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Confiscated Loyalist Property

The Archives of the Bedford County Court House holds tax assessment returns beginning in the year 1771, the year that Bedford County was erected out of Cumberland County. One of those tax assessment returns is the 1781 return for Colerain Township. The purpose in pointing this out is to draw attention to a heading for a group of the residents in that township region. The heading reads: *A List of the Persons Names Who have Refused to Swear to their Property*. The list that follows includes: William Farmer, John Fleeharty, Samuel Moss, Roger Browning, Elisha Huff, John Brison and Thomas Hall. Most researchers don't know what this list represents.

First, it should be noted that the returns for the tax assessments, in Bedford County as in most Pennsylvania counties, were written out during the winter of the year preceding the stated date of the assessment. In other words, the tax collectors would prepare their papers for the next year after they made their collections during the current year. Since the tax collectors were often farmers like most of the people from whom they would be collecting the taxes, they didn't want to be bothered with having to write out the returns in the spring, when they would be busy getting their own fields planted.

In the year 1780, during the winter in which the tax collectors would be preparing their 1781 returns, the end of the Revolutionary War was nowhere in sight. By that time, the Euro~Americans residing in Bedford County could be definitively separated into three groups: Patriots (*i.e.* those espousing the Patriot Cause for independence from Great Britain), Loyalists (*i.e.* those who remained loyal to Great Britain, but who simply refused to fight) and Tories (*i.e.* those who remained loyal to Great Britain and actively fought against their neighbors).

Before proceeding, we need to review something that took place three years before. It was probably blustery and cold in Philadelphia on Thursday, the 27th of November 1777. The delegates meeting in what became known as the Second Continental Congress began their day reading and discussing a letter sent by General Washington to British General Howe in regard to the exchange and treatment of prisoners. Then the delegates in congress resumed a discussion ~ that had been begun about two weeks before ~ about various items in a letter submitted by Stephen Hopkins (a delegate from the Colony of Rhode Island and Providence Plantation). Out of that

discussion came a number of resolutions with Resolution No. 8 being:

Resolved, That it be earnestly recommended to the several states, as soon as may be, to confiscate and make sale of all the real and personal estate therein, of such of their inhabitants and other persons who have forfeited the same, and the right to the protection of their respective states, and to invest the money arising from the sales in continental loan office certificates, to be appropriated in such manner as the respective states shall hereafter direct.

On 06 March 1778, the General Assembly of Pennsylvania passed ‘*An Act for the attainder of divers traitors...*’ Article III of that Act stated:

And be it further enacted, That all and every person and persons, being subjects or inhabitants of this state, or those who have real estates in this commonwealth, who now do adhere to, and knowingly and willingly aid and assist, the enemies of this state, or of the United States of America, by having joined their armies within this state, or elsewhere, or who hereafter shall do the same, and whom the Supreme Executive Council of this state, by their proclamations to be issued under the state seal, during the continuance of this war with the King of Great-Britain, shall name, and require to render themselves by a certain day, therein to be mentioned, to some or one of the Justices of the Supreme Court, or of the Justices of the Peace of one of the counties of this state, and also abide their legal trial for such their treasons, and shall not render themselves accordingly, and abide their legal trial aforesaid, shall, from and after the day to them to be prefixed by such proclamation, stand and be attainted of high treason, to all intents and purposes, and shall suffer such pains and penalties, and undergo all such forfeitures, as persons attainted of high treason ought to do: Provided, That the time to be prefixed by such proclamation, for the persons therein to be named to render themselves, be not less than the time and term of forty days, from and after the date of such proclamation.

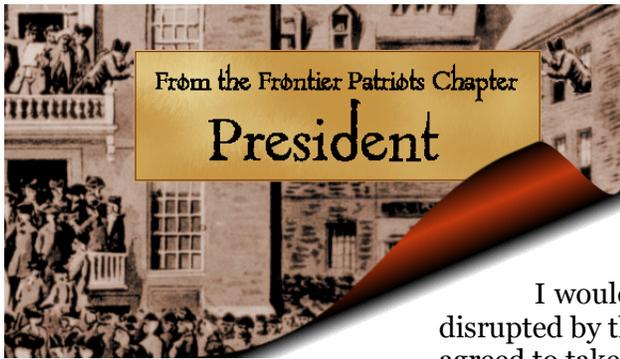
The Act provided for the sale of any and all properties seized from traitors of the United States of America (namely Loyalists and Tories) and the monies gained from those sales and all ‘*rents, issues and profits of the said real estates, until sale thereof, to be levied and paid to the State Treasurer.*’

There are no existing records which state that the justices of the peace for Bedford County (who were the de facto law at that time) made any public announcements that they would be ordering any confiscations of property. The fact of the matter, though, is that it was made known throughout the land. The tax collectors would have been on the front line between the local ‘government’ and the residents. More than likely those tax collectors, when they made their rounds collecting the taxes, informed the residents of the ‘law’ and took the brunt of their responses.

The properties of various Loyalists who resided in Bedford County were seized under this Act. In the region that would become Blair County, Harry Gordon owned the land upon which the county seat of Hollidaysburg now stands. Being a Loyalist, Gordon’s lands were confiscated, and he moved to England. As a result, those lands became available and acquired by Adam and William Holliday.

The ***List of the Persons Names Who have Refused to Swear to their Property*** was one of the ways that the local officials were able to identify who were Loyalists. The title refers to those who refused to swear an oath of allegiance to the United States, even against the threat of losing their property. Local *tradition* in Southampton Township, Bedford County, in what was Colerain Township in 1780, states that one of the men named in that list, Elisha Huff, refused to swear allegiance and fight for the Patriots. But his property was not confiscated when he pledged to provide saltpeter to the Bedford County Militia. Saltpeter was used in the making of gunpowder. The offering of the saltpeter saved Huff’s property from confiscation ~ and him from arrest.





The next meeting of the Frontier Patriots Chapter of the Sons of the American Revolution will be held on Saturday, December 9, 2017 starting at 12 Noon. ~ at Marzoni's restaurant, 164 Patchway Road, Duncansville, PA (beside the Comfort Inn at Wye Switches)

I would like to say a few words to anyone whose schedule was disrupted by the change in meeting date. I had been quite clear when I agreed to take on the President position that my prior obligations with the Bedford County Historical Society would take precedence over any SAR duties. Unfortunately, that has happened, making the holding of a meeting on the 2nd, as previously scheduled, impossible for me. For that I do not feel that an apology is necessary, as the terms of my taking on the duties of the President in addition to Registrar, Genealogist, Historian and Newsletter editor were accepted by the chapter and the PASSAR. I am not insensitive, though, to anyone else's personal schedules and plans. And so, if this change in meeting date has caused you any distress, please accept my apology for that. Hopefully it will not happen too often in the future.



Bedford Is Returned To The Fold

On 01 October 1913, the Pennsylvania Society granted a charter to a group of men in Bedford County to form the Fort Bedford Chapter. The chapter functioned for twelve years and then became inactive; its charter being recalled on 03 April 1925. The Logan Chapter was formed by individuals residing mostly in Blair County, and a charter was granted on 20 February 1930. The Logan Chapter was active for only four years. It became inactive and its charter was cancelled on 22 February 1934.

The Blair County Chapter was organized on 13 December 1946, and from its inception consisted of members from Blair County, Bedford County, Fulton County and Huntingdon County. Members from Bedford County were active in the Blair County Chapter over the years. In 2002/3, the Susquehanna Chapter became inactive, and its members were merged into the Blair County Chapter. The name of this chapter was officially changed to the Frontier Patriots Chapter on 25 August 2007.

In 2016, I (Larry Smith) discovered that the district deputy map for the Pennsylvania Society had been changed. Without consulting the Chapter for its opinion, the county of Bedford had been removed from District #7, in which the Frontier Patriots Chapter is located, and placed in District #8, in which the Somerset-Cambria Chapter is located. The Frontier Patriots Chapter has members from all over the United States, so having Bedford County in District #8 would not deny any Bedford County residents from holding membership in a District #7 chapter. The thing that bothered me about this situation was that the decision was made without any input from the members of the Frontier Patriots Chapter. I questioned the leadership of the PASSAR and continued to press them about the situation.

I received an email on 06 November from PASSAR Registrar, Eric Troutman, which stated simply that: "On Saturday by vote of the PASSAR officers Bedford County was returned to the Frontier Patriots Chapter." Welcome back Bedford!



