

THE PRENDERGAST FAMILY - LOYALISTS

An Address by William A. Evans, Esq., Jamestown Attorney,
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On August 6, 1766, a decade prior to the signing of the Declaration of Independence, William Prendergast and his wife, Mehitable, parents of Jamestown's founder, James Prendergast, established a place for themselves in American history. For on that day Loyalist William Prendergast, with his wife at his side, was tried for high treason against the Crown. The event occurred at the time of the Boston Stamp Act Riots and for a "Loyalist" to be so tried is certainly an enigma without further explanation.

William Prendergast, born in Wickford, Ireland in 1727, was a 38 year old tenant farmer of English Lord Philip Philipse tending a small farm in Dutchess County with his striking, intelligent wife of three years, Mehitable. Prendergast had taken his acres in a perpetual lease from the Manor Lord and paid as rent a portion of his crops, cattle and time. The rents were excessive and besides this the tenant had absolutely no security of tenure since on his death the land would revert back to the landlord.

The claim of Philipse to his manor was based upon the flimsiest foundations since the original patent granted to his ancestor, Adolph Philipse during the first part of the 18th Century appears to be fraudulently drawn and through the simple expedient of neglecting to mention a marked tree that appeared in the original bill of sale,

some 200,000 additional acres were added to the area actually intended to be purchased. The matter was litigated in court but the members of the Tribunal which decided the case were themselves large scale landholders and interested in preserving the titles to these lands.

The rents were unfairly and oppressively extracted, and the situation had become intolerable for William and most of the other tenant farmers in the area. Disturbances erupted and violence was used; the conflict that followed was an early enactment of the drama of 1776. Although William may have been mistaken about his legal position, he did not lack energy to assert his beliefs in what was right. After unsuccessfully protesting this state of affairs he helped to organize, assemble and train the farmers in the area into a formidable force of some 2,000 armed "levellers" (so named because they strove to convert their life estates or term leases into absolute fee ownership). The force under the leadership of Captain Prendergast marched toward New York City and New York Governor, Sir Henry Moore. There General Thomas Gage, later the Governor of Massachusetts, who was involved in the Boston Massacre, Lexington and Bunker Hill, ordered all of his officers and men into protection of the Fort at the end of Manhattan Island.

Governor Sir Henry Moore and a shakey city council were at a loss for ways to cope with this fearful invasion by the levellers.

On May 1, 1766, six riders from Prendergast Army appeared at the gates of the Fort. They announced that Prendergast had sent them as a committee to state the complaints of the tenants to the governor. Sir Henry Moore received them and treated them courteously and listened to their grievances. He assured them that he would not interfere with their disputes with the landlords. Thus satisfied, Prendergast went with his army back up river and disbanded most of his men.

The landlords, however, petitioned the governor and finally Moore asked Gage to send 300 soldiers to restore order by dispersing the rebels and capturing their leader.

General Gage responded by ordering the 28th Grenadiers to the Poughkeepsie area by sailing up the Hudson on sloops. Prendergast's men made a stand in Dutchess County but the British attacked and easily carried the position. One soldier was killed and most of the settlers surrendered.

Prendergast escaped capture and Mehitable, hearing her husband was not among the prisoners, went looking for him to persuade him to give himself up. In a short period of time the fiery Irish leader calmly rode into the British camp with

Mehitable at his side. He was immediately seized, put under heavy guard, placed aboard a slop^{op} on the Hudson for safe-keeping then transported back to New York City, indicted and brought back to Poughkeepsie for trial. Prendergast was tried for high treason on August 6, 1766. His trial attracted the widest public attention with focus on the admirable conduct of his wife, Mehitable, who was always at the side of her husband and, in fact, conducted his defense.

The New York Gazette wrote of her: "She never failed to make every remark that might tend to extenuate the offense and put his conduct in the most favorable point of view. Her charm and beauty so disrupted the jury that the Attorney General addressed the judge: "Your Lordship, I move that this woman be removed least she too much influence the jury".

"She does not disturb the court" replied the judge. "Your Lordship" complained the attorney, "I do not think she should speak at all and I fear her very looks may too much influence the jury."

The young Quaker lady exercised orderly logic and personal charm in the defense of her husband in the old Poughkeepsie Courthouse that day.

But, William and Mehitable indeed had a very difficult task since the jury she was accused of influencing for her husband was "stacked". It was composed solely of landlords who

were anxious to hang William Prendergast for inciting the tenant farmers to rebellion against their high rents throughout the Mid-Hudson Valley.

In a document entitled The King versus William Prendergast, under the caption "Notes of July Assizes, 1766" a series of extensive notations made by one of the king's counsel or his clerks while sympathetic to the landlords gives us a closer look at the actual proceedings.

The record indicates that William Prendergast was charged with disturbing the peace, levying war against the king, assembling a number of 500 unlawfully for that purpose and did order and levy war.

In the opening remarks of the Attorney General, the Crown's attorney, he stated that there was discontent among the tenant farmers on account of the insecure tenure of their farms, that a number of farmers had been placed in jail for failing to pay reasonable rents demanded by the landlords, that the rebels had formed themselves into companies choosing William Prendergast as a leader, and armed themselves, that they proceeded to free imprisoned farmers who had not paid their rent and that they came to a resolution to oppose the king's troops and in two instances by firing upon them, wounded one and killed another.

The account then records the testimony of numerous witnesses for the Crown who were examined by the Attorney General. Thereafter, William Prendergast was given a chance to make his defense and introduced the testimony of two witnesses.

(It should be interjected that William was required to make his own defense since in criminal matters at that time the defendant was not permitted advice and counsel of an attorney. William must have felt as Aleksandri Solzhenitsyn stated in the Gulag Archipelago I: "It seems a virtual fairy tale that somewhere at the ends of the earth an accused person can avail himself of a lawyers help. This means having beside you in the most difficult moment of your life a clear minded ally who knows the law.")

The testimony leaves little doubt that William was the leader of the farmer rebels and that he did the things for which he was accused. The question of sufficient justification for such acts is also answered.

The king's witnesses stated that William Prendergast objected only to payment by farmers of the unreasonably high rents and not as to the payment of other just debts; that Prendergast attempted on a number of occasions to negotiate the settlement with the landlords by submitting the dispute to arbitration.

They testified that William believed himself to be a good subject of the king and that he led the rebellion for the

good of the country. Others said William Prendergast himself was not subjected to unfair rents and if this is the truth, his personal involvement in the rebellion is even more noteworthy. There is, however, some conflict in this regard since other historians state that a principal reason for Prendergast's personal involvement was the knowledge that he paid more in rent to Lord Philipse than the landlord paid the English Crown for taxes and rent for his entire Manor of which William's acreage was only a small part.

Whichever account is accurate, it is clear that William did lead the anti-rent rebellion and his involvement was a meaningful part of our revolution, occurring a number of years before the likes of Franklin, Paine and Adams were heard from.

It is quite possible that the Prendergast children, including the then young James Prendergast, two years old at the time of his father's trial, were present in the courtroom (James was born March 9, 1764). Notwithstanding the presence of the family and Mehitable's eloquent pleas, the stacked jury went out and after a short deliberation brought back a verdict of guilty. Presiding Justice Horsmanden gave Prendergast the benefit of the doubt. He told the jurors "your verdict does not accord with the evidence in the opinion of the court. I must ask that you return to your deliberations."

When a guilty verdict was brought in again it blasted hopes of all but the calm Mehitable who listened with William as the judge sentenced William Prendergast to be hanged on the 28th day of September, 1766. He stated "The prisoner be led back to the place whence he came, and from thence shall be drawn on a hurdle to the place for execution, and then shall be hanged by the neck, and then shall be cut down alive, and his entrails and privy members shall be cut from his body, and shall be burned in his sight, and his head shall be cut off, and his body shall be divided in four parts, and shall be disposed of at the king's pleasure."

A horrible fate indeed was ordered for Prendergast and William intoned "God have mercy upon my soul".

Mehitable however had already made plans of what to do in case her husband was convicted by the jury.

As the muttering farmers ~~who~~ were prodding to release Prendergast, young Mehitable already was mounting her horse to head for New York City to see the governor. It was a brace and almost foolhardy thing for a young woman to do in 1766 when the country was new and wild to take the long trip and without the slightest promise of reward at the end.

But nothing daunted Mehitable, dressed in the very best dress she could borrow from her wealthier sister, set out for New York and Governor Moore, after 24 sleepless hours at the

trial. Mehitable galloped down the King's Road past Fish Kill and the waters of the Oscawanna Creek past Tappan Bay then Terrytown and past the Great Philipse Manor House in Yonkers and the full length of Manhattan Island until she reached the Fort and the governor.

After completing the exhausting trip of some 80 miles she immediately dismounted, begged and was given an audience with the governor.

Mehitable asked for the governor's mercy. She stated that while William was impetuous he did what he thought was right. She said there were hundreds of farmers who felt as William, that it was wrong to pay high rents exacted for small farms and to have no security for tenure. She said if William is hanged all these farmers will lose hope in justice and there will be no peace in the valley unless there is justice. The governor indicated that he was impressed by what she said and stated that you are a loyal and brave woman, your husband will not suffer.

At that the governor wrote out a reprieve suspending the execution "until His Majesty, King George III's pleasure should be known" and then allowed Mehitable to draw up in her own words the petition for a royal pardon.

All of this achieved, she did not rest on her laurels but once more set out on the 80 mile return trip to Poughkeepsie.

She knew she had to get back fast because she was sure that the Prendergast followers would storm the jail and undo her efforts at pardon. Her fatigue must have been incredible and she must have longed to head for her own home and sleep. In less than three days she had ridden horseback and alone for 160 miles, obtained a pardon and all this after the trial ordeal of 24 sleepless hours.

Meanwhile at Poughkeepsie the officials were asking for a hangman to hang the rebel Prendergast and the Prendergast followers sensing the way to rescue their leader were answering the call from their ranks.

When Mehitable arrived she gave the governor's reprieve to the sheriff and headed straight for the jail to tell her husband the news. He in turn, almost as strong-willed as Mehitable, convinced the anxious tenants not to release him but to wait the results of the pardon.

Six months later the results arrived. A letter written to Governor Moore by the Earl of Shelburne and deeded at Whitehall, England December 11, 1766. It ends with these words: "I have laid before the king your letter on the 11th of October recommending William Prendergast who was sentenced to death for treason as practices and riots committed in Dutchess County to the royal mercy and His Majesty has been graciously pleased to grant him

his pardon relying that this instance of his royal clemency will have a better effect in recalling these mistaken people to their duty ^{then} ~~in~~ the most rigorous punishment".

So William Prendergast, sentenced to be hanged for leading the anti-rent rebellion was freed and allowed to return to his farm. He arrived home as a popular hero. Later, in 1771 he acquired the absolute fee ownership to his land. It appears that he then prospered as a lumberman amassing a small fortune.

But importantly for us, this is not the end of the story of William and Mehitable. Imbued with plenty of the pioneer spirit and somewhat discontent after their troubles in Dutchess County, the Prendergasts set out with their many children and grandchildren (Mehitable had six sons and seven daughters in all) for Tennessee. Dissatisfied with the land there, they traveled through Pennsylvania and into New York towards the unsettled regions of the Great Lakes and our Chautauqua County. They reached what is now known as Ripley in the autumn of 1805. They purchased a small hut there. Some of the Prendergasts settled in Ripley while the others, including James, pitched camp near the head of Chautauqua Lake. In the spring of 1806 James and William went to the Holland Land Company land office in Batavia and bought a 3,337 acre tract near Mayville and put up a log house. Mehitable and William had found a haven in peaceful Chautauqua County surrounded by their children and grandchildren and they lived to

see them prosper and take important positions in the founding of the county and the City of Jamestown.

After the deaths of William and Mehitable, interestingly, a similar "Prendergast" anti-rent rebellion took place in Western New York during 1836 involving a great number of settlers who were making their homes in Chautauqua County. At that time the Holland Land Company owned most of the lands of Chautauqua County and had executed contracts with the settlers to deed the land after a series of yearly payments were completed. The terms were considered fair and the Holland Land Company lenient in their enforcement. During late 1835, however, the company decided to sell their lands in Chautauqua County and elsewhere in Western New York. The purchasers intending to realize a good profit, decided to increase considerably the contract prices on all contracts to be renewed after January 1, 1836. In accordance with this decision the terms of the Holland Land Company's contracts were suspended. The suspension brought about great excitement in the county. Men who had hastened to sell their products at harvest in order to make payments necessary to procure a deed or renew their contract found their money unacceptable.

The settlers organized and their efforts culminated in a great meeting of some 1,000 people gathered in Mayville on the 8th of January, 1836. The rebels agreed that they were willing to pay according to the terms of the Holland Land Company con-

tracts but not as to the unreasonable exactions of new proprietors.

Violence occurred on February 1, 1836 and land agent Peacock ^{is} quoted ^{as} ~~the~~ ^s following: "Our offices were destroyed last night by a mob of about 300 men from the east part of the county. They came on with guns, rifles and clubs. I just made my escape - they have burnt, carried off and destroyed all the books, land ledgers and every paper almost of any value - they have threatened death to the whole of us - it was given out by them that all the offices would share the same fate if nothing prevented it - I feel very bad - my heart is sick and my office is in ruins. We had no knowledge of their coming until they were just upon us." Similar destruction occurred the following night in Ripley.

Many meetings were held throughout the county protesting the new terms and the settlers announcing to the world that as long as the people of the county showed the same fearless patriotism as of late there could be no fear of becoming vassals and serfs and that they looked upon those who had destroyed the land offices in Chautauqua County as their best friends.

The results of this action caused the purchasers to ameliorate the terms to the satisfaction of the settlers and peace was restored.

Later in the year 1846, New York constitutionally prohibited feudal tenures by adding to the Bill of Rights the following: "No lease or grant of agriculture land for a period longer than 12 years hereafter made in which shall be reserved any rent or services of any kind shall be valid."

William and Mehitable remained loyal to King George III throughout the Revolution, living in seclusion in Rensselaer and Albany County. Their loyalty is understandable since the king's pardon spared William his life and a gruesome death.

They were unmistakably hero and heroine of the Revolution, exemplifying the spirit of '76 a decade early. Their fearless involvement at a time when to do so was to risk life and limb was in the finest of American traditions. We in Chautauqua County may claim them as our revolutionary heroes who insured justice when others talked of it.

William Brown

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