

The Riots

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PENNSYLVANIA FREEMAN
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From the evidence taken by the Court of Common Pleas we are enabled to present a more accurate account of the principal features of the origin and progress of the late riots, than that which was given in the reports of the daily newspapers at the time.

It appears that J. Patrick Dunn, the pastor of the congregation worshipping at the Catholic church, in Southwark, called St. Philip de Neri, received a letter from a female teacher of the schools connected with the church, informing him of a conspiracy to burn the church either on the evening of Friday the 5th of July, or, in case of failure, then on one of two succeeding evenings. Believing this information to be in all probability well founded, the proprietors of the church caused twelve muskets to be taken into it during the day of the 5th, in addition to some which had remained there since the previous riots. This was done without any concealment.

In the evening of that day, crowds calling themselves "Natives," collected about three of the Catholic churches, the largest amounting perhaps to one thousand people, being at St. Philip's. The pretext for the gathering was the existence of arms in the church, and an alleged fear that they were to be used offensively. From the number of the assemblage, however, and the early period at which so large a number gathered, it may be doubted whether many of them did not come in pursuance of a previous arrangement as referred to in the letter above mentioned. Sufficient evidence has not been elicited, as yet, to determine this point.

The Sheriff, having been sent for, he arrived on the ground about 10 o'clock, but unaccompanied by assistants, he having had no time to obtain any. He held a parley with the mob, who demanded the surrender of the arms. The Rev. Mr. Dunn and his brother, Wm. H. Dunn, consented to the delivery of the arms which had been taken in during the day and they were accordingly surrendered, the Sheriff, as he testifies, being at the same time informed by the Rev. Mr. Dunn that there were other muskets in the church which had been placed there at the time of the previous riots. The charge of deception on the part of Priest Dunn, as to the number of arms in the church is thus shown by the Sheriff's testimony to be unfounded. The mob, with the assent of the Sheriff, selected twenty persons to accompany him in the church. He required them to act as his posse and to assist him to protect the building, and requested them to desist from further search until morning. They, however, according to an account published by them in the Sun under their own signature, refused to obey the Sheriff, and went on to search the various apartments of the church. They found the other arms which Mr. Dunn had mentioned, and also discovered several armed individuals who had been stationed by the proprietors to guard different passages in the building. Most of the arms were not

loaded.

This proceeding was countenanced by an alderman of the district, who appears throughout to have acted in sympathy with the mob. It was clearly an act of riot, and a violation of the Constitution of the Union, and of Pennsylvania. The former declares, in Art. 3, of amendments, that "the right of the people to keep and bear arms shall not be infringed:" and the latter declares, in Sec. 21, of Art. 9, that "right of the citizens to bear arms in defence of themselves and the State shall not be questioned." It is also a maxim of the common law, that every man's house is his castle, and he has a right to defend it to the utmost against intruders coming without lawful authority. It may have been imprudent, and in the view of many not strictly Christian, for the owners of the church to undertake to defend it themselves, by arms, instead of relying on the civil authorities, and looking to the county for compensation in case of loss. But when we consider that a vast majority of professing Christians hold to the rightfulness of defensive force--that Pennsylvania Hall, Smith's Hall, and Saint Augustines' Church had all been surrendered to the protection of the civil authorities, and that that protection had in each instance failed: --that the owners of the Pa. Hall at the end of six years are not yet compensated, and are without prospect of compensation for more than half their loss--that the mayor is said to have advised the catholics at the time of the burning of St. Augustine's to defend their churches themselves;--and that, in almost every other case, the community enmasse justify people in arming to defend their property against threatened mob violence,--under such circumstances, we say, it is not surprising that the catholics should have prepared for defence, according to their constitutional right, and the ordinary usage of most classes of men in like cases.

Soon after the sheriff arrived, hearing that the troop called the "city guard" were rendezvoused at a certain place, he requested that they should come to his assistance, being at the time under the impression that they were not a military body. When they came however, after midnight, he thought it his duty to retain them for the rest of the night to protect the church, as the mob continued to be large, turbulent and threatening, and appeared not satisfied with the fact that their own friends had taken all the arms from the church.

Early in the morning of Saturday the 6th, the sheriff called on Generals Patterson and Cadwallader for aid, as well as on many private citizens to act as a civil posse. Next day, the mob increased in numbers and violence, until they at length attacked the military with stones and brick bats, knocking some down, and among them Capt. Hill, with a view to force the lines and get at the church. Gen. Cadwallader repeatedly addressed them in the mildest and most persuasive manner, urging them to respect themselves and the law to which they replied with derision. He at length told them that if they did not desist he would be obliged to fire upon them. This they disregarded, and at the moment of a violent assault upon the force under the sheriff's command, orders to fire were given. At the instant, Charles Naylor stepped forward and exclaimed--"don't you fire." He was arrested, together with several of the active portion of the mob, and placed in custody in the church. The orders given upon this occasion was not an order to fire with cannon, as has been stated, but with musketry. In consequence of Naylor's sudden interposition, however, no firing at that time occurred.

On Sunday morning the 7th, Capt. Hill's company was relieved from the charge of the church, after having been on duty about thirty hours, almost without food. It's place was supplied by the Hibernia Greens under the command of Capt. Collahan. The mob soon became more violent. Captain Collahan, under a discretionary power given him by Gen. Cadwallader, who had retired for rest, surrendered, on the request of Aldermen McKinley and Hurtz, about twenty of the rioters that had been arrested. This he did with the expectation that the Aldermen would take bail for their appearance at court. The alderman however discharged them without any recognizance. Charles Naylor being still in custody, the mob undertook to deliver him, by battering the church with cannon. They at length succeeded in releasing him. They were not content however with that, but demanded that the Hibernia Greens should quit the church. The force of the mob being then overwhelming, this demand was acceded to, under the assurance of the leaders of the Native party, that the Greens should not be molested in their withdrawal. This assurance was violated. They were assaulted, pelted, and beaten. When they had left, the Native party and the mob took full possession of the church, and held it for some hours, a portion being engaged in attempts to set it on fire, which would probably have been consummated, had not the military returned.

At length Gen. Cadwallader, at the head of a military force, and aided by a civil posse, arrived, and ordered the mob to clear out of the church and from the street in its immediate vicinity. These order were obeyed for the moment: but the mob refused to disperse, and attempted repeatedly to break the lines of the military. They attacked the troops with stones, &c and at one time with discharge of fire arms, according to the testimony of a respectable witness who was in the Mayor's posse, and who states that a boy was shot at his side by the mob, before any firing was made by the military. At the moment of a violent attack by the mob, and after repeated warnings, the order to fire was given and obeyed. The result was the wounding of some persons and the killing of Crozier, one of the mob, by the firing of a gun which he was in the act of attempting to wrest from the soldier who held it. The mob was thus temporarily repulsed.

After this repulse, the mob betook themselves to gathering the means of a military assault on the troops. They added a third cannon to the two which they had before employed against the church; they obtained muskets and ammunition, having got some powder by breaking into the dwelling and store of John McCoy, one of the Southwark Commissioners, who had left home in consequence of the threats of violence against him. At about 10 in the evening, they commenced a fire upon the military with their cannon, loaded with grape shot, spikes and missiles of various kinds. By one of the first shots serjeant Guyer was killed and corporal Troutman badly wounded. The fire was returned, and the combat kept up till near one in the morning, when the mob was completely repulsed, after the death of Cook one of their leaders, a member of the Weccacoe Hose Co. notorious for his desperate character and his participation in the firemen's riots.

On Monday, the mob prepared to renew the contest on the ensuing night. A deputation of their sympathizers, the Southwark authorities, proposed to the Sheriff the withdrawal of the troops, promising to protect the church themselves from destruction. By the advice of the County Commissioners and Judge Jones of the Court of common Please, the Sheriff accepted

the terms proposed. It should be mentioned, that the measures of the Sheriff on Saturday morning for the defence of the church, were taken at the request of the County Commissioners, and with the approbation of the Judges of the Court of Common Pleas.

Shortly after the compromise above mentioned, the Governor arrived in town, and soon after several companies of cavalry and other militia from the country came in. Since that time the city has worn in some measure, the aspect of a military encampment.

Arrests

On Thursday morning last, Lewis C. Levin, Editor of the Sun, was arrested on the charge of publishing articles having the effect of "exciting to riot and treason." He was held to bail in the sum of \$3000.

Samuel R. Kramer, Editor of the "Native American" was arrested and held to bail on a similar charge. As, however, the most objectionable matter which appeared in his paper was shown to have been published without his knowledge, he was held only in his own recognizance in the sum of \$500 to be of good behavior for three months.

Col. J. G. Watmough, Surveyor of the Port, was arrested on a warrant charged with language and conduct calculated to excite a riot and obstruct the execution of the laws.

William O. Hanna, was also arrested on the same day, charged with a similar offence.

Since then quite a number of further arrests have been made and some on charges still more serious.-Among these was E. Harwood, a young man in a china store, having a wife and infant family, was charged with "murder, treason and riot." The testimony against him on his examination before the court was very strong. His young wife was in the court room and wept bitterly. He was held to bail in the sum of \$13,000 and in default thereof was committed to Moyamsensing.

William H. Springer, of Southwark, a member of the present Grand Jury, was arrested and on the testimony of an individual that he had used certain seditious language, he was held to bail in \$2000 for a further hearing.

A young man ... charged with having knocked down Captain Hill, accused of "riot, treason and murder," was held to bail in \$13000 and in default thereof, was sent to Moyamsensing.

A number of other persons were arrested and on different charges fully committed.

The authorities aided by the Governor and sustained by the military, are busy ferreting out the rioters and seem determined to go to the full length of the law in their punishment.

Peace Restored.

The impression seems to obtain among our most intelligent and sober judging citizens, that the mob is now completely suppressed, and permanent peace established; that law and reason have at length recovered their ascendancy, and that this last outbreak will prove a crisis, to be followed by a better order of things. We would fain hope that this may be the case, though it must be confessed we are not very sanguine. But surely we have suffered enough to make further retribution unnecessary. Never was a city more disgraced; never a city more justly punished. Our sins have been their own punishment, and we have been made to eat most bitterly the fruits of our own doings. It is to be hoped that our city will now learn wisdom and put away the evil of her doings, and that she will at last be persuaded to respect the rights of the poorest and most unpopular of her citizens. If she does not, further scourges surely await her.

The Causes of the Riots.

It is instructing, and may conduce to future improvement, to trace back to its causes that spirit of which has risen to so fearful a height, and cast such discredit upon the former fair name of Philadelphia, as to render the epithet of Mob-town applicable to it above all other American cities.

The primary cause has been the selfish and anti-christian spirit little if at all better in its nature or in its effects than that of the thief, the robber and the pirate, which arrogates to one portion of mankind a superior right over another portion, either as to freedom of opinion religious or political, the right to use its faculties for its own profit and advancement, or to participate in the government which all are required to support and obey. It is a spirit opposed to the great Christian rule of doing as we would be done by, of which spirit, robbery, slavery, political proscription, and religious persecution are only different manifestations. It makes a crime of that which the individual cannot avoid of possessing a particular skin, being born in a particular spot, or being convinced by the irresistible force of circumstances or of argument, of the truth or particular doctrines. It is a spirit which has covered the earth with misery and crimes. It is a spirit in which too many high professors of religious or political-purity partake, and upon which they act in one or other respect, while they are loud in their execrations of those who exhibit precisely the same spirit, only in a different form of manifestation.

It is a spirit which makes the Creator a partial and grossly unjust being, and which, with the self conceit of the Pharisee that thanked God that he was not like the poor publican always assumes itself to be the favorite, and its opponents to be the proscribed of the and unjust Deity, which it has imagined.

Against this wicked and absurd spirit, abolitionists have arrayed themselves as to one form of its manifestation. Against it, we as a portion of the abolitionists, are resolved to array ourselves under whatever form it may assume. We hold that thieves, robbers, slaveholders, persecutors of aliens, or of persons of any religious or political faith, should all be ranked in the same category, as to the radical character of the crime they commit, although, doubtless many of each class may be partially if not wholly excused from the peculiar circumstances of

their education, condition, &c.

Against this spirit the law and the administrators of the law should ever be arrayed. It is because those administrators have been too often either neutral or arrayed on the same side with it, that its encroachments have at length become so alarming.

Ever since our national independence, the law has been enlisted in support of this spirit in reference to the colored man. They must be bad reasoners who would not carry out the principle, and apply it to other classes of men, if they believed in its justice in reference to the African descendant.

During the whole period of the history of the settlement of this continent by the whites, the law in more or less of the states, and in one feature or another, has recognized the right of one act of religious professors to lord it over the consciences of another set, to punish them for non-conformity, or to subject them to pecuniary tribute. Not only so, but we have constantly had a class of persons striving to extend the range of this religious tyranny and it is to the efforts of this class that the recent mobs are in a great measure attributable.

Though freedom of speech has been, in general, guaranteed by law, it has not been maintained in practice. For the last ten years the abolitionists have been subject to mob violence in three-fourths of the Union for the simple expression of their opinions-This violence has been either winked at, or indirectly approved, by a large portion of the men in authority, as well as of the political and religious leaders of the people.

Coming more directly to the city of Philadelphia, we find that about the year 1837 a few colored and white boys at a scene of amusement called the "flying horses," got into a quarrel in which the white boys, who were probably the aggressors, were worsted. They sallied forth and collected a mob of men and boys with whom they made an indiscriminate assault on the colored people of Southwark and Moyamensing who had given them no provocation. They tore down some houses, ransacked others, destroyed furniture, beat women and children, and killed an inoffensive man who was too ill to escape by flight.

A large portion of the community sanctioned this horrible crime on the pretext that the colored people must be taught to know their places: the public authorities winked at it, and the rioters and murderers were never even brought to trial.

It was previous to this last occurrence we believe that a public meeting had been held in the Musical Fund Hall, to intimidate abolitionists, at which meeting the present member of Congress from the city declared that the people of the North had no right to discuss the subject of slavery: and also previously that a mob meeting headed by prominent politicians from that day to this, send a deputation and seized on the wharf a box of abolition tracts and threw them into the river, some handkerchiefs which were in the box being stolen and carried off by a portion of the patriotic mob. The perpetrators of this outrage were never prosecuted.

In May, 1838, the celebrated burning of the Pennsylvania Hall took place: after it had been

delivered into the hands of the Mayor, under a solemn promise of protection—a promise which he did not even attempt to keep, by any thing having the appearance of efficient means. This burning was palliated by clergymen and others in public speeches. It was applauded by a large portion of the merchants of the city. One of them went so far as to issue his card or advertisement, with a picture on it of Pennsylvania Hall in flames, thinking thereby to conciliate the slave holding merchants of the South. Although some of the rioters were known, and two or three indicted, the Attorney General never brought them to trial. To the claim of the proprietors for compensation the County Commissioners opposed an obstinate resistance, in consequence of which they have not yet been paid at the end of more than six years: and they have a prospect when paid of receiving but half their real loss.

Some two or three years after the burning of the Hall, a mob in Kensington tore up the railroad, and burned a house belonging to the president of the company. It is an instructive fact that this man had been among those who applauded and justified the burning of the Hall. It was not long ere he experienced the verification of the Scripture maxim, that "the measure ye mete unto others shall be measured to you again." Two of these railroad rioters were convicted, but pardoned by the Governor after a few days imprisonment. As to the mass of them, hardly an effort was made to bring them to justice.

In 1842, a colored procession walking peaceably along the streets was assailed and dispersed by a mob. The colored people were pursued every where with savage ferocity. The Mayor and police being called on to suppress the riot, instead of arresting the rioters arrested those who were attacked. The mob thus encouraged proceeded to the burning of Smith's Hall and the African Presbyterian Church. Although the Mayor had seasonable notice of the intent to burn the church, he had scarcely any portion of his force on the ground, and none of it we believe stationed within the building. This burning was followed the succeeding days and nights by indiscriminate attacks and beatings of colored people, without the pretence of any offence on their part, and by efforts to burn the remaining churches. No efficient attempt was made to arrest any considerable portion of the rioters: and the Mayor actually refused to take measures for the arrest of some whose names were given him, together with those of the witnesses, by a highly respectable citizen. Of the few arrested some were never brought to trial; others were tried in the most lenient manner by the court and Attorney General, and escaped conviction. Some three or four who were convicted received sentences of the very mildest character.

For some years past our city has been disturbed by continual riots, among the firemen and weavers, accompanied by most atrocious outrages, and our public authorities have been distinguished by a remarkable failure to arrest and try the criminals, especially the firemen.

In May last, several dwelling houses and two churches were burned, upon no pretext, but that persons of the same religious faith with the proprietors had acted in that riotous spirit, of which they had had so many encouraging examples. When the mob was assembled to burn St. Augustine, the Mayor ordered the military who had come for its defence to depart; he assured the mob that there were no persons inside of the church to defend it, and omitted to

station any of his own police there. It was burned, as a matter of course.

Upon the next meeting of the Criminal Court, Judge Parsons, in a charge which did him much credit, called the attention of the Grand Jury to the investigation of these riots. But the jury, conducted the investigation with manifest partiality. They neglected and refused, as we are assured, to examine persons who could give them information, but who were either Catholics or of foreign birth; and they made a presentment in which they gravely attributed the mob to the attempt to exclude the Bible from the public schools; as if such an attempt, if really made, would be either a justification or a material palliation of the outrages. In short the presentment seemed to be a palpable glossing over of the conduct of the mob.

This presentment was followed by a charge from Judge Jones, to the next Grand Jury, in which he told them that our riots proceeded principally from foreigners, an assertion which we believe untrue in reference to Philadelphia, and which if true, was peculiarly inappropriate to the occasion.

The opponents of the Catholics and foreigners were highly pleased with the presentment of the Grand Jury and the charge of Judge Jones. They considered them as a proof that the official authorities took their side in the controversy: and it is extensively believed, that the last and greatest riot in Southwark, would not have taken place, were it not for the encouragement thus afforded.

In connexion with our general subject, we may here mention, that within the last two years, Governor Porter pardoned, even before sentence, several persons who had been found guilty of mobbing an abolition lecturer, and assaulting and breaking the windows of the house of the friend with whom he lodged. This pardon was not founded on the pretext that the lecturer had violated any law,--but only that his doctrines were not acceptable to the mob and the Governor.

From this sketch it appears evident that the state of intolerable anarchy to which we have at last arrived, might have been reasonably anticipated from the causes that were in operation. That the first and the main cause, was the recognition by a great portion of the people, including many of the clergy, the professional men, the politicians and the public authorities, of the doctrine, that the rights of men were unequal--that a portion of society might be trampled on at pleasure by other portions. The doctrine that black men were by birth the rightful subjects of oppression naturally led to the extension of the same principle to foreigners. The idea that abolitionists were entitled to no protection, because their doctrines were unpalatable, was naturally extended to Catholics, whose doctrines were equally unpalatable to sectarians. Almost every class and every sect of men, are responsible for the mischief, for almost every class and sect have encouraged mob violence, when it was directed against what they deemed the right objects. And especially guilty are the public authorities, from the Governor down to the Constable and Watchmen, not only for having neglected to enforce the law, but for having given positive encouragement by word and deed to its violators.

We may hope that recent events will produce such a change of opinion and feeling, that an end may be put the reign of terror and proscription. To accelerate this happy result, it is the duty of every man to set his face resolutely against all manner of religious, politician and personal interference; and to maintain, to the full that equality of rights, and of claims to benevolence, which is alike the doctrine of the New Testament and of the Declaration of Independence.

Gilder.Lehrman.Center@yale.edu • Yale University • P.O. Box 208206 • 34 Hillhouse Avenue •