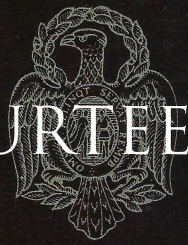


CINNATI FOURTEEN



1783



Journal of The Society of the Cincinnati
Fall 2013
Volume 50, No. 1

CINCINNATI FOURTEEN





“A gentleman has departed! A gentleman in all senses of the word, who stood as an oak, and under whose branches the younger members were sheltered and nurtured. The world may not know what it has lost, but we do.” —Cliff Lewis

The Society lost one of its most loyal and beloved members when past Secretary General Philippus Miller V—“Binnie” to those who knew him—passed away in Bryn Mawr, Pennsylvania, on August 18. “Binnie was the ultimate gentleman,” writes Pennsylvania Society President Chuck Coltman, “kind to all in every circumstance. He never took offense, never gave offense. Binnie was the epitome of what our Society should be.” Others will remember Binnie that way. “Binnie’s graciousness, ever-present kind view of others and reassuring smile,” says Jim Pringle, “are in my mind forever.”

Binnie joined the Pennsylvania Society of the Cincinnati in the right of his great-great-grandfather Lt. Col. Caleb North of the Pennsylvania line in 1971. He was born in Bryn Mawr in 1928. His father—also Philippus Miller—was a professor at the University of Pennsylvania and one of the most prominent Egyptologists of his generation, so Binnie came by his interest in history naturally enough. When the elder Miller was invited to teach at Oxford, the family moved to England, where they remained throughout the Second World War. Binnie was too young to fight in the war, but it provided some of his most vivid memories. He lived through the Blitz and later, the vast buildup for the invasion of Europe.

He joined the army in 1946, shortly after his eighteenth birthday, and was assigned to the First Infantry Division. He had a talent for music, among many other things, and learned to play the clarinet for army touring bands. An avid dancer, one night he was invited to step out of the band to dance with Rita Hayworth—a story he delighted in telling. Following his military service, he earned his Bachelor’s degree at Trinity College, Dublin. In 1952 he returned to his native Philadelphia, where he began his career in the reinsurance business.

After joining the Pennsylvania Society in 1971,

he rose steadily through the ranks, and touched the lives of other members along the way. “His positive and upbeat attitude on all topics was an inspiration,” remembers Lewis Graham. “It was a privilege to serve as secretary to President Miller and I have strived to follow his example.” For all his warmth, he took the work of the Society seriously. “My application to the Society was examined in great detail by Binnie,” writes Stephen Hall, “he was always very thorough and exact,” and “always a wonderful person.” Binnie was elected secretary general in 1992.

PHILIPPUS MILLER V 1928-2013

In addition to his involvement with the Society, he was a member of the Philadelphia Club, the First Troop Philadelphia City Cavalry and the Merion Cricket Club. Above all, he was attached to his wife, Wistie, and their family—including their sons, Philippus and Caleb North Miller, both members of the Pennsylvania Society.

He was a gentle man, easy to be with. John Tuten recalls: “Shortly after moving into their new house on Owen Road, Wistie noticed their somewhat strange neighbor walk in their front door. Binnie was watching television in the living room and the neighbor sat down with him. Neither spoke, the sporting event finished, the neighbor got up and left. At dinner Binnie asked Wistie who the strange man was. Always polite, never judgmental—peaceful and comfortable in his own skin—that was Binnie.”

“Binnie will be sorely missed by all of us,” writes Bob Sproat. “He was always there to give me advice as I moved through the ranks of the Pennsylvania Society, and of course over the many years he and Wistie were gracious with their time and most enjoyable to be with.”

Thursday Oct: 26th 1775
 We were this day visited by Mr. Mifflin
 an Ingenious Gentleman who is our
 fast friend & was informed by Mr. Avery
 it was uncertain whether the Cont^l
 Report would be heard by the Congress
 this day or Aft: of Urgent Business now
 before them — who also informed us
 that Doct: Smith and his friends of adhe-
 -ents had Laid in a caveat to their House
 of Representatives praying them not
 to confirm any Recommendations of
 the Congress that shall in any way interfere
 with the internal policy of these Colonies
 of Pennsylvania — (Done with Special
 reference to the matter of Ours Now before
 the Congress as is supposed & lay the
 appearance of matters on their side —
 Doct: Smith & some of his Cabb: would
 think themselves happy to use this
 thing as a means to Defoliate the
 Union of the Colonies — from which
 I have but little faith

Thursday Oct: 26th 1775
 this City I doubt ^{not} ~~whether~~
 coming into Delaware
 be sufficient to reduce the
 Province to the Obedien-
 -ce of the Landing all the
 the Quakers the Dunka
 party to the Desert M^{rs}
 will assured make up
 Province, the they are
 present by the Act
 Party and once a free
 Heads; but not for a
 ministerial party —

Friday Oct: 27th
 Nothing Matters
 Day no Report as
 to Court

Saturday Oct: 28th
 a Rainy Day
 but wait as per

Sunday Oct: 29th
 had the pleasure

THE DIARY OF WILLIAM JUDD 1775-1776

Among the treasures in the library of the Society of the Cincinnati is a manuscript diary kept in 1775-1776 by William Judd, who served as a captain in the Connecticut Continental line from October 1776 to January 1781. The diary was presented to the Society in 2010 by William Hart Judd, Jr., of the Connecticut Society, on behalf of himself and his four sisters—all children of the late William Hart Judd, himself a devoted member of the Connecticut Society.

The diary was presented to the Society as part of a larger collection that includes Captain Judd's 1776 commission as captain in the Third Connecticut Regiment, manuscript rosters and a clothing account for the company he commanded, several printed and signed enlistment forms, and his own oath of allegiance to the United States. The collection also includes Captain Judd's Society of the Cincinnati diploma as well as a receipt for his payment of \$40—the equivalent of one month's military pay—to the Connecticut Society treasury in 1783.

William Judd's diary is the most important piece in the collection. It documents his role in the conflict between Connecticut and Pennsylvania over possession of the upper Susquehanna River Valley frontier—a conflict that threatened to undermine the colonial union. His diary also illustrates the complexity of the political circumstances facing the

rebellious British colonies in 1775, as colonists struggled with one another for control of the frontier at the same time they were fighting a war with Britain.



The Judd diary illuminates an important episode in the competition to control the Susquehanna frontier—one of several frontier conflicts that shaped American politics during the revolutionary era. Most of the valuable land in the long-settled regions had been claimed by the middle of the eighteenth century. Investors and prospective settlers looked west, to unclaimed land on the frontier that ran from the interior of Maine through western New Hampshire and northern and western New York, northern and western Pennsylvania, and western Virginia, the Carolinas and Georgia. The most ambitious looked beyond—to the Ohio Valley, the rich lands of central Kentucky and the Cumberland Valley and the pine forests of the far southwest, on the borderland of West Florida.

Authority over many of these regions was hazy. Competing colonial governments issued grants to land in regions to which their claims overlapped, in hopes that actual possession would weigh heavily when jurisdiction was ultimately settled in Whitehall—a strategy that turned settlers with competing titles into antagonists who sometimes resorted to arms to uphold their claims.

The upper reaches of the Susquehanna River, in what is now northern Pennsylvania, was one such region. It was claimed by Connecticut and Pennsylvania. Connecticut’s claim rested on the colony’s 1662 charter, which granted the colony a strip of land extending from “Norrogancett Bay on the East to the South Sea on the West parte”—that is, all the way to the Pacific Ocean. The Connecticut charter ignored the overlapping

Dutch claim to the New Netherlands (that claim extended from the Connecticut River west to the Delaware River). The English seizure of the New Netherlands—subsequently New York—in 1664 complicated the situation. A commission set the Connecticut-New York boundary along a line about twenty miles east of the Hudson, with the exception of a small Connecticut panhandle embracing the existing Connecticut towns of Greenwich and Stamford on Long Island Sound.

Connecticut persisted in its claim to the land described in the charter that lay *west* of the Delaware River, which was the western boundary of New York. This claim was undermined by the royal grant to William Penn made in 1681, which specified that Pennsylvania would be “bounded on the east by Delaware River” as far north as “the three and fortieth degree of northern latitude”—the present northern boundary of Pennsylvania—which the Crown specified extended “westward five degrees in longitude.”

King Charles II thus granted to William Penn land he had previously granted to Connecticut. Like many boundary disputes between British colonies, this one was the subject of repeated appeals to the Crown. The Connecticut government hoped that its prior claim would be upheld. The Pennsylvania government expected its more recent grant would be confirmed. While flawed, Connecticut’s claim to land on the other side of New York was not unprecedented. The Crown acknowledged the claim of Massachusetts to the vast region that would become Maine, despite the fact that the two were divided by New Hampshire.

Pennsylvania and Connecticut each hoped the British Crown would uphold its claim to the upper Susquehanna.

Connecticut’s claim to land west of the Delaware River was almost entirely theoretical until the middle of the eighteenth century, by which time most of the colony east of the New York border had been settled. In 1753, Connecticut colonists formed the Susquehanna Company to settle the region, beginning with an area on the Susquehanna known as the Wyoming Valley. The French & Indian War and Pontiac’s Rebellion discouraged Connecticut settlers for more than a decade, but in 1769 over two hundred settled a town on east bank of the Susquehanna, which they named Wilkes-Barre.

Pennsylvanians dispatched militia from Northampton and Northumberland counties to drive the Connecticut settlers out. The two sides skirmished off and on for two years, with one side and then the other gaining the advantage. Losses in these skirmishes were light, as armed conflicts go—a few dozen men were killed and more were wounded—but the struggle engendered bitterness on both sides. The armed clashes ended in August 1771 when the Connecticut settlers forced the surrender of a fort constructed by the Pennsylvanians. Connecticut settlers started to arrive in greater numbers, and in 1774 Connecticut organized the region as Westmoreland Township and annexed it to Litchfield County.



William Judd became one of the proprietors of the Susquehanna Company in 1773 and was appointed to the standing committee of the company in March 1774. He was thirty-one years old, having been born in Farmington, Connecticut, on July 20, 1743, the third son and sixth child of William Judd and his wife, Ruth. The Judds of Farmington were descended from Thomas Judd, who settled in Cambridge, Massachusetts, in 1633 or 1634 and who moved

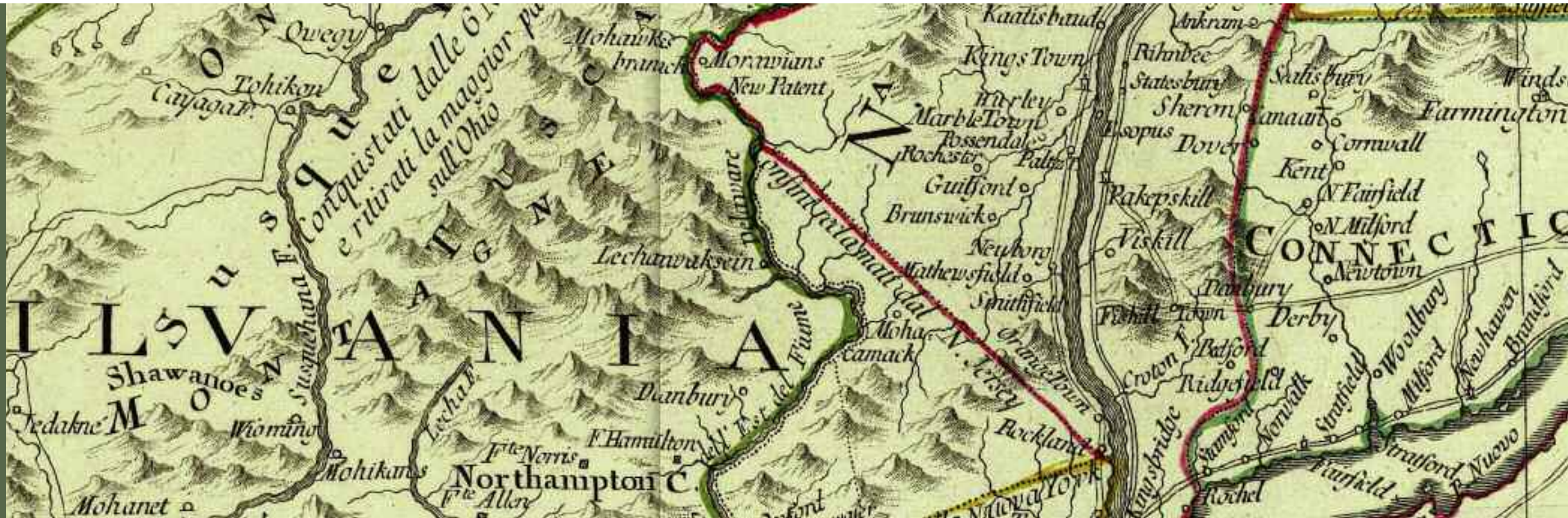
in 1636 to the Connecticut River with the Rev. Thomas Hooker. About 1644 Thomas Judd became one of the original proprietors of Farmington. William Judd graduated from Yale in 1763. He studied law and was admitted to the bar in Hartford County in 1765.

Judd was an ardent Whig, but in the late spring of 1775—as Americans took up arms to defend their liberties—his attention was not focused on events around Boston. He had decided to leave Farmington and establish his family on the Susquehanna frontier ,where he hoped to make his fortune. In May he was appointed major of the militia for the Town of Westmoreland, which embraced the entire region claimed by the Susquehanna Company. Thereafter his attention was occupied with leading a party of Connecticut settlers to the West Branch of the Susquehanna. Judd could scarcely have imagined that he was about to stir a political controversy that would threaten the fragile union of the colonies and endanger the cause of American liberty.

Judd was advised to proceed with caution by at least one man he knew and respected. Eliphalet Dyer, one of the founders of the Susquehanna Company and a Connecticut delegate to the Continental Congress, wrote to Judd on July 23 to avoid antagonizing the Pennsylvanians in the region. “A jar between two Colonies,” he warned, “may be of allmost fatal Consequence to the whole.”

Unfortunately Dyer had a tendency, John Adams wrote, to be “longwinded and roundabout,” and he failed to discourage Judd from leading settlers to the West Branch. Indeed he advised him to do so, and when he got there to try to win the support of Pennsylvania settlers already there by promising that their claims (at least to land they had actually improved) would be recognized. Dyer even suggested buying them off with

Judd rode west from Farmington (at upper right) through Sharon and Kingston—Kings Town on this map—and crossed the Delaware River into unsettled country. The Connecticut settlements were locating around the point marked “Wioming” at lower left on this 1778 map, *La Pensilvania, la Nuova York . . . con la Parte Occidentale del Connecticut*, published in Venice.



promises of additional land. The best strategy, he suggested, was “to flatter in the bulk of the People.” Dyer wrote that the speculators in Philadelphia who were interested Susquehanna lands could be dealt with later.

A clearer warning came from Silas Deane, another Connecticut delegate to the Continental Congress. In late July, Deane wrote to Col. Zebulon Butler, the commander of the Connecticut militia on the Susquehanna frontier, that nothing should be done to antagonize Pennsylvania settlers. “Should violence of any kind be committed,” he warned, “the Consequences will be terrible beyond description.” He added

that “any rash measures, at this Time, will ruin Our Cause forever.”



William Judd left Farmington for the Susquehanna on August 10, 1775. His diary records the common sufferings of eighteenth-century travelers as well as the political sentiments of the people he encountered. At Sharon, Connecticut, he noted that he was “almost Destroyed by Bed Bugs,” adding: “Never catch me there again.” As he made his way through Dutchess and Ulster counties in New York, he commented approvingly that the people he met were “Zealous

Whiggs” and “good Whiggs.” He wrote that the tavern keeper who served him breakfast on August 16 was “a Sensible and Zealous Whigg fully determined to maintain his Libertys till death.”

Leaving New York, he crossed the Delaware River and made his way through wild country toward the Lackawaxen River, noting when he saw “a Huge Bear sitting on her Bottom.” In this unsettled region he was happy to have a place to spend the night, even if he did have to sleep on the floor wrapped in his cloak, “troubled with Great Musquitoes fleas and Every Evil Animal.” Pushing on, he rode down the Lackawanna River

and through the Wyoming Valley, reaching Wilkes-Barre, or as Judd wrote it, “Wilkesberry,” on August 20. Judd spent the next month as the guest of Zebulon Butler, who served as his guide in exploring the Connecticut settlements. Judd also occupied his time conducting legal business. He was impressed by the land along the Susquehanna, some which he thought was “equal in Qullity to any Land under the Sun.”

By the middle of September, plans for an expedition to settle the West Branch of the Susquehanna were well advanced. Along with Judd, the party would be led by Joseph

Sluman, the thirty-nine year old nephew of Governor Jonathan Trumbull. A 1756 graduate of Harvard College, Sluman was an established merchant in East Haddam, Connecticut. He was deeply involved in the Trumbull family’s diverse business interests, and had made trading voyages to the West Indies and Nova Scotia. He was also involved with the family’s interests in the Susquehanna Company.

On September 16, Judd and Sluman met with men who were interested in going to settle land on the West Branch. The group agreed to “Articles of Association,” affirming their obedience to the laws of

Connecticut, their loyalty to the Continental Congress, and their commitment not to molest any Pennsylvania settlers or attempt to dispossess them of their land. They further pledged not to desert the expedition without permission. The party had a distinct military character. Zebulon Butler, colonel of the local militia, was present at the meeting, and Judd, as the senior officer going on the expedition, was its commander. The expedition would be guided by John Vincent, a disaffected Pennsylvanian who lived near the West Branch.

Establishing a new settlement on the West Branch of the Susquehanna was certain to

provoke the Pennsylvanians. The region to which Judd and Sluman planned to lead the party was less than twenty miles upstream from Sunbury, the Pennsylvania settlement at the junction of the east and west branches of the Susquehanna and the seat of Northumberland County. It was close to the southern boundary of Connecticut's claim.

Surprise had already been lost. Residents of Sunbury had been expecting the Connecticut settlers all summer. Philip Fithian, a young Presbyterian minister who visited Sunbury in July, recorded in his diary that "the people here are all cordial and inveterate enemies of the Yankees, who are settling about in this Province on the land in dispute between Connecticut and Pennsylvania. It is said they are intending to come down into this neighborhood and fix down upon the unsettled land, which exasperates the people generally." John Vincent's son, who was in Salisbury shortly before the expedition marched, gossiped freely about what was about to happen. The local Pennsylvania magistrates were well aware that Judd's party was on its way to the West Branch.

The Sunbury gossip placed the number of men with Judd at some three hundred—a number that later circulated freely—but

the real number was about eighty. The party left Wilkes-Barre on September 21. About thirty were mounted and the rest went on foot. Vincent guided the party north from the East Branch, then west to the West Branch, avoiding Sunbury. Their route took them through rough country, much of it without a discernable path through the woods. Judd compared it to wandering in the desert. After two and a half days they reached Warrior's Run, a tributary of the West Branch, where Vincent and other Pennsylvanians had staked their own claims. Judd and Sluman visited with the Pennsylvania settlers and assured them that their claims were safe.

On September 25 Judd concluded that the prospects for the settlement were “agreeable.” Aware that news of his party’s arrival had certainly reached Sunbury, Judd wrote to Dr. William Plunket, the presiding justice of the Northumberland County Court, assuring him of the party’s peaceful intentions. But however optimistic Judd may have been, he directed his men to prepare to defend themselves. The party was divided, with some at the home of Garrett Freeland, a Pennsylvania settler who operated a mill on Warrior’s Run. The rest were with Judd

at Vincent's farm, a short distance away. A local settler reported that at Vincent's he "saw a number of men paraded under arms, amongst whom was one they called the Major." Judd told his men that "they would be attacked that Night or the next Morning, and exhorted them to stand together like men, that they were come to enforce the Connecticut Laws, & Settle the Vacant Lands, and they would do it or die every man on the spot, and for the honor of their Country." He advised his men "to Sleep with their arms by them, and their Pouches and Horns about their Necks, that they might be ready in a minutes notice."

In his diary for the next day, September 26, Judd wrote that they “were informed of a Military Preparation making against us.” Judd sent a member of his party, Jeremiah Bigford, with another letter to Plunket. Judd noted that Bigford “was taken into custody & no answer returned, but heard generally we were all to be murdered & that there was about 600 of their party and so Situated it was Impossible fro us to retreat.” Judd’s estimate of the number of Pennsylvania militiamen was exaggerated. The actual number was probably about 200 men.

Judd gathered all his men at

Freeland's Mill, writing that he feared the Pennsylvanians would destroy Vincent's property if they remained there. Badly outnumbered, Judd's men prepared for battle. He wrote: "expecting nothing but a furious onset & to save ourselves from Immediate Death roled a few Logs together for a Shelter secured ourselves as well as we could. They soon rushed us with a furious savage yell & fired three or four guns at one of our People—at our request the[y] Beat a parly & gave us for Terms—Prisoners of War Persons & Effects at Discretion which we refused we ordered our People not to fire which we informed them off they began a fire we retreated through much Danger." Judd added that "we lost one man & two wounded all Prisoners."

William Judd's diary offers the only known first-hand account of the brief battle at Freeland's Mill. A second-hand account written by a Pennsylvanian a few weeks later reports that the Connecticut men were protected by breastworks, as Judd describes, and says that both sides fired three volleys,

Judd's party fought with the Northumberland County militia near Warrior's Run, at upper left on this detail from *Pennsylvania entworfen von D.F. Sotzmann* (Hamburg, 1797). Collection of Jack Warren.

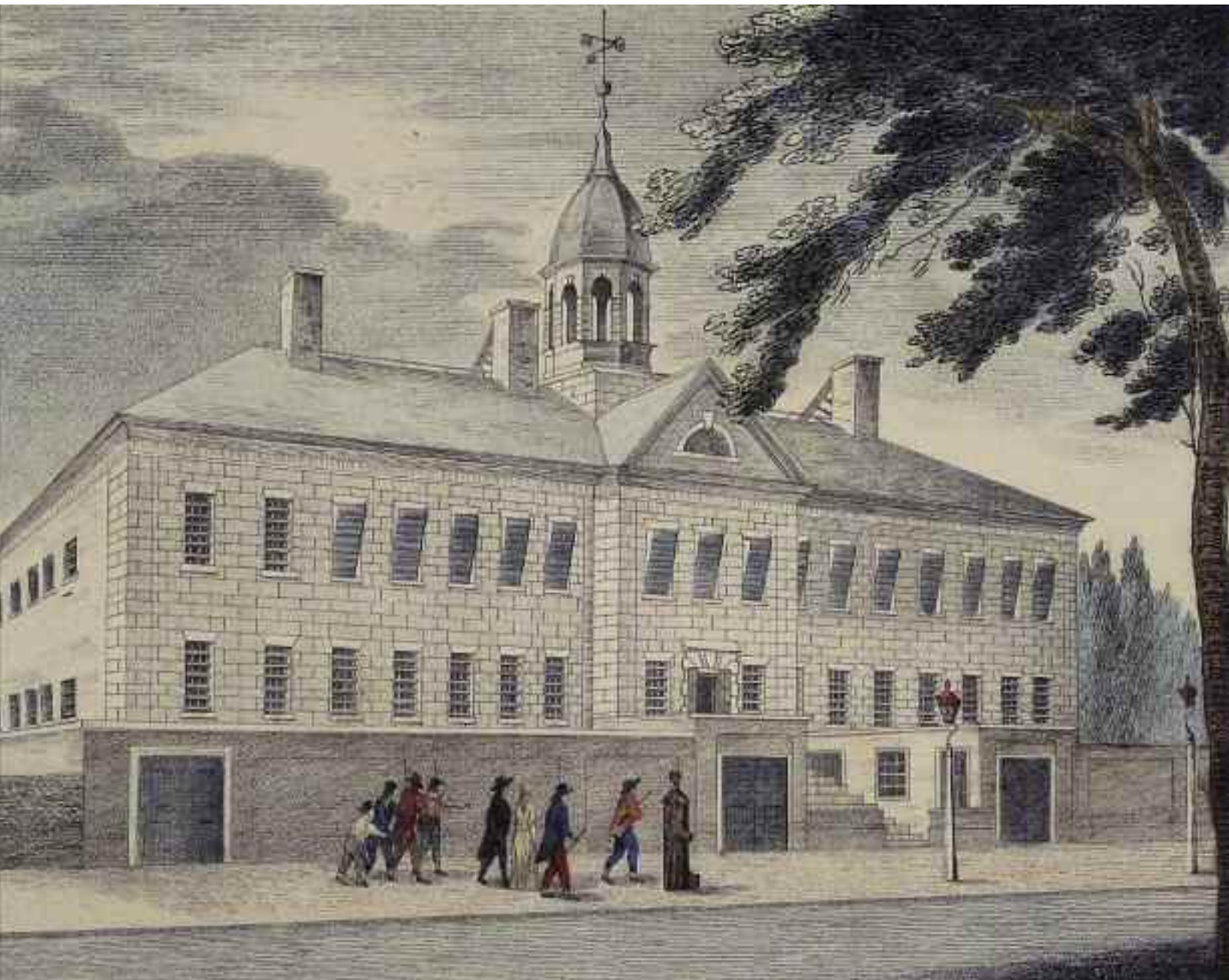
which is probably what Judd meant by “three or four guns.” The Pennsylvania report noted one Connecticut man killed and two wounded as well, and gave the number of prisoners taken as seventy-two.

From this point, Judd's diary is a chronicle of his imprisonment by Pennsylvania authorities and his efforts to secure his freedom, set against a background of political maneuvering, mounting violence on the Susquehanna and increasing

tension on the entire American frontier, as the war that had begun in Massachusetts spread through the colonies, transforming local and provincial disputes, and polarizing and redefining antagonists as Whigs and Tories.

Outside Boston, George Washington was forging militia-men into an army capable of challenging the British in what he knew might be a long war. Cooperation between the colonies was essential to provide for the army. Building an effective union was also vital to





William Judd was one of the first people imprisoned at Philadelphia's new Walnut Street Jail, seen here in an engraving by William Birch (Philadelphia, 1799). Collection of Jack Warren.

attracting the support of Britain's European rivals, particularly France.

Yet the thirteen colonies had little history of effective cooperation. Rivalry and competition had often characterized their relations. Boundary disputes and overlapping, mutually exclusive

land claims had long sowed distrust and animosity between their political leaders, who were often investors in frontier lands. The Continental Congress, an ad hoc institution created to provide a unified response to the crisis unfolding in Massachusetts, lacked the sovereignty needed to resolve the problem and

possessed no more authority to address the issue than the parties were willing to delegate to it.

Congress had received appeals that it intercede during the summer. The issue was at best a distraction, and at worse a source of deeper division. Any effort to devise a solution and

impose it on the parties—one of which would surely object to any ruling Congress might make—risked alienating one of the colonies while exposing the impotence of Congress. John Hancock had wisely sidestepped the issue by tabling the matter, but the violent clash at Freeland's Mill and its aftermath forced the frontier conflict into center stage.

The victorious Pennsylvanians marched Judd and his men to Sunbury. They lodged Judd and Sluman at a tavern while their men were held in a log stable. "Every thing appeared gloomy," Judd wrote. The Pennsylvanians were "all Exasperated to a frenzy I never before Saw Among the Sons of men." Five of the Connecticut prisoners in the stable were put in irons. All of them, Judd wrote, "Suffer'd much for want of provisions," having been giving nothing but a little bread to eat. On October 3, the horses, guns, saddles and other effects of the Connecticut men were sold at a public auction. It was, Judd wrote, a "Maloncholy Situation" but he faced it "with a good Heart Expecting Deliverance in an Honourable way Conscious that my Conduct is Completely Justifiable and doubt not of the Event."

A few days later the Northumberland County

militia marched all of the prisoners, except Judd and Sluman, out of town and released them. Judd and Sluman were held for three more days and then taken off in the direction of Philadelphia under guard. The party reached Philadelphia on October 11. Judd and Sluman were lodged at the Indian Queen Tavern in the custody of the sheriff. Judd wrote immediately to Connecticut congressmen Eliphalet Dyer and Roger Sherman, who came to the tavern, but were only permitted to speak to the two prisoners briefly. Two days later, Judd was permitted to call on Eliphalet Dyer and Silas Deane at their lodgings. Judd found Dyer "very friendly & kind" but thought Deane "sower and nasty."

Deane's hostility reflected his view of the seriousness of the situation. News of Judd's expedition and the battle at Freeland's Mill had reached Philadelphia before Judd and Sluman, and roused the anger of wealthy, influential men in Philadelphia who had an interest in the Susquehanna lands. Judd and his party, Deane wrote to a friend in Hartford, had conducted themselves "in a most shocking manner, so as to alarm this province and City to its very Center."

The Pennsylvania delegates in Congress were outraged, and grew angrier when Dyer and others from Connecticut attempted to justify the expedition. Dyer's "indiscreet zeal" for the Connecticut settlements, Deane wrote, had undermined relations with the Pennsylvania delegates and played into the hands of "artful and designing men," opposed to the American cause, who were using the conflict to sow distrust between members of Congress. Under the circumstances, "Judd and Slumans expedition," Deane complained, "was the most pernicious step they could have taken," a "mad frolic" that threatened "the very Union of the Colonies." In an effort to defuse the situation, Deane openly condemned Judd and Sluman.

Trying to quiet the discord, John Hancock referred the issues raised by the Judd expedition to a committee consisting of the Pennsylvania and Connecticut delegates, hoping they would resolve the conflict themselves. Delegates from the two colonies met nearly every day for several weeks, but could not reach a compromise, even on how they might maintain the status quo until the more critical situation at Boston was resolved.

Meanwhile Judd and Sluman were brought before Benjamin Chew, chief justice of Pennsylvania, who levied £500 bail for each man. Chew also required each to secure two Pennsylvania freeholders as sureties for his appearance before the Northumberland County court to answer whatever indictments might be brought by the grand jury.

Since neither man could post bail, they were confined in the Old Stone Jail, located at what is now Third and Market Street. The jail was over sixty years old, dirty and badly overcrowded. Prisoners were confined in common rooms. Judd was held in a room in a room with five or six other men—the number varied as men were imprisoned and released—and spent part of each day in a common dining room, where prisoners had to pay the jailer for food and drink.

Judd waited daily for news of the committee's deliberations, expecting that some decision favorable to Connecticut might result in his release. Time weighed heavily on him, especially on Sundays when the committee did not meet and no progress could be expected. "Nothing but direfull Oaths and unprovoked imprecations from our Neighbors the Debtors and Criminals here

confined," Judd complained on October 22. His restlessness grew as the days passed. "Waiting with impatience," he wrote on October 30. A few days later he poured out his frustration: "why the Report is delayed is very Wonderfull to me but if Preconceived Mallice a fixt Obstinacy and Inveterate hatred joined with the grossest falsehoods Can Enveigle the committee they will be Enveigled."

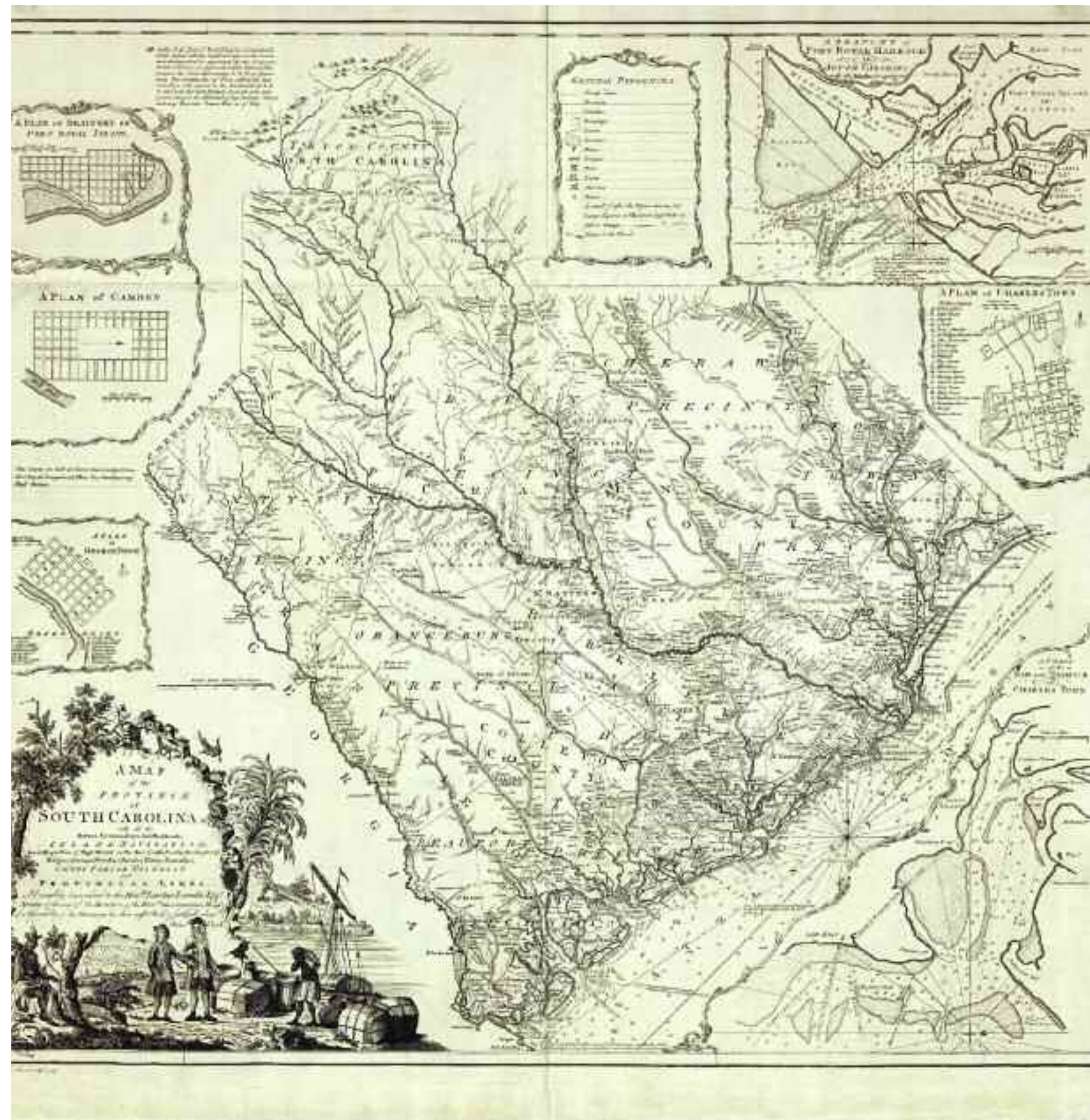
The longer Judd remained in prison, the less he thought of Pennsylvanians. "I have but little faith in many more than one half of the inhabitants of this City and Province of Pennsylvania," he wrote, noting that "were not the Continental Congress in this City I doubt not that two Ships comeing into Delaware Bay would be sufficient to reduce this City and Province to the Obedience of Great Britain." Philadelphia Tories, Judd thought, were trying to use the dispute over the Wyoming Valley to provoke quarrels in Congress and "would think themselves happy to Use this thing as a Means to Dissolve the Union of the Colonies."

In December, with winter coming on, Judd fell ill in the damp, unheated prison. He felt a little better on Christmas Day, when group of Connecticut

men came to visit. Roger Sherman gave Judd a dollar as a Christmas gift, which he needed. Release was nowhere in sight and he was running out of money. He grew desperate. On December 29, after more than two months in custody, he wrote: "this day my mind greatly agitated in this place various projects have Stuck into my mind but am lastly full determined to advise with Colonel Dyer relative to getting Bail if it is in power & go home as soon as possible." On New Year's Day he was "more Composed in my Mind."

Judd and the rest of the prisoners were transferred from the Old Stone Jail to the newly built Walnut Street Jail on January 8. Conditions there were better and the jailer even took him out for an evening at the City Tavern, where Judd drank his fill. The jailer paid the bill. Judd did his best to keep up with public events, but he caught only snippets of news—details about the invasion of Canada, rumors that the British had landed in New York and taken possession of the city and news about men he knew who were with the army around Boston. He also learned bits and pieces about what was happening on the Susquehanna—that in December, William Plunket had led six hundred Westmoreland militia in an

Fellow prisoner Moses Kirkland spread out this detailed map of South Carolina to show Judd the valuable western land on the Carolina frontier. James Cook, *A Map of the Province of South Carolina* (London, 1773). Private Collection.



attack on the Wyoming Valley, and that Zebulon Butler and his Connecticut men had repulsed the Pennsylvanians on Christmas Day at what became known as the Battle of Rampart Rocks. What Judd didn't know was that the expedition had been financed by Philadelphia investors outraged by his own expedition—men who were not willing to leave the disposition of the Susquehanna frontier to Congress.



The surviving diary ends with entries for February 1776, with Judd still languishing in the Walnut Street Jail, waiting hopefully for his release. By that point his money was gone, and members of the Connecticut delegation in Congress and other Connecticut men were paying his bills. Among his last entries was one for February 4, when he recorded that “Col. Kirkland & his son Moses a Lad of about 13 years of age were put into our room last evening.” Kirkland and Judd spent the day talking about opportunities on the western frontier. Judd no doubt told his story about the promise of land on the Susquehanna.

Kirkland then unfolded a large map of South Carolina and explained to Judd that there was abundant land on the southwest

frontier of the colonies, extending all the way to Pensacola. This land, Kirkland explained, was “Extreamly fertile and Easily managed there being no under Brush upon the Land interspersed with Large trees & in a very healthy Country.” The grass among the trees, Kirkland explained, was sufficient to raise cattle and horses in abundance without hay or any other feed. The winters were mild. And best of all, the land could be had for a dollar or less an acre. “Any Person there on the Spot may be in a way to make a fortune at Small expense.”

Judd made careful notes on everything Kirkland told him. He had probably never been farther south than Philadelphia, but Kirkland's account of what became known as the wiregrass region of Georgia, Alabama and the Florida panhandle intrigued him.

Kirkland does not seem to have told Judd why he was in the jail. His full name was Moses Kirkland, and as he told Judd, his home was near the Savannah River in the South Carolina backcountry, where he raised horses and cattle. Like Judd, he had spent the first months of the Revolutionary War working to secure his future on the frontier, but in his own way. Opposed to the

Charleston grandees who dominated South Carolina politics, Kirkland organized opposition to the South Carolina Provincial Congress. He was betting on the British.

In the summer of 1775 Kirkland slipped by the guards watching the roads to Charleston in order to confer with the royal governor, who gave him and his son passage on a British sloop-of-war bound for Boston to present General Gage with a plan for the swift reduction of the southern colonies. His ship had been captured off the Massachusetts coast and he had been delivered to George Washington, who had packed Kirkland off to Philadelphia for Congress to deal with him.

The surviving diary ends on February 21, 1776. The rest of the document, which may originally have run through July 11, 1776, is missing. From other sources, we know that William Judd was finally released after the Pennsylvania legislature passed “An Act for the Relief of William Judd, John Onions, Michael Jordan and William Sanders . . . with Respect to the Imprisonment of their Persons” on April 6. He made his way home to Farmington. Joseph Sluman had already secured his release and returned to his home in East

Haddam, where he died later that year.

And what of the mysterious Moses Kirkland? He and his son escaped from the Walnut Street Jail on June 1, 1776. They made their way south in disguise and joined Lord Dunmore's fleet. Kirkland later presented General William Howe with his plan for the conquest of Georgia and South Carolina, and went on to become one of the most important Loyalist leaders in the South. A gambler, he had bet on British victory and looked forward to acquiring a vast estate on the southwestern frontier after the war. When he lost his bet, Kirkland sailed for Jamaica, where he became a sugar planter.

William Judd went on to a distinguished career in the Continental Army, serving from the fall of 1776 until early 1781. The struggle for control of the Susquehanna Valley continued without him. Congress finally issued a decree in 1782 awarding jurisdiction to Pennsylvania. Connecticut accepted the degree, but insisted that the rights of Connecticut settler to the land they had cleared and planted be upheld. Rather than settle the matter, the Trenton Decree led to further violence, as Pennsylvania officials and

titleholders drove Connecticut settlers off the land. William Judd defended the rights of Connecticut settlers who stubbornly returned to reclaim their land.

Abandoned by the government of Connecticut and faced with Pennsylvanians intent on driving them out at gunpoint, the Susquehanna Company and the settlers considered declaring the region the independent state of Westmoreland, with William Judd as governor. Ethan Allen—who had led the Green Mountain Boys in carving independent Vermont out of the region disputed by New York and New Hampshire—offered to help. Faced with the possibility of an independent state, the Pennsylvania government reversed itself and agreed to recognize most of the settlers' claims. The statehood movement faded just as quickly as it had appeared.

William Judd never made a fortune in frontier land. He lived out his life in Connecticut. He was an original member of the Connecticut Society of the Cincinnati, a member of the state legislature and a delegate to the state convention that ratified the United States Constitution. He led a full life in Farmington, where he died in 1804. But he never entirely

lost sight of the frontier, nor, it seems, of his conversation with Moses Kirkland, a man whose political principles and career were quite unlike his own. Among his papers now in the collections of the Society of the Cincinnati are documents related to Judd's post-war land claims in the Georgia backcountry.



A happy—and undoubtedly relieved—group of New Jersey Society leaders enjoyed the banquet at Morven at the end of a successful Triennial.



The entire Society of the Cincinnati is grateful to Kazie Harvey—flanked here by John Shannon (N.J.) and Curtis Estes (Mass.) at the Triennial banquet—for lending her husband, John, to the Society to plan and oversee one of the most ambitious Triennials ever mounted.

Well over fifty guests chose to visit Princeton Battlefield and Clarke House, furnished as it had existed the day of the battle and with many exhibits. This is the farm house to which General Mercer was carried and where he subsequently died from wounds sustained on the battlefield. About forty guests visited the Old Barracks in Trenton. This building was occupied by British and Hessian troops during the Revolution. Over sixty guests toured Morven, the historic home of the Stockton family, where many of our social activities took place. More than a dozen guests made the excursion to the all-day Saturday Washington's Crossing History Fair. Twenty guests, including several members of the French Society, took advantage of the opportunity to visit Grounds for Sculpture, which displays a unique and important collection of sculpture by the artist Seward Johnson, a member of the founding family of the Johnson & Johnson Company.

None of this would have been possible without considerable help from our group of extremely dedicated workers, including the late Denis Woodfield. Logan Brown coordinated visits to Washington's Crossing. John Beglan coordinated and managed excursions to The Old Barracks and the wreath laying ceremony near Morven. Sean Murray put together and led so well the trip to the Washington Crossing History Fair. Sandy & Katie Rice, John & Delores Gareis, and Kelly & Gayle Stewart generously oversaw the trips to the Princeton Battlefield. Cathy & Kathleen Brown, Vicky Dean, and Wistar & Andrew Wallace made the trips to Grounds for Sculpture so much fun. Mike Bates, Roland Miller, and Homer Shirley (from other state societies) took turns escorting our guests on the Morven tours. Jim Burke and Ross Maghan manned the information desk at the Marriott and kept tour guests informed and headed in the right direction. Nearly all New Jersey Cincinnati wives and members attending the Triennial, including

Nick & Deborah Gilman, Ben Frick, and many others, manned the registration table at the Hyatt where they carefully resolved optional tour scheduling issues and answered questions for guests.

John Shannon and Cary Briggs of the New Jersey Society designed and built our Triennial website, sending email updates and tracking reservations to manage the flow of information and reservations. Jack Warren and his team from the staff of the General Society were immensely helpful to us in organizing the event and coordinating the official business of the Triennial. Then Secretary General Ross Perry was very helpful to us as our official liaison officer with the General Society and gave us much good advice. Finally, we would like to acknowledge Marie Clarke of RayMar Guides and her staff for their hard work. The New Jersey Society is also indebted to H. Kirk Unruh (Md.), recording

secretary of Princeton University, and other officials and staff members at Princeton who helped make the Triennial a success.

Above all, we thank John Harvey for his tireless and generous leadership, and his wife, Kazie, for her support and good humor during the months John must have done little else but plan and manage one of the most complex events in the history of the Society of the Cincinnati.

We are extremely proud that two members of the New Jersey Society were elected to serve as General Officers for 2013-2016. John Harvey is our new treasurer general and Jim Burke is our new assistant secretary general. The Society is extremely fortunate to have members of their caliber to lead us.

*Paul Douglas Huling,
Assistant Secretary*

The Society of the Cincinnati of Pennsylvania

For the first time in 222 years, the Pennsylvania Society of the Cincinnati is rewriting its corporate charter to make the document consistent with modern Pennsylvania articles of incorporation.

Updating the original society charter is an essential step toward the Pennsylvania Society finally being able to adopt the Rule of 1854 and open admission to all eligible male descendants of Continental Army and Navy officers from Pennsylvania, including officers who did not join the Society. Recent research has illuminated several attempts by state society leaders to adopt

Dave Bassert has led the effort to revise the Pennsylvania Society charter.





The Pennsylvania Society Standing Committee met at Bethany Beach, Delaware, on September 13-14. The pending adoption of the Rule of 1854 — along with enjoying a late summer weekend—was a focus of the meeting.

the Rule of 1854 over the years (see “The Rule of 1854 Revisited” by Clifford Butler Lewis in the Spring 2013 issue of *Cincinnati Fourteen*). Each of those efforts failed because society officers felt hamstrung by the corporate charter’s stringent rules for membership. Conventional wisdom held that changing the corporate charter meant the society would have to submit new incorporation papers to the state legislature for a vote—a daunting and cumbersome prospect that has stalled change for 158 years.

The Pennsylvania Society’s original act of incorporation was submitted to the state legislature in 1791. It was a hand-written document in flowing script that copied the entire text of the original Institution of the General Society of the Cincinnati, exactly as adopted on May 13, 1783. This included the requirement that only descendants of officers who join the Society were eligible for membership. Following the restated Institution was a hand-written July 4, 1791, request

that the Pennsylvania General Assembly grant the society “the powers and immunities of a corporation” as a charitable organization. The state legislature voted in favor; Pennsylvania’s attorney general gave his blessing on September 24, 1791; the state Supreme Court certified the act of incorporation on January 3, 1792; and the Pennsylvania Society was officially enrolled on June 4, 1792.

The Rule of 1854, eventually adopted by all the other state societies, opened the rolls to male descendants of all eligible Continental officers, even those who had *not* joined the Society. The Rule of 1954 saved the

Society of the Cincinnati from extinction. But because the 1783 Institution was the first section of the Pennsylvania Society’s corporate charter, leaders of the Pennsylvania Society felt bound to the original Institution’s restrictions on membership. “Because the original charter had been approved by an act of the state legislature and was approved by the attorney general and state supreme court, it was assumed that any amendments could only be made by a similar process,” explained Col. David Bassert, a member of Pennsylvania’s standing committee. Bassert has undertaken the task of modernizing the state society’s corporate charter.

A lot has changed since 1791. Pennsylvania’s General Assembly no longer has to approve articles of incorporation. Language in modern

corporate charters is more uniform and general, referring to the relevant sections of the federal tax code for non-profit groups instead of detailing specific income limits. David Bassert hired Philadelphia corporate attorney Ronald W. Fenstermacher, Jr.—a member of the Sons of the Revolution—to support our efforts. “It was clear that it was important for Pennsylvania to come into step with the rest of the Society with regard to its membership rules. To do this we needed to adopt the Rule of 1854, and to do that required an amendment to our articles of incorporation,” Bassert said.

The Pennsylvania Society’s new corporate charter leaves routine business matters for other documents, such as the society’s bylaws, which are undergoing their own, separate modernization. The new charter simply

states that the Pennsylvania Society is a “constituent state society of the Society of the Cincinnati . . . organized and operated exclusively for charitable and educational purposes.” The Immutable Principles articulated in the Institution are restated in the new corporate document to keep the organization true to its founding purpose.

The Society’s standing committee unanimously approved the new corporate charter at its June 19 meeting, and the document will be presented to state members for their consideration at the October 12 annual meeting. “Our new charter,” David Bassert explains, “will give our membership much greater flexibility in many areas and will allow Pennsylvania to finally adopt the membership rule we first endorsed in 1851.”

Randolph Smith

Delaware State Society of the Cincinnati

The Delaware State Society of the Cincinnati would like to extend its heartfelt congratulations to the Society of the Cincinnati in the State of New Jersey on the tremendous success of the recent Triennial Meeting in Princeton. The hospitality and friendship extended to the Delaware delegation was much appreciated. The Delaware Society was well represented by Richard Saltonstall Auchincloss, Jr., The Reverend William Nathaniel Christopher Davis, Jack Jones Early, Bryan Scott Johnson, Henry

Sharpe Lynn, Jr., Lee Sparks IV, Charles William Swinford, Jr., Rodman Keenon Swinford, Paul Kent Switzer III and George Forest Pragoff.

Our Society recently started a project to identify the gravesites of our original members. This project is a joint effort between the Delaware Society and the Daughters of the American Revolution. The purpose of the project is to locate and mark the gravesites of those early Delaware patriots whose service helped ensure American independence. While some graves are already well known, many have been lost to the