

**Official Testimony of Sheriff Morton McMichael and General Cadwalader from *The Olive Branch; or, An Earnest Appeal in Behalf of Religion, The Supremacy of law, and Social Order: With Documents relating to the Late Disturbances in Philadelphia. Philadelphia: 1844.***

**OFFICIAL TESTIMONY**

Morton McMichael, sworn—I am the High Sheriff of the city and county of Philadelphia. On Friday last some time in the evening after dark, I received a note from Alderman Hertz, Police Magistrate of the District of Southwark, informing me that there was a tremendous excitement in front of the Church, and requiring me to send aid immediately, as he could do nothing himself; before I had started, two or three other deputations arrived with the same report.—I started with them, and learned on my way, that there was a rumor of arms in the Church ; they stated that the people in the neighborhood were in a state of exasperation; they inquired of me if I had authorized arms to be taken into the Church—I said I had not, but I told them I supposed they had been placed there by the military. I stopped on my way down at the house of Maj. Gen. Patterson; I saw Gen. Patterson, and he stated to me and to them that the members of the Church had been authorized to defend their Church with arms, and that they had been placed there by the sanction of the Governor. I continued on down Queen street; when I reached the Church, I found a large crowd of persons there, and had great difficulty myself as the Sheriff.—I found a space in front of the

I proposed to go into the Church and see how matters stood, and in company with Aldermen Hertz and Saunders, did so; the gate was opened as soon as the persons there were informed that the Sheriff was present, and wished to obtain admission; we passed along the side of the Church to the rear of the main building, and entered a small apartment like a robing room; we found there W. H. Dunn, whom I had seen before, Mr. Dunn, the priest, whom I had never seen before, and a third person, whom I understood to be the sexton; I stated to them that there was a great crowd outside of the Church, and great excitement upon the allegation that arms had been brought into the Church that day; Mr. W. H. Dunn said that 12 stand of arms had been brought on that day; I told him that it was very indiscreet to have done so, and inquired the reason why this had been done, when there was no immediate danger; priest Dunn replied that he had received information that day, that the Church was to be attacked in the evening, and put a note into my hands; I read part of it, and found that the handwriting was that of a female, and signed with

a female signature; the substance of the note was, that the Church was to be attacked that evening; I asked him who the writer was, and he said, a young lady, a Teacher in his Sabbath School; some further conversation took place between the Aldermen, these parsons, and myself, the result of which was that a proposition was made that the guns should be deposited in the Commissioners' Hall; Mr. Dunn concurred in the proposition; I then went out; the Aldermen found the captain of the watch, and the guns were taken to the Commissioners' Hall and there deposited; as these guns were taken away the crowd cheered, and they began to clamor that there were other arms in the Church

The County Commissioners gave me notice in writing on Saturday to take all measures to preserve the public peace and protect the church; Mr. Lentz, one of the County Commissioners, came to my office and I asked him whether the "deputies," the word used in the notice, was understood to mean military force if necessary; he said certainly; I consulted with all the officers of the county, and acted with their full concurrence and approbation; I had commenced at an early hour in the morning to summons a civil posse, and had issued several hundred notices; I directed George Hoffner to inform the Aldermen of Moyamensing that they might employ 15 men for each ward, making in all 60—that the Aldermen of Southwark should employ 10 men for each ward, making in all 50; I summoned the volunteer posse; I gave notice in writing to Major General Patterson, that he should hold any number of companies, not less than ten, ready to act, immediately their services should be required; this was between one and two o'clock on Saturday; about 6 o'clock the posse mustered at Military Hall to the number of 100; they divided themselves into five squads with a leader for each squad, and I placed myself at their head and moved down towards Queen street; upon arriving on the ground, I took possession, cleared the street, posted my men at the corners of Second and Third streets, and made that a position; I announced myself on arriving as the Sheriff and the gentlemen with me as my posse; there was a large crowd persons there; frequent attempts were made to break through the line, and if Captain Hill's company had not come down, we should have been forced; there were in the church 22 persons in all; considerable demonstrations were made by the crowd on the civil officers, using all the violence a crowd usually resorts to, they were warned by entreaties and intimidation, and several arrests were made; I myself arrested two persons; the crowd continued to gather and became more formidable; about that time Generals Patterson and Cadwallader moved down with a portion of the Artillery-44 men in all, and brought with them a field piece; the crowd had now become clamorous and threw stones; we repulsed them at various points; at one time at the corner of Third and Queen, the mob had forced back the military, and General Cadwalader

had given notice that they would fire, when I rushed forward and ordered the mob to fall back; this state of things, continued until one o'clock; Colonel McCahen, myself, and the captain of the watch, scoured the district, and drove the groups of persons away wherever we found them.

I requested General Cadwalader to go to Judge Parsons and ask [43] him to meet us at the General's quarters, and hear the persons in custody; as soon as I could I went to General Cadwalader's, and found Judge Parsons; the latter arranged to go to the church, and started, but just after he was gone, word was brought that Naylor had been rescued by a mob; Judge Parsons, on his way down, obtained intelligence of the same fact; while in consultation, a messenger, arrived to say that a piece of artillery had been planted in front of the church; we were then consulting as to the earliest period a reinforcement could be sent for the protection of those stationed at the church. Col. Pleasanton said that the military would not be ready before 2 o'clock, another messenger arrived to say that the Montgomery Hibernia Greens had been compelled to abandon the church, that the men had fired, and that one of their number had been captured by the mob, beaten severely, and supposed to be killed; I then directed my deputies to summon a posse in as great strength as they could; I myself went to Major General Patterson's, to communicate this additional information; while at General Patterson's quarters, I wrote two proclamations.

Up to a late hour it was doubted whether a sufficient force could be [44] obtained to keep possession of the church. The military mustered in small numbers. It was known at the time that the mob had three cannon. Upon consultation it was determined by the military officers, myself, and the Attorney General, to go down and take possession of the church, and maintain it against all mobs, at all hazards—those in charge not being willing to act under the law officer.—We regarded the act of dislodging the officers of the law as an open rebellion against the laws. The streets were filled with persons as I passed down. I reached the corner of Second and Queen streets, just as the firing took place. As I passed from Second into Queen street, a flash from one of the muskets was close to my face. I remained and saw the military take their post, and afterwards, until after the cannonading took place. I understood from the military officers upon the ground that they had been grievously assaulted, that several of the men had been struck by stones, that one had his head cut, and another three ribs broken, and that Captain Hill was captured and his sword wrested from him, he was knocked down, and trampled upon. I left the ground about eleven o'clock, and went to Major General Patterson, at his head quarters, and at my suggestion he sent down a troop of cavalry as a reinforcement. I made repeated efforts, in conjunction with the Mayor and some citizens, to organize a civil force to relieve the military on Monday. I sent my deputy, Mr. Price, and other deputies, but was unsuccessful in collecting a civil force.

The communications from the Alderman and Commissioners of the

District, after consultation with the Judges and the Attorney General, it was [45] concluded to acquiesce in, and withdraw the military; the military went down by my authority; it is my firm belief that without the aid of the military the church could not have been saved, nor the peace of the country preserved. In conclusion, I would say, that this testimony is desultory—not arranged in order as a statement, but given as the circumstances come into my mind, in the course of examination, and that in all my movements in this matter, I have acted under the advice and consent of this Court.

In reply to questions of the Attorney General, the Sheriff said, I do not think that the church could have been saved without the military on Saturday night. I have no means of knowing anything of the present condition of the district of Southwark, except as disclosed in the testimony upon this investigation.

Judge Jones here remarked that it would be well to have it recorded, that the self constituted committees from the Wharton market, or mob meetings, were in no way regarded by the Court as fit persons to treat with, and that nothing was done in the matter until the authorities of the district—Aldermen and Commissioners—required it. This he wished to be distinctly understood. The Court at 8 o'clock, P. M., adjourned.

#### **BRIGADIER GENERAL CADWALLADER'S STATEMENT**

I take a moment to say that many and urgent requests were made to Gen. Patterson and to the Sheriff to have a military force sent down to St. Philip's Church, on Sunday afternoon, and we were informed that unless such force was sent, that the persons in the church could not retain possession of it.

Under these circumstances, it was supposed that it would have been attributed to timidity if we had not gone, and the Sheriff was particularly desirous that, if our force was a sufficient one, the military should receive possession of the church and protect it.

I considered our force, although not large, sufficient for the purpose of maintaining possession until daylight the next morning; but stated that an additional supply of ammunition would be then necessary, as well as a reinforcement of fresh men, provided there was any collision with the mob—this it was supposed there would be no difficulty in providing, for the troops were expected to arrive from the county.

On our arrival at the church, I halted the troops and gave notice to the mob to disperse, and stated that all persons were required to clear the street, and to go to their homes; and I informed them that I was ordered to use force to do so if the order was not complied with, or if resistance was offered, and I intended to obey my instructions. In obedience to instructions, previously received from Major General Patterson, I gave directions to all officers acting in command of companies which were detached for any particular service, to fire in the event of being assailed or resisted, without further orders.

I then directed Col. Pleasanton to detail Captain Scott's company

to clear the street as far as Second street, which was promptly done; but finding it necessary, I sent Capt. Hill's company to unite, with Capt. Scott in the performance of the same duty

I then gave notice again to all persons at the corner of Second and Queen streets to disperse, and warned them that the responsibility would rest upon themselves if they did not do so. [46]

Much unruly conduct occurred, and insult was lavished upon officers and men in the discharge of their duty.

I had at the time these companies were clearing the street, unlimbered and loaded two six-pounder field Pieces, and placed them in front of the church.

Capt. Paterson's company was detailed or receiving possession of the church.

I then, after repeating instructions to the officers at the corner of Second and Queen, to maintain their position, and to fire if resisted or assailed, returned to the church, and informed the citizens within that I thanked them in the name of the public authorities for the faithful manner in which they had protected the property entrusted to their care, and accompanied them to the corner of Queen and Second streets, to pass them out at the guard stationed there. The moment the last member of the committee had passed, Captain Hill's sword was seized by one of the mob, and he was knocked down by a blow on the neck from a brick or stone. Two men who attempted to assist him were struck, and an attempt made to wrest their muskets from them. At the same moment a shower of stones were hurled upon the military amid the shouts of the mob; one of which struck Sergeant Starr, of the Cadwallader Grays, in the breast, and another a private of the same Company, both of whom were knocked down and disabled, and have not at this time recovered. A member of Capt. Hill's company fired at the man who had hold of the Captain's sword when he fell, and the Company aimed and fired over their Captain, who was yet lying stunned by the blow. Captain Scott's Company fired about the same time.