

THE WESTERN PENNSYLVANIA HISTORICAL MAGAZINE

VOL. 30

SEPTEMBER—DECEMBER, 1947

Nos. 3 AND 4

HERVEY ALLEN *vs.* ARTHUR ST. CLAIR

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MOST of us have read Hervey Allen's *The Forest and the Fort*. His *Anthony Adverse* had introduced him to us as a first-class story-teller. Then some of us doubtless remember hearing at least of his grandfather, Colonel E. J. Allen. The only member of that family I knew well was the author's uncle, Harold. He was a member of the Allegheny County Bar, one whose opinions were respected highly. When he passed on, our Bar suffered a distinct loss. Naturally, I was predisposed in the younger Allen's favor.

The Forest and the Fort is a rattling good story—enough thrills in it to hold your interest, yet not so many as to satiate it. Its style is a vast improvement over the stilted language of Fenimore Cooper, or of Charles McKnight's *Captain Jack, the Scout*.

Allen's book is the first of a series of Pennsylvania tales—annals of a family beginning about 1740 and destined to come down to date, if the author survives to complete his ambitious program. In this "Book of Genesis" of Allen's "Pentateuch," the hero is Albine, a white lad, born about 1743, who had been captured by the Indians and grown up among them, but had been educated by a missionary. He became the "Squire" of Captain Simeon Ecuyer, commandant at Fort Pitt during its siege by the Indians in 1763. After Bouquet relieved the fort, Ecuyer started east to obtain medical treatment for the wounds he had received in the siege.

At Ligonier, Arthur St. Clair was encountered. At this point my ad-

miration for the author is seasoned by my disapproval of his characterization of St. Clair, involving quite uncalled for distortions of the facts.

Before entering on a discussion of this matter, it is necessary to recall some things about St. Clair. His name is a household word, but his deeds were not so outstanding as to impress themselves on our memories.

St. Clair was a Scot, born in 1736, a cadet of a family of the landed gentry. He gave up the study of medicine when he obtained a commission as ensign (or second lieutenant) in the Royal American Regiment in 1757. He took part in the capture of Quebec and Montreal in 1759–1760. In the latter year he married an heiress, Phoebe Bayard, a granddaughter of James Bowdoin, once the richest man in New England. She received a dowry of £14,000—a great fortune for those days in America.

After hostilities ceased in Canada, St. Clair resigned from the army on April 16, 1762. He had attained the rank of first lieutenant, the last military office he held under the Crown. By the third of the following November preliminaries for peace were signed at Fontainebleau, and on February 10, 1763, the definitive treaty of peace between Great Britain and France was signed at Paris. Any statement that St. Clair held any other officer's commission in the British army is unwarranted.¹

What he did between 1762 and 1767 is clouded in uncertainty. Some writers assert that as early as 1764 he had located at Bedford.² The Massachusetts Historical Society advises that they know of no public or private record of this activity in that state during those years.

The Clements Library at Ann Arbor reports that the papers of General Gage, which that Library owns, have no reference to St. Clair during that period. Nor do the Pennsylvania *Colonial Records* or *Archives* allude to his actions here during the same period. The first authentic glimpse we get of him is contained in a permit he signed on April 11, 1767. In it he describes himself as "late Lieut. in his Majesty's Sixtieth Regt. of foot, having care of his Majesty's fort at Ligonier." He states that he has given permission to Frederick Rohrer to cultivate a 200-acre

¹ Worthington C. Ford, comp., *British Officers Serving in America, 1754–1774*, compiled from official sources (1894); Larned's *History for Ready Reference*, 2975.

² John F. Meginess, *The Family of General Arthur St. Clair* (Harrisburg, 1897)—a notoriously inexact writer who cites no authorities.

tract of land in the neighborhood of Fort Ligonier. The licensee is stated to be "willing to submit to all orders of the Commandment in Chief the commanding officer of the District, and of the Garrison."³

In 1773 John Penn issued a warrant reciting that St. Clair, before the opening of the land office on April 3, 1769, "commanded the post of Fort Ligonier," and received a promise from the commissioner of property of preëmptive rights over certain lands about that fort. Webster tells us that a "post" means "one of a series of stations for keeping horses for relays"—usually on a through-road. Ligonier was such a post on such a road from Bedford to Fort Pitt, the westernmost point of the British defence system during the Seven Years' War. At least one relay of horses to cross the Allegheny Mountains was essential for travel on that route, and Ligonier was one, at least, of the places where relays were obtained. The Rohrer permit was apparently designed to permit fodder and pasture to be had near by.

Fort Ligonier had been constructed, as General Forbes wrote to Secretary Pitt,⁴ as a stockaded camp, enclosing buildings holding supplies for his army advancing through the wilderness. One such was needed every fifty miles, for the lack of supplies would have forced Braddock's immediate retirement in 1755, even had he conquered Fort Duquesne.

Fort Ligonier was built by Forbes' lieutenants between September 4 and October 5, 1758. One hundred and fifty men cut down and shaped green unseasoned timbers, twelve or fifteen feet high, and drove them into the ground to form this stockade, some hundreds of yards in circuit. The underground waters which fed the creek on one side and a spring on the other soon caused the structure to decay. Within six months after its erection, two battery positions had to be replaced "in the quarter demolished by the frost."

A year after Bouquet's victory over the Indians at Bushy Run, on August 6, 1763, the military need for a fortification at Ligonier became negligible; it was little more than a "post of passage," where deserters

³ George Dallas Albert, ed., *History of the County of Westmoreland, Pennsylvania*, 37-38n (Philadelphia, 1882).

⁴ Alfred P. James, ed., *Writings of General John Forbes*, 116-119 (Menasha, Wis., 1938).

might be confined. In 1763 Lieutenant Archibald Blane, commanding there, had only seven soldiers under him; the barracks became almost uninhabitable, being without a single chimney. In 1765 Bouquet suggested to his superiors the abandonment of Fort Ligonier; he wrote that all the wooden forts were falling into decay. Captain Robert Stewart, who succeeded Blane, in 1764, was the last military commander there whose name is listed. On May 6, 1766, General Thomas Gage wrote to Secretary Conway that a very small garrison might be continued there. This is the last official notice of Fort Ligonier as a strictly British army stronghold.⁵

General Gage, who suggested the continuing of a small garrison at Ligonier in 1766, had succeeded Amherst as commander-in-chief of the British forces in America in 1763, and in 1774 was appointed governor of Massachusetts. He continued in the latter office until he was superseded after Bunker Hill in 1775.⁶

He was related by blood to St. Clair. When Fort Pitt was abandoned in 1772, Gage "granted" to St. Clair certain buildings forming part of the fort's improvements. St. Clair's letter of July 16, 1785, says he was then unwilling to dispose of them.⁷ Hence it may be inferred that Gage was inclined to further the interests of his kinsman. Gage, commandant-in-chief though he was, could not revive the King's commission which St. Clair had resigned in 1762; but he could, and in all probability did, secure for the younger man a position in the service of transport by putting him in charge of the *relay post* at Fort Ligonier.

The westward surge of white settlers and the resultant conflict between Pennsylvania and Virginia for the ownership of the territory we know as Western Pennsylvania form the background of the epic of St. Clair and an outline of its pertinent events must be briefly summarized here.

In 1609 James I gave to a company of Englishmen a grant of lands

⁵ See the very scholarly article by Alfred P. James entitled, "Fort Ligonier: Additional Light from Unpublished Documents," *ante*, 17:259-285 (December, 1934).

⁶ *Encyclopædia Britannica* (1929 Edition), 9:966.

⁷ W. H. Smith, ed., *St. Clair Papers—The Life and Public Services of Arthur St. Clair*, 1:2n, 599 (Cincinnati, 1882).

extending from the Atlantic coast west to the "South Seas"—a very indefinite term. Within a few years this grant was by quo warranto proceedings forfeited to the Crown and Virginia became a royal domain, saving the tidewater settlers' rights. No "proprietary" or company thereafter had such vested interests in the unexplored hinterland as precluded the Crown, in honor and conscience, from conveying that unsettled territory to others. So in 1681 Charles II granted to William Penn a part of America running from the Delaware River five degrees of longitude to the west. That grant overlapped in part the 1609 grant which, as stated, had been judicially abrogated. But the earlier definition of Virginia's boundaries gave a colorable claim of right to the Ohio Company's petition in 1749 for rights over the Forks of the Ohio. The company, however, failed to comply with the conditions imposed on it by the King's charter, which had in turn overlapped Penn's grant.

Both in Braddock's unsuccessful venture and in Forbes' triumphant campaign to expel the French from the disputed territory, Pennsylvania and Virginia had contributed to the military efforts of the Crown, so that neither can be held to have abandoned its claim to the lands in question. But when the French and Indian War was over, the Crown called a halt on further western expansion on the part of either colony. On October 10, 1763, His Majesty's proclamation forbade his "loving subjects" to make any settlement west of the summit of the Allegheny Mountains. The ostensible purpose of His Majesty was to appease the Indians, who feared the loss of their hunting grounds; but in reality, the politicians then in office hoped to create a new fur-trading company for themselves—one which might rival the success of the great Hudson's Bay Company, whose profits had enriched the statesmen of an earlier period and their heirs. However, when Grenville and his coterie were ousted from office, the whole exploitation scheme collapsed.

But this ban on western settlements, continuing from 1763 to at least 1765, delayed the movement toward the Ohio during those relevant years which affect the St. Clair episode.

Sir William Johnson, British Indian Agent in Chief, then began negotiations with the Iroquois—the aboriginal overlords of the district—for further cessions by them of lands to the whites. He labored with the

red men for three years, while John Penn in England assiduously cultivated the good will of Lord Shelburne, who had charge of colonial affairs. Before January, 1768, when Shelburne gave up that office, he had issued the necessary instructions to the British authorities in America to help the Penns to acquire as much territory as the Iroquois were willing to part with. After protracted negotiations, agents of Pennsylvania, Virginia, and New York met the dilatory sachems at Fort Stanwix, New York, in October, 1768. There the Penns made their final Indian purchase. They agreed to pay ten thousand dollars in installments to the Iroquois, and delivered the first payment. Virginia's agent, Thomas Walker, was present, and made no objection on behalf of his province to the Penn's acquisition of the Forks of the Ohio.⁸

This purchase consisted of a belt of land running from the northeast to the southwest corner of our state. It contained nearly fourteen thousand square miles of land. For our purposes, the important matter is that this purchase included all the land from the summit of the Allegheny Mountains to the Ohio and Allegheny Rivers—as far north as Kittanning, thence by a due east line to the source of the West Branch of the Susquehanna River in the present Clearfield County.

We must bear in mind that William Penn's religious principles forbade him to use force—actual or constructive—in acquiring the property of other people. So the Penn creed did not permit the sale by their officials of any land until it had been bought by them from the Indians. As early as 1700 the Quaker-ruled Assembly enacted a law rendering null and void any title acquired by a private person through direct purchase from the Indians. The Penn family always asserted their title to the extent of the royal grant to be exclusive of the rights of any other white men, and claimed the exclusive right of purchase from the Indians.

Now while William Penn was highly ethical according to his "inner lights," those lights did not prevent him from being in business transactions a "hard" man—like the rich man in the parable who "let out" to his several stewards his nineteen talents of silver. So Penn and his heirs bought wholesale and sold at retail, counting on a considerable "spread"

⁸ Hubertis Cummings, *Richard Peters*, 296 ff. (Philadelphia, 1944); Neville B. Craig, *History of Pittsburgh*, 88 ff. (Pittsburgh, 1851).

in the process. Thus, in 1768 they paid the Indians 72¢ per square mile for their land, and forthwith priced the same mile at \$160.00 to their customers.

No sooner had this Last Purchase been made than the Penns sent out surveyors to mark the limits of their acquisition. Mason and Dixon were retained to carry their famous line from the "end of Maryland" to a point near the southwest corner of the present state of Pennsylvania. Those gentlemen believed that they had reached the limit of the Iroquois' sale when they got to the Catawba warpath and stopped there, near Mt. Morris in Greene County, almost twenty-three miles east of the exact corner.⁹

Then St. Clair and the others were employed by the Penns to run a north and south line from Mason & Dixon's stopping place to the Ohio River. This "meridian line" intersected that stream somewhere below McKees Rocks—well to the west of Fort Pitt—the bone of contention between the Penns and the Virginians.

This surveying job was St. Clair's first public service important enough to find its way into the public records. Of course, he may have settled here as early as 1764, but there is no satisfactory evidence of his being here until 1767. A Sir John St. Clair had been British Quartermaster General—one whom Forbes found very objectionable. Some confusion may have arisen owing to the identity of surname of Sir John and Lieutenant Arthur St. Clair.

St. Clair had grown up in Scotland amid the dying embers of the feudal system, under which ownership of extensive landed estates implied the right of the landowner to govern the countryside. He could not have failed to observe that the greatest landowners, like the Duke of Argyle, were the most powerful subjects in the kingdom.

So when the protracted negotiations with the Indians were completed and the Penns were at last ready to put their newly bought fourteen thousand square miles of land on the market, our retired Scottish army officer with a rich wife may have seen a vision of a New Argyleshire in the Highlands of the Alleghenies, with a St. Clair as a quasi-feudal chief thereof in fact, if not in name.

⁹ Pennsylvania, *Laws, 1700-1810* (Smith's Laws), 2:278n.

Before the Revolution there were settled in or near the Ligonier Valley the Wilsons, Harbisons, McFarlands, McDowells, Campbells, Hannas, and other Scots.¹⁰ St. Clair may have been instrumental in helping these natives of his motherland to migrate thither, to form a synthetic clan over which he might preside. At any rate, he was the best educated, most experienced and prominent man among them—certainly competent to have charge of a “post” where relays of horses were obtainable.

The Penns began the disposal of their New Purchase by setting aside “manors” or reserves of choice lands for themselves; then they allotted specific areas to selected groups or particular individuals. Thus, to Bouquet’s officers were assigned twenty-four thousand acres near Bellefonte; to Dr. Francis Allison “the Schoolmaster of the Revolution,” one thousand five hundred acres.¹¹ St. Clair seems to have been such a favored person, for while the land office was opened to the public only after April 2, 1769, his first application was dated February 17, 1769, and numbered 19. It was for 412 acres as per survey.

In less than five months after the land office was opened four thousand applications were filed. As there were only about thirty-nine thousand taxable persons in the province, the land fever must have been epidemic.¹² St. Clair was swimming with the tide.

Today, the Penns’ price for these lands seems reasonable enough—twenty-five cents an acre plus a penny a year quitrent and surveyor’s costs.

In 1770 Cumberland County included the whole southwestern part of the province. In that year, St. Clair was appointed surveyor for the district, and then justice of the peace and member of the governor’s council.

In 1771 Bedford County was cut off from Cumberland to contain the southwestern section; and St. Clair was reappointed to the same offices in the new county and also recorder, prothonotary, and clerk of the

¹⁰ Smith, *St. Clair Papers*, 1:7n.

¹¹ John B. Linn, *Annals of Buffalo Valley, Pennsylvania*, 26 (1877).

¹² Charles A. Hanna, *The Scotch-Irish*, 1:83 (New York and London, 1902); John F. Meginess, ed., *History of Lycoming County, Pennsylvania*, 61 (1892).

orphans' court. The rush of immigrants was still so great that in 1773 Westmoreland County was carved out of Bedford to become the new frontier bailiwick, and St. Clair's offices were again confided to him in this latest jurisdiction.

In 1770 began the Pennsylvania-Virginia dispute over the Forks of the Ohio and surrounding territory. The avaricious Earl of Dunmore was then named royal governor of Virginia. He took advantage of the fact that Quakerish Pennsylvania had no peace-time militia, while the Old Dominion possessed an effective body of armed men. Dunmore, in spite of Virginia's acquiescence in the Penns' Indian purchase of 1768, aimed to acquire Western Pennsylvania. Many a huge estate could be carved out of that territory. The earl had fraudulently acquired for himself a tract of fifty thousand acres in New York while he was governor of the province. Inferentially, it may be asserted that he planned to get even a larger prize for himself in Western Pennsylvania.¹³

Dunmore sent his lieutenant, Dr. John Connolly, to occupy Fort Pitt and rename it "Fort Dunmore." Connolly antagonized the traders in Pittsburgh by his high-handed, mercenary conduct. He climaxed his pretensions by summoning the settlers in Westmoreland County to muster as a militia on January 25, 1774. Then St. Clair, justice of the peace for that county, had the Doctor arrested and confined in the jail at Han-nastown. The next day the Virginian was released on his own recognizance. Later he retaliated by incarcerating three of the Penn magistrates in Staunton, Virginia. Dunmore, however, thought better of it and let them go home. But the noble earl in a sharp letter to John Penn demanded that St. Clair be dismissed from office. This, Penn flatly refused to do, saying, "St. Clair is a gentleman who for a long time had the honor of serving his Majesty in the regulars with reputation. . . . In every station of life [he] has preserved the character of a very honest, worthy man."¹⁴

Dunmore refused Penn's suggestion about establishing a temporary boundary line between the two provinces until a final decision of the dis-

¹³ George Bancroft, *History of the United States of America* (1895 Edition), 4:82; Hiland Hall, *History of Vermont*, 104 (1868).

¹⁴ Meginess, *Family of General Arthur St. Clair*, 4.

pute could be had from the Crown. That did not suit Dunmore's projects.

Then came Lord Dunmore's war with the Indians. The family of Logan, the Mingo chief, were butchered by Dunmore partisans. Forthwith, the Mingo and Shawnee took up the hatchet. They did not always discriminate between the "Long-Knives" or Virginians, and the peace-loving Pennsylvania settlers.

To safeguard the latter, St. Clair and four other leading Pennsylvanians organized a company of a hundred armed rangers to patrol their frontier and save the harvests. He paid out of his own pocket one thousand dollars a month for the upkeep of the rangers, having himself to rely for reimbursement on a niggardly Assembly in Philadelphia. Had he not assumed this risk the newly settled farming folk would have abandoned the western territory. The existence of even such a small body of armed men acted, too, as a deterrent on Dunmore's disruptive tactics.

In the summer of 1774 Dunmore ordered Colonel Andrew Lewis to lead one thousand Virginia frontier militia to the mouth of the Kanawha River. There at Point Pleasant, on October 10, 1774, Lewis defeated an equal force of Indians in a pitched battle. In the meantime Dunmore himself had led another thousand Virginians to Fort Pitt and thence down the Ohio River. Shortly after Lewis' victory, the red men sued for peace. They met Dunmore at Camp Charlotte and there made a treaty by which they abandoned Kentucky and the lands south of the Ohio to the Virginians. This increase of land available for settlement went far toward appeasing the land-hunger of countless Virginians and was an important factor five years later in producing the settlement of the Pennsylvania-Virginia boundary dispute.

Dunmore left Pittsburgh, threatening to return the following spring and then to oust St. Clair and the other Pennsylvania opponents. But in 1775 the Revolution broke out and Dunmore was himself ousted from Virginia.

In this embroilment St. Clair's firmness saved his part of the world from coming under the sway of Virginia. The initiative was his. His acts stiffened the backbone of the feeble-spined Quakerish officials in the East.

But for his decisive course the far-off Philadelphians, having to trust to an elected Assembly notorious for its unwillingness to levy any unusual tax, would have contented themselves with writing letters and have suffered the disputed territory to fall into the clutches of an aggressive land-pirate and to become part of slavocracy's domain.

By 1775 St. Clair had become thoroughly Americanized. He raised a regiment in Westmoreland County and as its colonel joined Washington's army before Boston was evacuated by the British.

Thomas Leiper, of the Philadelphia City Troop, of his own knowledge reported that St. Clair was the first man to suggest to Washington the project of crossing the Delaware above Trenton. Shortly afterward, St. Clair formulated the plan by which the American army made a night march to Princeton, where the British were again defeated.¹⁵ He was then promoted to be a brigadier general and later a major general. After Yorktown, Washington gave him an independent command to drive the British out of Charleston. They, however, took to their ships and evacuated the city before St. Clair's army arrived.

After the war St. Clair was elected to certain civil offices, particularly to the Congress of the Confederation. While filling that position he was chosen by that body to preside over it, thus becoming President of the United States during the year 1787.¹⁶ He was the last man to hold that position under the Articles of Confederation, the Constitution being promulgated that year.

While the old order still existed he was elected governor of the Northwest Territory, under the famous Ordinance of 1787. This was the earliest territorial government established under American national laws. St. Clair originated the *practice* of that type of rulership, which was to influence the development of the western lands as far as the Pacific. He it was who first lent dignity, firmness and probity to this new, distinctly American form of colonization. As a civil administrator his success is undoubted. Ohio alone had few, if any, white inhabitants when he was appointed governor. By 1800 its population exceeded 45,000 and by 1810

¹⁵ Smith, *St. Clair Papers*, 1:36, 255n.

¹⁶ Art. 9, Articles of Confederation.

that number had increased to 230,000 and it had been admitted to statehood. By 1820 it surpassed in population the neighboring state of Kentucky, of about the same area, but opened to white settlement a generation earlier. "As the twig is bent, so is the bough inclined." St. Clair laid the keel of a superb ship of state.

His military career there was not a success. Perhaps age and exposure had impaired his soldierly qualities. Sick and barely able to mount his horse, he suffered himself to be drawn into an expedition against the Indians in 1791. His army was filled up with raw recruits and short-term militia, all poorly drilled and equipped, wretchedly provisioned, and supplied by an inefficient quartermaster-general and disreputable army contractors.

This nondescript force was surprised and overwhelmingly defeated by the Indians whose munitions were gotten from the British post in Detroit.

Of course, St. Clair should have had the moral courage to refuse to lead any army so deficient in all qualifications as his was against such a formidable aggregation as the British Indians presented. He should have insisted on at least a year's drill and on satisfactory equipment. But his instincts and training as a subordinate officer made him obey the mandate of his superiors in Philadelphia—with disaster as the result.

Anthony Wayne, who succeeded him, spent two years in drilling his army and securing the requisite supplies. Then he won the great victory over the Indians at Fallen Timbers in 1794.

In dealing with the other tribes of Indians, inclined to be friendly, but requiring diplomatic handling, St. Clair again showed his disregard of his own personal interests where the public welfare was concerned.

The Indian "presents" forwarded by the parsimonious War Department on one occasion proved insufficient to placate the greedy red men, so St. Clair became surety to the extent of nine thousand dollars to the contractors who then supplied additional "gifts" and so placated the aborigines. Alexander Hamilton promised to have the Treasury indemnify St. Clair against loss from this suretyship, but left office without perform-

ing that pledge: succeeding federal officials were equally negligent and hence the obligation remained to pester St. Clair for the rest of his life.¹⁷ When Jefferson and his party came into power, the case was hopeless. That great liberal added insult to injury by removing St. Clair from the governorship six weeks before his term expired. Offensive partisanship in speeches made by the governor was alleged as the reason for his removal. But his replacement by a Jeffersonian gave the anti-federalists aid in swinging the new state into their party column.

The financial obligations which St. Clair had assumed for the government's benefit were paid only in part by him; the balance was not pressed for some time. Ultimately, however, judgments were entered thereon and the sheriff sold all his Ligonier properties, including his homestead and his other improvements. The old warrior was compelled to surrender his cherished "Hermitage" and to take up his abode in a mountain cabin owned by his son. He did not in his misfortune suffer any loss of dignity or prestige. Well might it be said of him:

Although from court to cottage he depart

His saint is sure of his unspotted heart.

Congress granted him a small pension which his hungry creditors were able to intercept. The Commonwealth's bounty of a few dollars a month eked out his scanty means of subsistence. He died in poverty in the year 1818.

We turn now to his real estate transactions with Pennsylvania. Some writers have had him procuring vast grants of land here from the Crown for military services. Nothing could be more erroneous. Penn's grant from the Crown precluded royal donations to others. The Penn family until 1776 was the only source of titles here.

The death penalty was imposed by the Act of 1768 on all private persons buying lands from the Indians or settling on Indian lands not acquired by the proprietaries. From this draconic edict there were excepted settlements made in pursuance of permits by military commanders to traders and supply men. Armies moving through the wilderness to the

¹⁷ Smith, *St. Clair Papers*, 1:249 ff.

frontier were greatly helped by such settlers. The permits they obtained were deemed to give them priority right of purchase when the land office was subsequently opened for the sale of real estate. Thus, on August 29, 1765, William Elliott received such a permit from Colonel Reed commanding at Fort Pitt for a settlement known as "Bullock's Pens," eight miles from that fort. The name suggests the source of the garrison's meat supply, and the patent later issued on it is well remembered by examiners of titles in the Wilkinsburg area.¹⁸

Photostatic copies of all St. Clair's land grants—inchoate or completed—have been obtained from the Land Office Bureau of the Department of Internal Affairs at Harrisburg. They include the transactions with the Penn family and the Commonwealth. These copies are on file in this Society's library.

Extending from 1769 to 1791, they total 9,005 acres, 127 perches—all for land in the present county of Westmoreland. At the Penns' original price (published in 1769) of twenty-five cents an acre, this total indicates that General St. Clair secured \$2,251.50 worth of Pennsylvania soil. The total, however, includes a military survey of 1783 of 6,219 acres, 35 perches. At the end of the Revolutionary War the several states having vacant land sooner or later adopted the policy of paying their soldiers by conveying land to them. Thus, Virginia gave each of her major generals ten thousand acres.

So, on September 23, 1783, Major General St. Clair appeared before the Assembly and signified his desire to purchase a tract of mountain land, adjoining his other holdings and known as the "Chestnut Ridge," estimated to contain five thousand acres. Next day the Assembly resolved to grant him a preference right to the tract subject to the payment of such consideration money as the Legislature might later determine; and directed a survey of the tract to be made in his name. A month later this survey was made and entered in the land office. No further proceedings under it are of record. No patent was ever issued on it to him or to his heirs or assigns.

Subtracting the acreage so surveyed in 1783 from the total of his

¹⁸ Pennsylvania, *Laws, 1700-1810* (Smith's Laws), Act of April 1, 1784, 2:294n.

transactions, there remain 2,786 acres, 92 perches—or land valued at \$696.50. Surely there was no land piracy.

Most of his applications were made in 1769, the earliest being dated February 17, 1769, No. 19 (surveyed at 412 acres).

Then comes No. 2736, dated April 3, 1769 (surveyed at 254 acres, 13 perches).

Then No. 2962, dated April 7, 1769 (surveyed at 439 acres), was entered in the name of James Millegan who conveyed to St. Clair in 1788: then a double entry on application of John Greant, No. 2969, dated April 7, 1769, and St. Clair's own, No. 3543, dated June 23, 1769 (together surveyed at 609½ acres).

Next is a special warrant, dated November 23, 1773, not surveyed until 1828. This includes old Fort Ligonier and is the instrument referred to earlier (p. 74). It included 734 acres, 159 perches.

Application No. 3543, dated June 23, 1769, is for land west of Chestnut Ridge including improvements made under permit of Colonel Reed, commanding at Fort Pitt.¹⁹

Finally, a warrant dated April 30, 1791, and surveyed in 1792, for 256 acres.

And now let us take up Hervey Allen's treatment of St. Clair. After Loyalhanna Creek near Ligonier had frozen solid, say about the beginning of December, 1763, Captain Simeon Ecuyer, the Swiss hero of the siege of Fort Pitt, arrived at Fort Ligonier en route to the East and medical aid. The captain musters the garrison. In the militia ranks the first name of a living man called out (p. 246) is that of Lieutenant Arthur St. Clair. "A burst of laughter, catcalls, a derisive cheer, and guffaws greeted his name." An old soldier explains that all their officers have gone off on their own affairs. "Mr. St. Clair has been selling us rations on our pay and trading for our equipment, powder, and guns. He and

¹⁹ George T. Fleming, *History of Pittsburgh and Environs*, 1:529 (New York and Chicago, 1922). As early as August 29, 1765, and at least as late as May, 1768, Colonel Reed is mentioned as commanding at Fort Pitt. However, Matthew Clarkson was there on August 18, 1766, and delivered letters to Major William Murray commanding there—perhaps temporarily.

his man Japson have et up the substance of all of us at the fort. . . . So we're half-starved and naked."²⁰

Ensign Erskine, the only officer at the fort, says (p. 253): "Leftenant Blane left this post in magneificent order last autumn. Since then it's been in the hands of our fawncy macaroni, Leftenant Arthur St. Clair."

Edward Yates is introduced as an attorney representing the proprietaries. He admits he is, but adds (p. 254-5): "my present business here is with the survey of certain lands that have been granted to Mr. St. Clair." Yates then explains that on September 18, 1763, Lieutenant Arthur St. Clair arrived at Ligonier with three papers (p. 259):

"1. A Commission as lieutenant in the 60th Regiment, your own, the Royal Americans, but that commission was resigned in the year '60—three [*sic*] years ago.

"2. A memorandum from General Stanwix ordering that all provincial forces on the frontiers should respect and obey Mr. St. Clair as though his commission were still in force, until further notice."²¹

"3. A deed of purchase of one thousand acres of land from the proprietors of the province of Pennsylvania, transferring in fee simple, subject to certain quit rents, the land upon which this Fort of Ligonier now stands and all the buildings and other works of man found upon it to Arthur St. Clair, his heirs and assigns forever, all duly registered and passed upon by the Land Office at Philadelphia.

"By the terms of that purchase, Mr. St. Clair was also authorized and required to bring in and settle as many people as possible upon his land, and the licence for so doing was attached."

²⁰ In fact Ecuyer wrote to Bouquet from Bedford on November 8, 1763: "We arrived here the 4th of this month and will leave the 9th." On the fifth Lieutenant Blane had written to Bouquet from Ligonier that the garrison there consisted of four noncommissioned officers and seventy men, all of the Royal American Regiment. Blane's letters to Bouquet continued at least until December 25, 1763. See Pennsylvania Historical Commission, *The Papers of Col. Henry Bouquet*, Series 21649, Part 2, 128, 134, 181 (Harrisburg, 1942).

²¹ Craig, in his *History of Pittsburgh*, 74, says that General Stanwix arrived in London before July 29, 1760, and was graciously received by the king; also that he was drowned en route from England to Ireland in 1766. He had reached Philadelphia from Pittsburgh by April 17, 1760.

He added that since his arrival St. Clair and his henchmen "have been extremely busy and most ingenious in transferring every known 'work of man' from the possession of the garrison into the hands of the agents and to the warehouse or store of the said Lieutenant St. Clair, including firearms, powder, garments, and even the preserved rations of the garrison, which he has managed to purvey from Bedford and in some cases to trade in for the equipment of the troops stationed here. The colonials have been half-stripped. In some cases forced to trade even their muskets for food. And when they have had the spirit to complain he had them locked up and half starved. There's scarcely a man in the place, to say nothing of the women, who isn't in debt to Lieutenant St. Clair."

"It was impossible for me to stand against him," said Erskine, "there was that order from General Stanwix." Ecuyer asked Yates (p. 264): "Is it really your impression that Mr. St. Clair is the main cause of friction here?" "Candidly, that *is* my impression," replied Yates.²²

According to the latter (pp. 264-266), St. Clair and Japson undoubtedly have in mind a little traffic in furs with the Indians. As to St. Clair, "*Dominus* is the word, sir," said Yates. "Nothing short of that will do for him. He has come into the wilderness to dominate, to avoid any opposition, something which he cannot understand or abide. . . . The colonial officers are in fact St. Clair's agents for trade. . . . They expect to settle here on St. Clair's property and prosper. Just now they are at Bedford to meet a train of pack horses bearing Mr. Japson's goods. . . . St. Clair is, of course, too clever to own those goods openly himself. They are probably the legal property of Japson . . . but I have no doubt St. Clair is providing the capital for this venture. Only a few years ago he married a niece of Governor Bowdoin of Massachusetts Bay, and 'tis said she brought him fourteen thousand pounds sterling in her own right. . . . The proprietors of Pennsylvania have sovereign and feudal rights, which might hold even against the king's officers."

Upon St. Clair's return to Ligonier, Ecuyer tells him that his two militia officers are under arrest, but since St. Clair has resigned from the

²² Fleming, in his *History of Pittsburgh and Environs*, 1:466, says that Stanwix was colonel of the 62nd Regiment of Foot from January 1, 1756, and a major general from June 25, 1759.

army, he is not, and adds (p. 301): "What you have been doing here . . . has disrupted the discipline of this fort and threatens to interfere with Colonel Bouquet's expedition. I refer to the supplying of the savages with arms and ammunition. . . . At this time with the frontiers hanging by the thread of one road . . . your conduct is tantamount to treason. . . . I will permit no trade to go on west of the Allegheny Mountains. . . . You have probably heard of the royal proclamations about trading with the savages?" "Yes," said St. Clair, "I have heard of 'em."

"How is it," said Ecuyer (p. 302), "that a certain British officer . . . is now engaged in trading enterprises that amount to giving aid and comfort to the enemies of his king?" St. Clair replied that he had come to America to make his fortune: "I shall remain here the rest of my life, and hence the interests and advantages of this place are hereafter and forever my own. Against all other interests, captain, even against the crown and its officers—when they conflict. . . . You . . . wish to defend the frontier for the king. But the best defence of the frontier is to permit the people to settle here and exterminate the Injuns. . . . It is to my advantage . . . to the advantage of everybody except the king . . . to open up this country across the mountains to settlement, trade, and a vast continental prosperity that surpasses and overleaps the island imagination of all at home."

Ecuyer demands the paper given by General Stanwix to St. Clair (p. 303), "reviving under certain conditions the lieutenant's commission you have resigned. It was yours on only one supposition, of course; that you would use it to further the interests of the king as a loyal officer. And you have been using it not for that, but for your own purposes. . . . I shall return it to the present commanding general." St. Clair said that the paper was at Bedford and agreed to surrender it there.

Penn's lawyer, Yates, went over his survey of St. Clair's grant (p. 305). The latter complained that a meadow and the spring west of the fort were excluded. Then St. Clair paid ten pounds to Yates to change the survey so as to include them. Albine then organized an expedition which captured the St. Clair-Japson train of pack horses and £1,000 worth of goods they were bringing up from Bedford. Then Ecuyer agreed to return the captured goods if St. Clair and Japson would not

trade with the Indians until after Bouquet's return from the western campaign which he had planned to end the war with the savages. They both agreed to these terms (p. 339).

And here endeth the First Lesson. No more recitals in *The Forest and the Fort* to tell whether the two conspirators or traitors aided the red men in opposing Bouquet whose expedition in the following year brought about a peace which lasted ten years.

Closing the book, we ask ourselves why these extreme and absurd statements about a man destined to greatness? Has the author some undisclosed grudge against the general or any of his numerous progeny? Or what in the world can have made him portray an historic character so differently from the recorded truth?

A very brief résumé of the aberrations from the facts shows:

1. There is no record that in the 1760's St. Clair was a lieutenant in any Pennsylvania militia regiment. The Quaker colony with the greatest reluctance voted for soldiers and supplies for the common defense at intervals from 1754 onward. When Forbes came here in 1758 the Assembly voted for four thousand men and appropriate supplies. After the fall of Quebec and the abandonment by the French of the forts at Venango and Erie, on December 4, 1759, General Stanwix wrote to Governor Hamilton that as the Pennsylvania Assembly had directed the disbandment of their troops, he had ordered the Pennsylvania soldiers then west of Bedford to march to Lancaster "to be paid and broke." In 1760 General Amherst asked Pennsylvania for only three hundred soldiers. When Pontiac's War began in 1763 the forts in Pennsylvania were garrisoned mainly by Royal Americans of the British Army. In that year the Assembly authorized the raising of only eight hundred troops.²³

St. Clair had resigned his lieutenantcy in the Royal Americans in April, 1762—after actual hostilities in Canada had ended, with peace parleys in the offing. Is it at all probable that a little more than a year later he had sought a lieutenantcy in a militia regiment, a force that would

²³ *Frontier Forts of Pennsylvania*, vol. 2, by George Dallas Albert, p. 214, second edition (Harrisburg, 1916); Howard M. Jenkins, ed., *Pennsylvania, Colonial and Federal*, 1:519, 528, 530 (Philadelphia, 1903).

be disbanded in a year? Hervey Allen, to be sure, says that St. Clair resigned in 1760. That is wholly incredible: the fighting was still going on then and St. Clair would not—could not—quit his regiment till the battles were over.

Moreover, lieutenants in the militia were the recruiting officers gotten by the higher-ups to assist in gathering in the younger element—the under-privileged—from their homes to form the rank and file of the regiment. St. Clair had then no such local affiliations in the province as to make him competent for that work. Had his wife's fortune been a factor, he surely would have procured a higher rank than lieutenant.

2. Before September 18, 1763, the Penns had conveyed the land on which the king's Fort Ligonier stood to St. Clair in fee. This is the crowning absurdity of all.

By the Treaty of 1754 the Six Nations had ceded certain lands to the Penns. The Indians believed the western limit to their cession was the crest of the Allegheny Mountains: the whites construed the grant to run to the present Ohio state line. Hence settlers began to squat west of the mountains. This caused great disaffection among the red men. They took up the hatchet against Braddock's army with disastrous results to the whites. After Braddock's defeat, the Pennite officials in 1757 agreed with the Indians to relinquish their claims to lands west of the Allegheny Mountains. And in 1760 the Assembly sent a formal renewal of the pledge to that effect to the Iroquois.²⁴ This pledge was strictly adhered to by the land office officials until at Fort Stanwix, in 1768, the Six Nations, for a valuable consideration, sold their rights to the disputed area. In February, 1768, the Assembly enacted the death penalty for anyone occupying land west of the mountains. To believe that, as soon as Bouquet had driven off the Indians at Bushy Run on August 6, 1763, and the news of this success had been carried to Philadelphia, the Penns would forthwith make out a deed in fee simple to cover the King's fort at Ligonier taxes the credulity of the simplest mind.

3. The statement that Yates changed the survey after the deed had been duly registered in the land office at Philadelphia shows the ineptitude

²⁴ Jenkins, *Pennsylvania, Colonial and Federal*, 1:473, 476, 516.

of the author. A deed conveys a definite parcel of land—one from the proprietaries was denominated a “patent.” It was preceded by an “application,” generally, on which a “warrant” to survey was issued and when the survey was returned and the purchase price paid the final deed or patent was issued. Before August 6, 1763, the Indians would have effectually scared off or shot down any attempted survey round about the fort. And it would have taken more than the fifty-three days Allen gives (August 6—September 18) to make the survey, take it back to Philadelphia, get the slow-moving land office to draw a deed from it, and then return the two hundred and twenty-nine miles (over what passed for roads in that day) to Ligonier.

4. That Stanwix had given St. Clair an informal renewal of his army commission after he resigned. Actually St. Clair resigned in April, 1762. Stanwix succeeded Forbes in 1759, built Fort Pitt in 1759–60, sailed from Philadelphia shortly after April 17, 1760, and was received by the King on July 29, 1760. Six years later he was drowned in the Irish Sea. He had never returned to America. He clearly never signed such an instrument.

5. The statements of St. Clair’s illicit Indian trade carried on in conjunction with the Quaker Japson are not susceptible either of proof or refutation. He must, had he set foot in Pennsylvania, have known of Pontiac’s Conspiracy—that far-flung concerted effort by scores of Indian nations to obliterate the white strongholds throughout the Ohio Valley. He would by midsummer of 1763 have heard of the capture of Presque Isle, Le Boeuf, and Venango; he could not have failed to sense the terror that calamity inspired in every white man west of the Susquehanna. He would perforce have admired Bouquet after the victory at Bushy Run, and could not have dubbed the great soldier “Bucky.”

Under no circumstances could he have organized shipments of munitions to the red men and arranged to settle whites in Ligonier Valley, so recently the scene of the Indian battles. Until the middle of the following year, 1764, Bouquet did not know whether Pontiac’s forces would or would not renew their campaign; it took time for them to get more ammunition from the French settlements on the Mississippi; obviously in the autumn of 1763 no one thought of locating his family west of Laurel

Hill. In fine this account of St. Clair at Ligonier in 1763 verges on the absurd.

A bare departure from the perpendicular truth is not a sin on the part of a novelist—even a historical novelist. Mr. Allen has expounded his creed in that role very clearly. In the *Atlantic Monthly* for February, 1944, he says (p. 119 ff): "The novelist is, therefore, under obligations to alter facts, circumstances, people and even dates—to play hob, if necessary, with strict literary history, provided the psychological truth he is trying to project demands that the literal, factual truth be altered to produce a more significant effect. . . . But the historical novelist . . . ought not to fool with his sources. He may quite properly commit grand larceny on history, but he should not indulge in ill-designed counterfeiting. The notes he utters on the bank of the past must be good enough to pass current from hand to hand in the future, fine examples of the engraver's art, meticulous in detail, bold and beautiful in general design—indelible."

The author's uncle, Harold, was too good a lawyer to write about "notes he utters *on* the bank of the past." He would have said: "Notes purporting to have been issued by the bank," etc.

But "miscalling technicalities" is a trivial matter. Little can be found to object to in the principle announced. The application of that principle is the matter of the moment. Has the author fooled with his sources? Is his counterfeiting good enough to pass current? Plainly not. St. Clair had too good a reputation to be thus treated. John Penn in 1774 praised him most highly. Washington after Yorktown gave him an independent command and renewed his appointment as governor of the Northwest Territory. St. Clair was repeatedly honored by his neighbors electing him to office, and under the Articles of Confederation he was the last President of the United States. During his life or since his death, more than a score of places have been named for him—extending from the Appalachian Mountains to the Ozarks—cities, counties, boroughs, townships, post offices, and even a lake and a river. His personality must have been impressed on a vast number of people, particularly the historically-minded. And they are the sort who read historical novels.

The conclusion therefore is that Allen's counterfeit is a raw one readily distinguishable from the genuine note issued by the bank of the past. Thousands of persons know (by reputation) the genuine instrument.