Eventually shots rang out, but with no result. Then the house caught on fire. At the behest of his wife and children, Cresap fled the house and was shot repeatedly. Although none of Cresap's injuries proved fatal, one of his men was mortally wounded. Soon many other Marylanders were captured and jailed in Lancaster. Blunston feared that the Lancaster jail was too weak to hold Cresap and moved him to Philadelphia. As Cresap entered Philadelphia in chains, he remarked to his jailer, George Aston, "Damn it, Aston, this is one of the prettyest towns in Maryland."⁵⁸

⁵⁷ Susan Klepp, "Encounter and Experiment: The Colonial Period," in *Pennsylvania: A History of the Commonwealth*, 75.

⁵⁸ For details of the raid, see *Pennsylvania Archives*, 1st ser., 1:504–610; and Deposition of George Aston, Dec. 3, 1736, in *Pennsylvania Archives*, 1st ser., 1:510. The details on Cresap's wife's condition come from an undated deposition in vol. 1, p. 25, Lancaster County Papers.

The raid on Cresap's home changed the nature of the conflict. For the first time, one of the proprietors believed he had a clear edge over his competitor within the empire's arbitration system. Baltimore realized that if he cast the Cresap affair in the proper light, he might win the king's favor—and, indeed, he did. After hearing of the burning of Cresap's house and the militias operating in the region, King George II delivered a series of edicts declaring a moratorium on all warlike actions and calling for the release of all prisoners and the mutual recognition of each colony's settlers in the contested region. It was, in effect, a return to the pre-1732 status quo. After Penn submitted a rebuttal demonstrating Pennsylvania's claim to the disputed territory, the Crown backpedaled and, in 1738, formalized a border between the rival colonies much further south than Baltimore believed it should be. The Crown considered the measure temporary, however, and forced the case to proceed in the Court of Chancery, allowing the British legal system to determine where the boundaries between the colonies fell. The case began in 1750 and did not officially conclude until 1760. The court decided in Penn's favor and asked that surveyors draw a formal boundary line between the two colonies. Five years later, Charles Mason, in the midst of conducting that survey, traveled to Lancaster and learned of the strange events that had led to his current employment.⁵⁹

The Conojocular War may have ended easily, with a simple edict from the Crown and, anticlimactically, with a long drawn-out legal case in London, but this conclusion should not obscure its significance to the mid-Atlantic. For over six years, both governments encouraged near constant strife in the region, during the very time historians have described the middle colonies as enjoying a "long peace." Both colonies acted as they did because they believed victory was possible—and that the other side might be on the cusp of winning. Although Pennsylvania tried to avoid a conflict, once it began, officials had to adopt new policies regarding expansion in order to compete. These changes altered the development of the middle colonies. To combat one another, Maryland and Pennsylvania pursued their own expansionist aims with little concern for larger geopolitical issues that could affect the interests of the empire.⁶⁰

⁵⁹ For details on this decision, see the Minutes of the Court at Kensington, May 25, 1738, reprinted in *Archives of Maryland*, 28:145–49.

⁶⁰ Francis Jennings used the term "Long Peace" in at least two of his works, but emphasized it most in "Miquon's Passing: Indian-European Relations in Pennsylvania, 1674 to 1755" (PhD diss., University of Pennsylvania, 1965), 462, and in *The Founders of America: From the Earliest*

The legacy of the Conojocular War left an indelible mark on the Pennsylvania landscape in the decades that followed its end. After the war between colonies ceased in 1738, Pennsylvania officials expressed renewed concern over growing Indian complaints that often focused on the settlements the proprietors had allowed during the competition with Maryland. Emboldened by their victory, Pennsylvania officials began exerting greater political power over recently settled areas in western Pennsylvania, much as they had in the 1720s, often with an eye toward assuaging Indian unease. In 1750, Pennsylvania created Cumberland County to oversee western expansion and to provide a means to reign in illegal squatters. Almost as soon as the county was formed, proprietary commissioners and a newly appointed justice of the peace tried to burn down all illegal homes. They razed dozens of settlements, an act meant to satisfy native concerns by signaling a return to the earlier policies that had rested on ordered expansion negotiated with native approval.⁶¹

Such assertions of authority could only go so far in areas in which vestiges of colonial competition continued to exist, however. Two large settlements escaped the commission's torch. Little Cove and Great Cove were located in a fertile valley in the Allegheny Mountains near the Pennsylvania and Maryland boundary. As the commissioners reported, the colony had been aware of these settlements since at least 1741, and there is some evidence that they dated to the grants from the 1730s. The governor, however, "did not think it proper to take any other notice" of them because "the two governments were not then on very good terms." The commissioners were also aware that Maryland commissioners were traveling through Little Cove and Great Cove trying to convince the inhabitants to swear allegiance to Maryland and possibly reignite the boundary dispute in these western areas. Faced with competition again, the government allowed the two settlements to persist.⁶²

Migrations to the Present (New York, 1994), 215. For other prominent examples of its use, see Daniel K. Richter, *Facing East from Indian Country: A Native History of Early America* (Boston, 2001), 152–58, which uses the phrase to describe the general state of early eighteenth-century North America; and James H. Merrell, *Into the American Woods: Negotiators on the Pennsylvania Frontier* (New York, 2000), 35–37.

⁶¹ Richard Peters's Report to Lieutenant Governor James Hamilton, Provincial Council Minutes, July 31, 1750, in *Colonial Records*, 5:437–51. For a historian's treatment of this episode, see David L. Preston, *The Texture of Contact: European and Settler Communities on the Frontiers of Iroquoia, 1667–1783* (Lincoln, NE, 2009), 139–42.

⁶² Report of Commissioners and Petition of Little Cove, July 25, 1750, and Message of the Governor to Assembly, Aug. 8, 1750, Provincial Council Minutes, in *Colonial Records*, 5:453–55.

In 1754, western Delawares and Shawnees once more voiced their opposition to these settlements. They told Pennsylvania representatives that they had united to defend their hunting grounds on the Allegheny and warned the colonial officials that if the settlements were not removed, Indians and the English would “never come to peace again.” The promise proved prophetic. In 1755, after Braddock’s defeat, a party composed of western Delawares and Shawnees targeted these settlements. The raid on Great Cove sent shockwaves throughout the colony as news of the nearly unprecedented death and destruction spread. A creek named Bloody Run memorializes the devastation. Eight years later, Mason would venture to Pennsylvania to see the site of the colonists’ massacre of the Conestogas—proof that peace had not returned to the colony.⁶³

* * *

In 1796, thirty years after Charles Mason first heard of the Conojocular War during his trip to Lancaster, William Findley, a congressman from Pittsburgh, wrote a book to defend his constituents involved in the Whiskey Rebellion. He began *A History of the Insurrection in the Four Western Counties of Pennsylvania* with a brief history of Pennsylvania that compared the experience of those living around Pittsburgh—the new boundary of Pennsylvania—with that of those who had lived on Pennsylvania’s borders in other periods. His history described a region wracked by years of competition and conflict between colonies and then states. He wrote of the “bloodshed and numerous acts of outrageous violence” that had occurred between Pennsylvania and Connecticut as they fought over control of the northern third of what eventually became Pennsylvania. He also told of the “competition” between Virginia and Pennsylvania over Pittsburgh, beginning in the 1770s. This competition, he wrote, bred “a strange state of society” in which residents made “their election of submitting to the one or the other . . . as it comported with their interest or their caprice.”⁶⁴

⁶³ Quotation from David Dixon, *Never Come to Peace Again: Pontiac’s Uprising and the Fate of the British Empire in North America* (Norman, OK, 2005), 41. This raid is depicted in Peter Silver, *Our Savage Neighbors: How Indian War Transformed Early America* (New York, 2007), 195–97; Preston, *Texture of Contact*, 114–16 and 142–46; and, especially, Matthew C. Ward, *Breaking the Backcountry: The Seven Years’ War in Virginia and Pennsylvania, 1754–1765* (Pittsburgh, 2004), 65–66.

⁶⁴ William Findley, *History of the Insurrection in the Four Western Counties of Pennsylvania* (1796; repr., Spartanburg, SC, 1984), 21–25.

Findley, who had immigrated to Pennsylvania in the 1760s, also wrote of a conflict that had preceded his arrival: the “Conegehally War.” Findley had heard stories of the “the bloodshed and violence” that had occurred between Maryland and Pennsylvania. He noted that “some of the heroes, who gained their military fame in that war, have not been many years deceased.” He was undoubtedly referring to Thomas Cresap. Cresap had recently died in western Maryland at around ninety years old, although some sources suggested he lived to be over a hundred. After the war with Pennsylvania ended in 1738, Cresap returned to Maryland. He served as a colonel during the Seven Years’ War, won election to the Maryland legislature, acquired large tracts of land in the West, and continued to protect Maryland interests as the colony continued to expand. The story of his involvement in the “Conegehally War” had stayed alive in the border regions in part because Thomas Cresap had stayed alive to retell his tales. As Findley noted, Cresap established his reputation for bravery in this war with Pennsylvania, and Findley likely heard his tales firsthand, much as Mason had heard of them from Samuel Smith.⁶⁵

The memory of the fighting persisted for another reason, however. The Conojocular War remained relevant because competition between states continued in the new nation. The Conojocular War was, as Findley noted in his history, the first in a long saga of border conflicts that defined life for those living on the boundaries of the middle colonies. Findley told of how Pennsylvanians “in those counties bordering on other states,” even after the Revolution, continued to use competition to weaken and evade laws with which they disagreed. A product of this environment, Findley emphasized this history of competition between polities because it was a prominent aspect of the political culture of the region.⁶⁶

Even though Thomas Cresap and his exploits in the war between colonies were well known in border regions during the eighteenth century, the Conojocular War has fallen outside the bounds of Pennsylvania history today. But as Charles Mason learned in 1765 and Findley related in 1796, the Conojocular War continued to matter to people in this region long after it ended in 1738. This perspective should matter to historians today, too. Such competition was central to the geographic expansion of British colonies and the political development of the middle colonies, especially the political development of Pennsylvania. Settlers in these

⁶⁵ *Ibid.*, 21, 23–25.

⁶⁶ *Ibid.*, 30–32.

western and border regions engaged in forms of politics that differed greatly from the urban and eastern brands we know so well. Yet this other type of politics played just as central a role in the creation of Pennsylvania as the eastern one—perhaps more so.

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