

# LANCASTER TOWNSTEAD.

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“Out upon Time! It will leave no more  
Of the things to come than the things  
before.”

On February 6, 1729, the settlers in the back districts of Chester county, of the province of Pennsylvania, prayed the Council of the province for a division of the county and the formation of a new county. This was approved February 7, 1729. Action was promptly taken, the Council acquainted the Assembly, then in session, and the petition was approved by them and signed by the Governor, May 10, 1729. The first Courts of the new county were held at Postlethwaite's, near the Conestoga creek. The county seat was moved, May 1, 1730, to Lancaster Townstead, which had been surveyed by John Jones, for James Hamilton, in March, 1730.

On May 15, 1730, Andrew Hamilton and Ann, his wife, for the consideration of five shillings, conveyed two lots of land for the use of the county, viz.: One for the Court House site and the other for the County Prison site. At the same time they conveyed a lot, 120 feet square, for the site for a public market house in the newly laid out town. The Court House lot was 66 feet square and in the centre of the town; the Prison lot was on the north side of West King street, and extended from Prince to Water streets. The Prison lots were numbered 273 and 274 on the Hamilton plan. Lots Nos. 654 and 655 were set aside for magazine lots for the storage of powder, etc.

On April 13, 1682, William Penn granted to Richard Wooler, of Goldinghame, England, five hundred acres

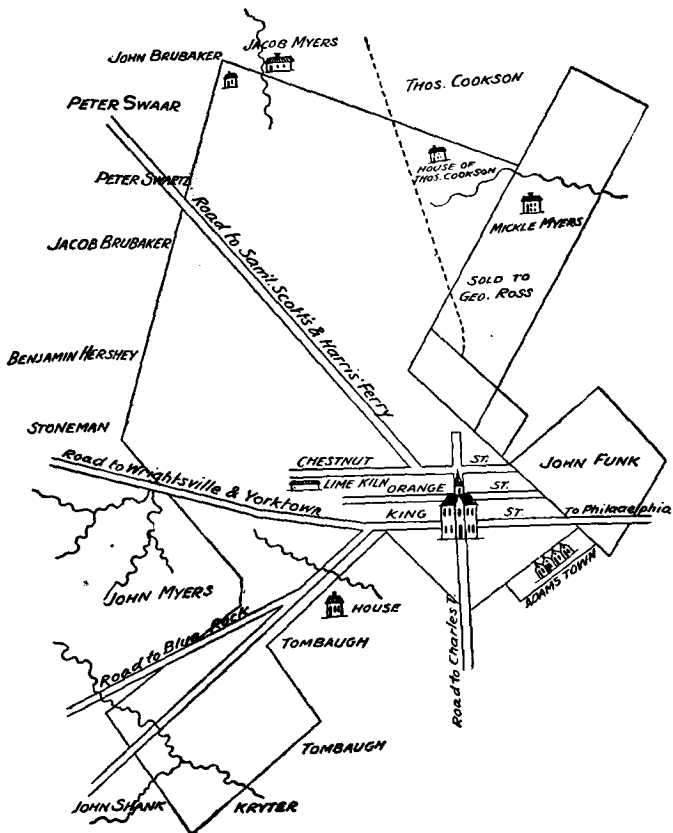
within the province of Pennsylvania, there being a one shilling quit-rent on every hundred acres. Dawson Wooler, son, only child and heir of Richard Wooler, conveyed the land to Samuel Arnold, of London, on May 28, 1714. James Steel purchased a patent for this land on February 7, 1732, and declared that the thirty-one pounds and ten shillings paid for it belonged to Andrew Hamilton, of Philadelphia, and asked that his name be inserted in the patent, but the names of both Steel and Hamilton were inserted in the same. The land was surveyed in 1733. On May 1, 1734, James Steel and Andrew Hamilton conveyed the tract to James Hamilton for five shillings. When the land was conveyed, the court house, jail and several other buildings had already been erected on the tract. This tract embraced the centre of the town and the northwestern section.

On November 13, 1717, Thomas and Richard Penn issued a warrant to Henry Funck for 350 acres, who gave 200 acres to his son, Henry, one of whose heirs, John, conveyed it to the Hamiltons in 1747. This embraced the southeastern section of the town.

A tract was also patented to Theodoros Eby, in 1717, and his heirs sold it to Hans Musser in 1739. Dr. Adam Simon Kuhn had purchased 15 acres from Hans Musser on September 17, 1744. These tracts of land were laid out into lots and known as Mussertown and Adamstown. The lots were disposed of by lottery in November, 1744. James Hamilton purchased the ground rents and balance of lots of Adamstown from Dr. Kuhn on March 7, 1749; when Musserstown was purchased by James Hamilton is not known.

On December 31, 1717, William Penn's Commissioners, Richard Hill, Isaac Norris and James Logan, con-

SURVEY OF LANCASTER  
and Lands Contiguous  
November 8<sup>th</sup> 1753.



veyed unto Michael Shank and Henry Pare (Bare) four hundred acres of land in Springtown Manor, Chester county, for forty pounds, the land being located on the north side of the Conestoga creek. The tract had been surveyed October 24, 1717. Henry Bare sold his moiety to Michael Shank on December 12, 1729, for 170 pounds, and Michael Shank, on May 29, 1731, sold 106 acres of the tract to Samuel Bethel. Samuel Bethel died about 1741, leaving two children, Samuel and Mary, intermarried with Samuel Boude. Partition proceedings were begun in 1751 between Samuel Bethel and Mary Boude, his sister, in which Samuel got possession of the land, which, in 1763, he laid out into Bethelstown, said Bethelstown being located in the southern end of the town. What to-day (1901) is known as Bethelstown, located in the vicinity of Manor and Strawberry streets and Love Lane, being laid out later by Samuel Bethel on lots which he had purchased from James Hamilton. The partition proceedings are recorded at Lancaster in the Prothonotary's office, in Partition Book No. 3, at page 1. The deed to Michael Shank and Henry Bare is recorded at Philadelphia, in Book A, Vol. 5, at page 275, etc.

Lancaster was named after Lancaster, Capital of Lancashire county, England, the English town being named after the "House of Lancaster," which term was used to designate the line of kings immediately descended from John of Gaunt, fourth son of Edward III. But the title goes back a century further to the reign of Henry III., who created his second son, Edmund, First Earl of Lancaster, in 1267. From the House of Lancaster the rival House of York sprang into existence.

Edmund, the first Earl of Lancaster, differenced his father's arms of England with an azure label of France,

charged with a golden fleur de lis, to denote his French alliance. John of Gaunt differenced with an ermine robe, derived from the ermine shield of Brittany. The Plantagenet Dukes of York charged each point with three torteaux, derived from the Shield of Wake.

Henry, the second son of Edmund, differenced the English arms with an azure bendlet across the shield. The seal of Henry, A.D. 1350, has the figure of an angel above the shield and a lion on each side of it as supporters.

The seal of Thomas, second Earl of Lancaster, A. D. 1320, differed somewhat from the above.

Matilda of Lancaster had as armorial bearings; to the dexter, a shield displayed of Dedburgh—*or.*; a cross *gu.*; to the sinister, a shield of Ufford—*or.*; a cross engrailed *sa.*, containing a fleur de lis for difference; in base, a lozenge of deChetworth, *barrulee*, *arg.*, and *gu.*; an orle of martlets *sa.*, and in chief a lozenge of Lancaster.

The rose of Lancaster was a red rose; the rose of York, a white rose; and by intermarriage, the red and white roses became the "red and white" of the Tudor family, and was borne as a badge by Henry VII., to symbolize the union of the factions of Lancaster and York by his marriage with Elizabeth of York. Scott refers to this as follows:

"Let merry England proudly rear  
Her blended Roses bought so dear."

The swan, when blazoned "proper," white, with red beak and legs, was the badge of the Bohuns and their descendants, the Lancastrian Plantagenets.

The colors of the House of Lancaster were white and blue.

The "S. S. S." on the Lancaster collar represented the word "Soveraygne," the motto of Henry IV.

The references to the arms of the House of Lancaster are taken from "English Heraldry," pages 136, 150, 155, 167, 182, 183 and 247.

Andrew Hamilton was born in Scotland, in 1676, and of his early history and parentage but little is known other than that he was a descendant in direct line from Sir Gilbert Hamilton. He had evidently been involved in some political difficulty at the English Court, for, when he came to this country, he went for awhile by the name of Trent. He first located in Virginia, and subsequently in Kent county, Maryland. He married a widow by the name of Preeson, whose maiden name was Borwn. In 1712 he went to England, but returned a few years later, and located in Philadelphia. He was appointed Attorney General of Pennsylvania in 1717, but resigned in 1726, and in 1727 was appointed Prothonotary, a vacancy having occurred through the death of Mr. Asheton. Later he was appointed Trustee of the Loan Office, and, while such, in company with Messrs. Graeme and Lawrence, designed and built Independence Hall. He was in the employ of the Proprietary Family from the time he came to Philadelphia until his death. He became owner of large landed estates in Philadelphia, known as "Bush Hill," which comprised the space from Vine to Coates streets and from Twelfth to Nineteenth streets, and on many of the lots of this tract ground rents are still collectible. While practicing law his most prominent case was the defense of John Peter Zenger, indicted in New York, in 1735, for libel. He died at Bush Hill in 1741. In 1848 the remains of himself and family, including the last one of the name, were interred in a handsome mausoleum in Christ churchyard, in Philadelphia.

His children were James, Andrew and Mary. James Hamilton was twice

Lieutenant Governor of Pennsylvania, and the one who laid out Lancaster into lots and sold them. Andrew Hamilton, the other son, acquired land in Lancaster, Easton, New Jersey, and, through his wife, the property known as "Woodlands," in Philadelphia; also, property in Philadelphia, bounded by Chestnut, Third and Dock streets. On many of the properties in Lancaster and Easton ground rents are still collectible. He married Ann Fell, a daughter of William Fell, and their children were William and Andrew. William never married and Andrew married a Miss Abigail Franks, of New York. Andrew Hamilton, who married Ann Fell, is the one who deeded the town site of Lancaster to his nephew, James Hamilton.

Mary, daughter of the first Andrew who came to America, married William Allen, Chief Justice of the Provincial Courts, and a daughter of theirs married John Penn, son of Richard Penn.

Mary Ann (Hamilton) Palairret was a daughter of Andrew Hamilton, the third in line, who had located in England, and her heirs to-day, along with a few others in this country, are the parties to whom the ground rents collected in Lancaster are payable.

William Hamilton, who collected the rents later, was also a nephew of Andrew Hamilton. William Hamilton left nephews, James and Andrew Hamilton, who collected the ground rents in the beginning of the Nineteenth Century. The Hamiltons were entitled to bear Arms, which are described in the "American Ancestry," page 84, as follows: Gules, three cinque-foils, or.; crest, out of ducal coronet, argent, an oak tree, penetrated transversely in the main stem by a frame-saw proper, the frame gold, upon the blade, the word "Through," sable. "English Heraldry," pages 151 and 152, states that this device is commemorative of the escape into Scotland in 1323 of Sir Gilbert

Hamilton. At the Court of Edward II. Sir Gilbert had unadvisedly expressed admiration for Robert Bruce, on which John le Despencer struck him. Despen- cer fell in single combat the next day, and Hamilton fled, hotly pursued, northward. Near the border he and a faithful esquire joined some wood-cut- ters, assumed their dress, and com- menced working with them on an oak when the pursuers passed by. Hamil- ton, saw in hand, observed his esquire anxiously watching their enemies as they passed and at once recalled his at- tention to his woodman's duties by the word "Through," thus at the same time appearing to consider the cutting down of the oak to be far more im- portant than the presence of their pur- suers. So they passed by, and Hamil- ton followed in safety. This device does not appear on the Hamilton seals until long after the days of Bruce and his admirer, Sir Gilbert Hamilton.

The ground rents of Lancaster com- menced in 1735, the tract of land hav- ing come into possession of James Hamilton in May, 1734, and he having laid out the town site as stated above. As noted above, James Hamilton left no direct heirs and William Hamilton col- lected the ground rents and sold lots after his death. The property was held by the law of entailment and the title in fee simple was not made out until 1815, when it was under the tenure of James and Andrew Hamilton, the prop- erty being then freed.

Between 1825 and 1831 the citizens of Lancaster thought they were being imposed upon by a number of fictitious parties representing that they were au- thorized to collect ground rents, and the ground rents so represented amounting to thousands of dollars in the aggregate, they remonstrated, and on May 30th, 1831, held a public meet- ing in the Market House to take some action in reference to the matter. A committee was appointed, but the sub-



ject matter was abandoned, and John Beauclere Neuman and James Lyle, of Philadelphia, were appointed trustees, and Emanuel C. Reigart, of Lancaster, was their agent to collect the rents, subsequently Jacob and Peter Long were trustees, and then Jacob M. Long was agent and afterwards trustee.

From 1815 to 1830 Horace Binney, Esq., of Philadelphia, had been trustee. In the latter year partition proceedings were had between Mary Ann Hamilton, infant daughter of Andrew, the third in line, against Horace Binney. Mary Ann Hamilton married Septimus Henry Palairret, of Bath, England, who was a Captain of Her Majesty's Twenty-ninth Regiment of Foot, which fact is shown by an examination of the power-of-attorney to George Cadwalader, Esq., of Philadelphia, dated June 8, 1843, and of record at Lancaster in Letter of Attorney Book, No. 5, at page 178. George Cadwalader was also attorney-in-fact for George Gregory Gardiner, et al., of Bath, England, also heirs of the Hamiltons. (Evidenced in the deed from him to Gerhart Metzgar, dated March 31, 1845, and of record at Lancaster in Deed Book X., Vol. 7, at page 494). These and a few others to-day (1901) are the beneficiaries of the ground rents of the Hamilton estate. The present trustee for collection of rents and sale of lots is Henry Lively.

In early times the payment of fourteen years' ground rent at one time was sufficient to extinguish the same, but in later days, and now (1901), it was increased to twenty years' payment at one time.

Among the lots sold by the Hamiltons were a number to the different religious denominations located in Lancaster in its early days, as follows:

German Reformed, lots Nos. 75 and 76, 7 shillings rent on each.

Moravian, lots Nos. 212, 213 and part of 218, 7 shillings on each.

Episcopalian, lots Nos. 34, 35 and 36, 7 shillings on each.

Lutheran, lots Nos. 49, 50, 51 and part of 48, 7 shillings rent on each.

Catholic, lots Nos. 235, 236 and 237, 30 shillings rent on No. 237 and 7 shillings on the other two.

Quakers, lots Nos. 138 and 139, 7 shillings rent on each.

Presbyterian, lots Nos. 19 and 491, 20 shillings rent.

Methodists, lots Nos. 97 and 98, 20 shillings on each.

Franklin College, lots Nos. 669, 670, 671 and 672, 60 shillings on each.

Many of the Hamilton deeds for lots will be found by consulting Book A, Volume 6 and Book I, in the Recorder's Office, at Lancaster, Pa.

In 1729, when Lancaster county was laid out, John Wright, Caleb Pearce, Thomas Edwards and James Mitchell were the Commissioners to lay out the same, John Wright surveying it. Considerable trouble arose as to the location of the county seat, some contending that it should be Postlethwaite's, and others that it should be on the Hamilton tract, which was generally known as "Hickory Town," or "Gibson's Pasture." "Hickory Town" was so called from a large hickory tree under which the Indians were wont to assemble in their intercourse with the Proprietors or their Commissioners. A man named Gibson, who apparently was a "squatter," lived in a cabin near the spot. There were a number of large swamps, one being prominently known as the "Black Swamp," in the tract embraced within the proposed town site. The hickory tree is supposed to have been located on East King street, a few doors from Penn Square. The Commissioners above mentioned filed their report on February 19, 1730, Edwards excepting. The report was finally adopted as to the town site, and was confirmed May 1,

1730, the town site being then located where it now is; two miles square, with streets running nearly north and south and due east and west.

Lancaster Townstead was chartered as a borough on May 1, 1742, and incorporated as a city on March 20, 1818, John Passmore being its first Mayor. In 1777 the borough corporation, deriving its existence from the authority of the Crown of Great Britain, became upon the Declaration of Independence of Pennsylvania from the Crown, immediately dissolved, and the General Assembly, with the Hon. Thomas Wharton, President of the Executive Council, re-established on June 17, 1777. New officers were appointed and a new seal adopted.

The following is the population of Lancaster from 1790, when the first census was taken, to 1900, as furnished by the Secretary of the Interior, at Washington, who has charge of the census records:

1790 .....	3,373
1800 .....	4,292
1810 .....	5,405
1820 .....	6,663
1830 .....	7,699
1840 .....	8,417
1850 .....	12,369
1860 .....	17,603
1870 .....	20,233
1880 .....	25,769
1890 .....	32,011
1900 .....	41,459

A fine portrait of Andrew Hamilton, the second, by Wertmuller, copied from a rude original, which was destroyed, was owned by Mr. Becket, of Philadelphia, and a copy of it is in the possession of the Historical Society of Pennsylvania.

On January 14, 1854, the materials in the following properties were sold by the city to clear the site of the market houses, the sheds which were first erected being supplemented by

the present handsome structure in 1889:

Forney's building, 22x27 feet..	\$ 360.00
Printing office, 24x23 feet.....	150.00
Mrs. Wolf's property, 17x27 feet	290.00
Mrs. Wolf's stable, 24x18 feet.	85.00
J. Jungling's property, 40x27 feet .....	420.00
J. Jungling's stable, 28x16 feet.	85.00
Hager's property, 20x30 feet..	260.00
Reichenbach's property, 21x31 feet .....	185.00
Reichenbach's frame shop, 20x13 feet .....	35.00
Adjoining hose house, 26x18 feet .....	56.00
Adjoining hose house, 22x29 feet .....	70.00
<b>Total .....</b>	<b>\$1,996.00</b>

The land had been purchased from—

J. Jungling's lot and house.....	\$ 6,250
Mrs. S. Wolf's lot and house...\$	3,300
C. Hager's lot and house.....	3,000
J. W. Forney's lot and house..	3,700
G. W. Reichenbach's lot and house .....	16,600

**Total .....** \$32,850

The old sheds cost \$8,042.43, the late John Sehner being superintendent of the building operations. The present structure cost \$27,000.

The first market house erected was on High street (West King), and of this building there are no records extant. In 1798 the building was enlarged by the addition of a superstructure for the use of Lodge No. 43, F. and A. M., Gottlieb Sehner being the builder.

Part of lot No. 730, located on Mulberry street, which is described as being bounded by lot No. 731 on the north, by an alley on the south, on the east by an alley, and on the west by Mulberry street, contained a reservation to the effect that "a line be drawn so as to form a triangle at a spring by

cutting off ten feet from the eastern and ten feet from the southern boundaries of said lot, which spring and angle shall be and remain forever for the use of the inhabitants of the borough." This the Hamiltons evidently intended should be used as a public spring, and no doubt gave the name, "Spring Garden street," to Mulberry street, by which name it was known in early days. The historian and antiquarian to-day ask, "Where is that spring?" but they ask in vain. The old deed for the city market stated that it should be "used as a market place forever." Both "market house" and "spring garden" have outlived the purposes for which they were created, and have been swallowed up in the "Greater Lancaster," which has taken the place of the "Lancaster Townstead" of the Hamiltons.

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