

# ISCHUA VALLEY HISTORICAL SOCIETY

## DUTCH HILL WAR

Our national character has always included a streak of civil disobedience. In Pennsylvania there was the Whiskey Rebellion and in Cattaraugus County there was the Dutch Hill War of 1845. Civil disobedience is defined by Webster's Dictionary as nonviolent opposition to a law through refusal to comply with it on grounds of conscience. However, there have been times when this has led to violence.

The revolt in Western New York was not quite as violent. In 1792 the Dutch bankers from the Holland Land Company purchased 5 million acres in Western New York. The Company made the mistake of treating the pioneers with extreme liberty.

Dutch was a corruption of Deutch (German) and a number of settlers in this region were of German descent.

The period between 1820 and 1830 produced the "Anti-Rent Wars." It not only involved Western New York, but also counties in the eastern section of New York State such as Delaware, Albany, Rensselaer, Schoharie and Ulster, The revolt in the eastern counties turned violent with mobs dressing as Indians (reminiscent of the Boston Tea Party), disrupted land sales, tarred and feathered opponents, and shot and killed Sheriff Osman Steele in Delaware County. The people were rebelling against what they considered an unjust system of land tenure.

George and Jacob Learn came to Cattaraugus County in 1823 and bought land on Dutch Hill Road. Both had fought in the War of 1812. They purchased 320 acres for \$2.00 per acre from land agent Jacob Otto. They put down a small amount of money and the land was to be paid in full in 10 years.

It is said that Jacob Learn cleared most of Dutch Hill Road himself since a road to his property had not even existed at that time. The contract called for installments to be paid over the years. The estate was divided into 2 farms, one for each brother. For 14 years they occupied the property without paying any more money since the down payment.

Between 1836 and 1837 a class struggle occurred between the settlers and the company. Many felt that men from a foreign country should not be permitted to own vast tracts of land in America, On February 6<sup>th</sup>, 1836 the office of the Holland Land Company in Mayville, New York in Chautauqua County was attacked and sacked. The agent William Peacock barely escaped with his life. A similar attack was launched on the Batavia office. The settlers questioned the validity of the Holland Land Company's right to own these lands. Two court cases finally upheld the rights of the Holland Land Company, but bitter feeling remained between the pioneers and the company, The problems at this point did not extend to Cattaraugus County.

In 1837, the Holland Land Company sold its rights to the Devereaux group. The title to Jacob's property was conferred to Goold Hoyt and George's property to Russel Nevins.

After waiting for about 6 years, Hoyt and Nevins requested that the Learns make some sort of effort to settle. They were met with refusals. In March of 1844 they began suits of Ejectment signed by Judge Chamberlain. The suits were handed over to Sheriff George W. White who went to Dutch Hill on June 12<sup>th</sup>, 1844 (yesterday would have been the 168<sup>th</sup> anniversary of this action). He had the legal authority to remove the Learns from the

# ISCHUA VALLEY HISTORICAL SOCIETY

## DUTCH HILL WAR

property. However, he had been instructed by Hoyt and Nevins not to remove them if the Learns agreed to come to their office and draw up new contracts. The Learns were advised by others not to and they refused to go. The Sheriff ordered his aides to remove the Learn's household goods from their houses.

As he began, a mob arrived and commanded the Sheriff to leave immediately. One report says that the Sheriff was so violently attacked that his injuries hastened his death a few years later. Since the Sheriff and his aides were unarmed, they left Dutch Hill.

A meeting was held in Hinsdale and a resolution was passed that the Learns had no legal title to the land. It read:

Resolved: that we seek a good title and reasonable prices, and we seek not to obtain these by force, but by fair and honorable negotiation. We highly scorn and repudiate the idea of setting the laws of our country at defiance or violating them in any case whatever, until we have been driven to that extremity where we should be morally justified in violating the letter of the law in defense of our natural rights, in protecting ourselves and families from the iron grasp of aggressiveness. Meetings were held in other towns and similar attitudes were expressed.

A short time later, warrants were issued for 11 people involved. Action on the warrants was delayed for a long time and this made the Dutch Hill rebels more confident. On January 24<sup>th</sup>, 1845, Alexander Chambers, William Gallagher, and Henry Smith left Ellicottville for Dutch Hill to make arrests.

This was the report found in the newspaper of that time:

The next morning they found the rebels on Dutch Hill ready to receive them, but in separate squads as guards to the several indicted persons. They attacked one squad of 8 men and had a parley, a struggle and fight of about half an hour when, finding themselves likely to be overpowered, they drew their pistols, scattering the enemy and secured their prisoners. The Indian alarm signal was soon given and the arresting party had not proceeded far before they found the road filled with men to oppose their progress and rescue the prisoners. The speed of the horses and the determination of the party, seconded by their display of arms, broke the ranks of the enemy. The newspaper account says that they secured their prisoners, but doesn't explain why only one prisoner, Thomas McWilliams, was brought back to Ellicottville.

Meanwhile, back in Ellicottville, Sheriff White prepared for the return of the party with prisoners. He decided to summon the militia since rumors that a mob of men numbering from 300 to 1,000 planned to attack Ellicottville, and destroy the courthouse and other buildings was circulating.

Mobilization of the militia was swift. By midnight a force of about 800 men guarded the county seat. Three cannon were placed in the courtyard and a large supply of mutton hams were being stored in the village to serve as a food supply for the troops.

# ISCHUA VALLEY HISTORICAL SOCIETY

## DUTCH HILL WAR

By 10:00 Sunday evening, January 24<sup>th</sup>, 1845, an expedition set out for Dutch Hill with horses and about 30 sleighs. The total number of men making the trip was about 300. The others remained behind to guard Ellicottville. The route taken was down the Great Valley, up Shin Hollow, over Chappell Hill, up the Five Mile to Dutch Hill. When the first sleigh arrived, they attempted to arrest 3 of the rebels. When Sheriff White arrived, one of his men accidentally fired a shot and this blunder caused the rebels to flee, and they were not captured.

There was no armed resistance, and Jacob and George Learn signed an agreement to make new contracts.

A legend says that when the militia went to George Learn's house they found only a sick old man in bed and a young girl doing chores. It is believed that by the time the militia arrived, the Learns had decided it would be wise to settle and sign new agreements.

But the militia fared the worst. They had to return to Ellicottville by night in the bitter cold. They went to Hinsdale Village seeking rations in vain. They continued on to Ischua, to Cadiz, and finally to Ellicottville to the Liberty Pole at the four corners. They arrived cold and hungry, only to discover that the quote, "an army travels on its stomach" had been ignored by the militia guarding Ellicottville. The mutton hams had all been eaten in their absence. The militia was mustered out and sent home.

So ended the Dutch Hill War. The rebels had never allied themselves with the Indians as once feared. The Sheriff and other officials were held up to ridicule because of what many considered needless worry on their parts. The county seat of Ellicottville was never attacked and burned. No one was ever punished for the incident. The county had to pay \$700 for the incident.

It was never reported whether the Learn brothers ever paid in full for their land. Both lived to 1884, dying within a few months of each other and being buried at Maple Cemetery. However, the patriotism of the Learn family cannot be questioned. Three sons of Jacob and Catherine Moyer Learn served in the Civil War. Thomas Learn enlisted in the 85<sup>th</sup> Infantry and was wounded at Fair Oaks. His arm was amputated. Morris Learn and John Conrad Learn served in the 188<sup>th</sup> Infantry.

Mrs. Chambers who lived in the former home of George Learn wrote a play based on the Dutch Hill War.

George Croaker wrote a poem on this legend:

"Lord bless with slumber sweet and light  
Judge Chamberlain and Sheriff White  
'Twas their wise counsel saved us all  
From sack and flame and murder's pall  
Long in the hollow of the hand  
Preserve them Lord to bless the land.  
And when they die (E'en great men must,  
By nature's laws returned to dust.)

# *ISCHUA VALLEY*

## *HISTORICAL SOCIETY*

### **DUTCH HILL WAR**

We'll sacrifice two fatted rams  
To deck their graves – with mutton hams!"

The Anti-Rent Wars and Dutch Hill War from 168 years ago bring to mind the mortgage problems facing Americans today. We also have The Occupiers practicing their dissatisfaction with today's economy.

Submitted by: Bruce D. Fredrickson, Town of Franklinville Historian