"FOR THE SECURITY AND PROTECTION OF THE COMMUNITY:"
THE FRONTIER AND THE MAKINGS OF PENNSYLVANIAN CONSTITUTIONALISM

DISSERTATION

Presented in Partial Fulfillment of the Requirements for
the Degree Doctor of Philosophy in the Graduate School of The Ohio State University

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The Ohio State University
2005

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ABSTRACT

Although we know a great deal about the social and political history of Pennsylvania, we know surprisingly little about its first state constitution. Admittedly, the Pennsylvania constitution was acknowledged to be an anomaly by some leading figures within the Founding generation. Still, Pennsylvania saw one of the most important experiments in constitution-making in the Anglo-American world and effected one of the true revolutions in American history. One cannot grasp the radicalism of 1776 without making sense of the coming of the Revolution in Pennsylvania and its peoples’ bold experiment in constitutional government. This dissertation unites a top down and bottom up approach to constitutional history and offers a comprehensive understanding of the 1776 Pennsylvania constitution. *For the Security and Protection of the Community* places the constitution within the context of the latter half of the eighteenth century and sees it as a continuation of trends begun in the French and Indian War, not as an anomaly of the Revolutionary era. The men who wrote the constitution understood civil society in Lockean terms, namely that its sole purpose was to protect life, liberty, and estate, but these ideas were adapted to the realities of colonial life on the frontier. Since, as Locke argued, the power to preserve natural rights had been placed “into the hands of the community,” every member of that community needed to participate in its defense.
Indeed, any man whose life, liberty, and estate were protected by civil society was required to contribute to that safety. It was this vision that became reality in 1776.
Dedicated to Andrea, Ross, and Blair
ACKNOWLEDGMENTS

I wish to thank my advisers, Saul Cornell and John Brooke, for reading drafts, offering advice (as their title suggests), writing letters of recommendation, and answering the hundreds of emails I sent over the last five(ish) years.

I thank Margaret Newell for offering two writing seminars and providing me with invaluable input for several of the chapters herein.

Many thanks to Doug Palmer, Matt Masur, Alison Efford, John Maass, and Dave Dzurec for participating in dissertation reading groups and offering quality feedback.

I am indebted to the people and institutions that saw enough value in my research to offer me fellowships: Jim Greene of The Library Company of Philadelphia, the Historical Society of Pennsylvania, and Richard Ryerson of the David Library of the American Revolution.

I am also grateful to the Department of History, the Graduate School, and the College of Humanities at OSU for the internal summer funding that made it possible to transform archival research into actual chapters.

I would especially like to thank the Graduate School for awarding me a Presidential Fellowship that allowed me to finish my dissertation.

Lastly, I thank Andrea, who left the Great White North and all its glory to become a Buckeye.
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Map 1. Pennsylvania up to the Revolution
CHAPTER 1

INTRODUCTION

“We live in the age of political experiments,” John Adams wrote to his wife from Philadelphia in October 1776, “among many that will fail some, I hope will succeed.”¹ One of the experiments Adams was certain would fail was Pennsylvania’s recently drafted state constitution, the most democratic document of its day and the most radical effort to recast constitutional ideals in the Revolutionary era. Despite Adams’ pessimism, understanding the people, events, and contexts that shaped the 1776 Pennsylvania constitution is crucial to our historical comprehension of the Revolutionary period. And yet, Pennsylvania constitutionalism has received relatively little scholarly attention since the 1930s, its significance often lost or subsumed by the genius of James Madison and the federal constitution.

Although we now know a great deal about the social and political history of Pennsylvania, we know surprisingly little about its first state constitution. Our understanding of this document has been shaped on one hand by Adams’ pessimism, and on the other by Tom Paine’s radicalism.² Admittedly, the Pennsylvania constitution was

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² One of the most influential books on Paine’s influence on the Revolution is Eric Foner’s *Tom Paine and Revolutionary America* (New York, 1976).
acknowledged to be an anomaly by some leading figures within the Founding generation, and Adams mourned that under the new constitution Pennsylvania would be “rendered much less vigorous in the cause, by the wretched ideas of government, which prevail, in the minds of many people.” Indeed, controversy over the constitution dogged its history from the outset, and within a generation Pennsylvanians had revised the 1776 document. Still, Pennsylvania saw one of the most important experiments in constitution-making in the Anglo-American world and effected one of the true revolutions in American history. The story of how the constitution came to be begins not with Paine’s arrival or the convening of the Continental Congress, but in the violence of the mid-eighteenth century Pennsylvania frontier. One cannot grasp the radicalism of 1776, or make sense of the coming of the Revolution in Pennsylvania and its peoples’ bold experiment in constitutional government, without first understanding the 1750s.

* * * * *

This dissertation unites a top down and bottom up approach to constitutional history and offers a comprehensive understanding of the 1776 Pennsylvania constitution. *For the Security and Protection of the Community* places the constitution within the context of the latter half of the eighteenth century and sees it as a continuation of trends begun in the French and Indian War, not as an anomaly of the Revolutionary era. Crucial to this endeavor is understanding not just Pennsylvania’s political culture, but also the constitutional problems that the men who drafted the document hoped to solve. When

3 John Adams to Abigail Adams, 4 October 1776.
the constitution is viewed within this context, its abiding concern for “safety” comes to the fore. Pennsylvania stood alone among the British colonies for its complete lack of a militia law or state-sanctioned military service. Under Quaker Party rule, which was able to maintain legitimacy up to the Revolution because of its inclusiveness and tolerance, religious conscience and personal liberty trumped any perceived obligation to the common defense. Thus, the Assembly passed no militia law that would impinge on the liberties of Pennsylvania’s citizenry. Aghast that the Assembly would neglect their rights as British subjects to the safety and protection of persons and property, many from the frontier formulated a vision of male citizenship and responsible government that demanded all men to participate in the common defense. These men understood civil society in Lockean terms, namely that its sole purpose was to protect life, liberty, and estate. Locke’s ideas, however, were adapted to the realities of colonial life on the frontier. Since the power to preserve natural rights had been placed “into the hands of the community,” every member of that community was obligated to participate in its

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4 I take my cue from Evelyn Nakano Glenn, Unequal Freedom: How Race and Gender Shaped American Citizenship and Labor (Cambridge, 2002), 19, and define citizenship to be “full membership in the community in which one lives.” James Kettner argues in The Development of American Citizenship, 1609-1870 (Chapel Hill, 1978) that during the Revolution Americans sought to define principles of citizenship that encompassed ideas of individual liberty and community security. I argue that in Pennsylvania the concern over community security was a product of the French and Indian War and was informed by Pennsylvanians’ understanding of their rights as British subjects. While citizenship included formal protection of civic rights such as personal safety and private property, it also encompassed a more abstract sense of belonging to the community. As Linda Kerber argues, “In the liberal tradition, rights are implicitly paired with obligation. The right to enjoy a trial by jury is mirrored by an obligation to serve on juries if called upon. The right to enjoy the protection of the state against disorder is linked to an obligation to bear arms in its defense.” See Kerber, No Constitutional Right to be Ladies: Women and the Obligations of Citizenship (New York, 1998), xxi. These rights and obligations were also gendered, creating an unequal burden for men and women in the practice of citizenship.”
defense. Indeed, any man whose life, liberty, and estate were protected by civil society was required to contribute to that safety. It was this vision that became reality in 1776.

Pennsylvania constitutionalists were trying to redefine the obligations of the state to its citizens, and of citizens to the community. Basing their views on their understanding of essential British and natural rights, these men used the Revolution as a way to overturn what they perceived to be as years of Quaker misrule. Quakers had denied the western counties equal representation in the Assembly, had demanded that men accused of murdering Indians on the frontier be prosecuted in the east, and, most importantly, had prevented the establishment of a state sanctioned militia. The new constitution demanded that every man who enjoyed the security of the state fulfill his obligation to contribute to the common defense. Bearing arms was not the right of the state as a legal entity which was then conferred onto citizens acting collectively, it was the duty of all citizens so that they could participate in a militia. Withdrawal from this civic responsibility was unacceptable and although the new Pennsylvania government would excuse physical service in cases of religious objection, payment had to be made to aid in the common defense. With every man contributing his share of the defense of Pennsylvania as a whole as well as the smaller communities within its borders, the

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5 John Locke, *The Second Treatise of Government*, Section 87, Mark Goldie, ed., (London, 1993), 157. Kerber defines obligation as “the means by which the state can use its power to constrain the freedoms of individual citizens.” Instead of being voluntary, such obligations “invite state punishment if they are not performed.” See Kerber, *No Constitutional Right*, xxi.

framers of the 1776 constitution felt they could realize the true goal of responsible
government: the “security and protection of the community.”

Pennsylvania constitutionalism cannot be understood without first appreciating
the way colonists adapted the language of British legal and political theory to the realities
of American life. One of the important social realities Pennsylvanians faced was the
problem posed by Indians along the frontier. While Pennsylvania was hardly unique in
this problem, it was peculiar in having a pacifist Quaker government in power. The
Pennsylvania constitution emerged out of a struggle between two opposing visions of
civil society—a martial back county vision that prized equal representation in the
Assembly, trial by jury, and participation in the common defense, and a Quaker vision
defined by liberty of conscience, pacifism, and negotiation. Although Quakers
themselves were becoming a numerical minority in government by the outbreak of the
French and Indian War, the emerging Quaker Party and the cross-ethnic and religious

over the past ten years have cited the 1776 Pennsylvania Constitution more than any other eighteenth
century state constitution in their quest to lay claim on the meaning of the Second Amendment. For
differing interpretations of the republican origins of the Second Amendment see Robert E. Shalhope, “The
Armed Citizen in the Early Republic,” and Lawrence Delbert Cress, “A Well-Regulated Militia: The
Origins and Meaning of the Second Amendment,” in Whose Right to Bear Arms Did the Second
Amendment Protect?, ed. Saul Cornell (Boston, 2000), 27-62. For a summary of the modern individual
Review 62 (1995), 461-512. For more recent Second Amendment articles that employ the Declaration of
Rights see L.A. Powe, Jr., “Guns, Words, and Constitutional Interpretation,” William and Mary Law
Review 38 (1997), 1311-1403; Steven J. Heyman, “Symposium on the Second Amendment: Fresh Looks:
Erekson, “Is the Day of Reckoning Coming?: The Collectivist View of the Second Amendment is Going
the Way of ‘Separate but Equal,’” Idaho Law Review 40 (2004), 757-795. For the more recent emphasis on
the civic nature of the right to bear arms see Saul Cornell, “Beyond the Myth of Consensus: The Struggle to
Define the Right to Bear Arms in the Early Republic,” in Beyond the Founders: New Approaches to the
For the validity of using preambles to establish a context for reading constitutions see David Konig, “The
Second Amendment: A Missing Transatlantic Context for the Historical Meaning of ‘the Right of the
People to Keep and Bear Arms,” Law and History Review 22 (2004), 119-159.
alliances it was able to forge ensured the longevity of the Quaker vision for Pennsylvania. Even with the dramatic withdrawal of some pious Quakers from government in 1756, Pennsylvania still did not pass a militia law or mandate military service. Frontier residents blamed the Quaker Party for drafting military bills that deliberately taxed the proprietary estate, knowing full well that the governor would never sign such a bill into law. Thus, Quakers could place the blame for poor defense on the shoulders of the proprietors and absolve themselves of all responsibility. Confident that if the western counties were given equal representation in the Assembly, these frontier advocates felt they could establish a government that would ensure their constitutional right to safety.

* * * * * *

Three scholarly paradigms have attempted to explain Pennsylvania constitutionalism in the age of revolution. Progressive and Neo-Progressive studies have been primarily concerned with issues of class, namely the disparities of wealth and power between the east and the west. Influenced by the seminal works of Charles Lincoln and

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8 Historians have debated the cause of Pennsylvania’s inadequate defense, namely, whether it was Quaker pacifism or Proprietary obstinacy. For a study that argues the latter see Robert L. Davidson, *War Comes to Quaker Pennsylvania, 1682-1756* (New York, 1957). Ralph L. Ketcham in “Conscience, War, and Politics in Pennsylvania, 1755-1757,” *William and Mary Quarterly* XX (1963), 416-439 tries to dismiss the notion that the Proprietors were feudal lords and seeks to root the Assembly’s actions in a coherent narrative of the opening years of the French and Indian War, arguing that rhetoric clashed with reality when addressing the problems of the war.

9 Robert Levere Brunhouse’s *The Counter Revolution in Pennsylvania* (Philadelphia, 1942), a classic Progressive study of the 1790 constitution, interpreted the debate over the 1776 document as a struggle between poor Constitutionalists and wealthy Republicans. Brunhouse was less interested in explaining the first state constitution than he was in tracing the fluctuations in power in Pennsylvania between 1776 and 1790. Although the radicals of 1776 dominated the early years of independence, they met steady opposition from conservative forces, until they met their demise in 1790. Brunhouse saw economic factors as the key to understanding Pennsylvania's embattled political arena, and interpreted the 1776 constitution as the result of poor western radicals’ triumph over wealthy eastern conservatives.
John Paul Selsam, these historians have explained the constitution of 1776 as the result of tensions between the poor frontier west and the wealthy merchant east. But even Selsam, the only scholar to deal exclusively with the 1776 constitution, was not particularly interested in probing the province’s constitutional culture. His discussion of the constitution itself was mostly narrative, describing each clause rather than analyzing how and why it appeared in the form it did. Historians following in his footsteps, even those who downplayed economic determinism, generally considered the constitution within the framework of a larger project, more concerned with the political than the constitutional. The birth of the new political history expanded the political sphere

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10 There is, in fact, only one monograph that deals explicitly and exclusively with the 1776 constitution: John Paul Selsam’s aptly named study, *The Pennsylvania Constitution of 1776* (Philadelphia, 1936). Selsam emphasized the political inexperience and naïveté of the men who wrote the document, arguing that they were products of a radicalizing frontier that turned even the most ardent conservative into a Whig. Setting the parameters for future studies, Selsam argued that the struggle over the first constitution was not purely political, but influenced by the clash of economic, ethnic, religious, social, and sectional interests. While the constitution established a radically democratic government, it also enabled the Scotch-Irish Presbyterians and Germans of the western frontier the chance to liberate themselves from decades of eastern Quaker and Episcopalian aristocratic rule. In essence, Pennsylvania experienced a dual revolution against imperial British royal authority and local Quaker power, an idea first developed by Charles Lincoln in *The Revolutionary Moment in Pennsylvania, 1760-1776* (Philadelphia, 1901). Lincoln detailed the many tensions that permeated the colony in the decades before the Revolution: namely the ethno-religious tension between Scotch-Irish and German immigrants and the Quaker oligarchy over representation. Unprotected from Indians raids on the frontier, and underrepresented in politics, western rebels capitalized on Revolutionary sentiment to redress the wrongs meted out to them over the years. The rebel cause found aid in a growing number of revolutionaries in Philadelphia, as well as in the Continental Congress. These support systems, he argues, did not cause rebellion in Pennsylvania, they only spurred on the inevitable. Lincoln, however, was not interested in explaining the 1776 Constitution, only in understanding the coming of the Revolution in Pennsylvania.

11 I use the term “political” to mean the mechanics of government, including the workings of the governor and legislature, and the related public and private debates. By “constitutional” I mean the fundamental rights Pennsylvanians considered to be inviolably their own either by natural law or British citizenship. While the political and constitutional were entwined, as Pennsylvanians looked to the government to help secure and ensure their constitutional rights, most histories of colonial and revolutionary Pennsylvania have traced the contours of the political sphere and not the evolution of constitutional thought. David Hawke’s *In the Midst of a Revolution* (Philadelphia, 1961) combined elements of both Selsam and Brunhouse to paint a picture of a coalition of misfits and losers who tried to use the constitution to control a world they could no longer master. Hawke emphasized that politically inexperienced radicals latched onto the Independence movement to execute a local revolution against the conservative forces that controlled government. However, he argued that there was no real tension between ethnic or socio-economic groups,
beyond the elite, inspired by the ethno-cultural model of politics. Perhaps best articulated by Owen Ireland, the ethno-cultural interpretation viewed the 1776 constitution as the product of a Presbyterian-led ethno-religious alliance bent on destroying its enemies.\(^\text{12}\)

The republican synthesis attempted to bring some unity to inquiries into revolutionary Pennsylvania riven by class, religion, and ethnicity. Taking a cue from Gordon Wood’s *The Creation of the American Republic*, historians looked to the political language Pennsylvania’s political parties employed to debate the constitution, arguing that both drew from traditional Republican assumptions and ideas.\(^\text{13}\)

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\(\text{12}\) Owen S. Ireland, *Religion, Ethnicity, and Politics: Ratifying the Constitution in Pennsylvania* (University Park, 1995). Although Ireland dealt mostly with the ratification of the federal Constitution in Pennsylvania and not the Constitution in 1776, he sought to explain the ethno-religious tensions that permeated Pennsylvania politics in the years before the ratification debate. Perhaps most importantly, Ireland showed that political culture could not be understood solely within the dichotomies Selsam and Brunhouse established. Ireland undermined the notion that party affiliations fell along class lines, arguing that both sides of the debate enjoyed plebian support and elite leadership. In so doing, however, he gave credence to a new dichotomy by linking partisan attachments exclusively with ethnicity and religion.

\(\text{13}\) Gordon Wood, *The Creation of the American Republic, 1776-1787* (New York, 1972). Within his argument that Revolutionary Americans had developed an essentially new and modern conception of politics, Wood depicted the Pennsylvania constitution as the most radical and monumental experiment in
Pennsylvania’s broader colonial and revolutionary historiography has little to say on constitutional issues as historians have struggled with the tension between older histories of law and newer histories of language. As Progressive studies gave way to histories of ethno-cultural divisions and Republican language, Pennsylvania constitutionalism languished in academic purgatory. At the heart of this transition from law to language was a desire to come to terms with Pennsylvania as either a place of Quaker hegemony, or a province divided amongst its heterogeneous population. Some historians have emphasized the dominance Quakerism enjoyed over Pennsylvania culture, and that Quaker success rested in their ability to convince non-Quakers to adopt their view of civil society.\textsuperscript{14} Even if Pennsylvanians did not live in perfect unity, their disagreements were not insurmountable.\textsuperscript{15} Other historians have focused more on politics in the Revolutionary age. Wood focused his short discussion of Pennsylvania on the battle over the unicameral legislature and the ideological tension between mixed government and republicanism. The most direct application of the republican synthesis to the 1776 constitution is Douglas M. Arnold, \textit{A Republican Revolution: Ideology and Politics in Pennsylvania, 1776-1790} (New York, 1989). This study is Arnold’s unrevised 1976 Princeton doctoral dissertation: \textit{Political Ideology and the Internal Revolution in Pennsylvania}. Arnold argued that the transition from the 1776 constitution to the 1790 constitution was the story of the gradual intrusion of liberal ideas into constitutionalist thinking. The constitution of 1790, with a bill of rights, a single executive, and a bicameral legislature was merely a more refined articulation of the concepts of 1776. In fact, Constitutionalists were unable to maintain political hegemony because they compromised republican principles with tests acts, loyalty oaths, and an unbalanced and often tyrannical unicameral assembly. But, while Arnold acknowledged that the constitution of 1776 needed to be understood within the context of the previous decade, he spent little time substantiating this important claim. Also, Arnold prized political ideology over constitutional ideology, and often assumed the two to be synonymous.

\textsuperscript{14} I am thinking specifically of Alan Tully, \textit{Forming American Politics: Ideals, Interests, and Constitutions in Colonial New York and Pennsylvania} (Baltimore, 1994.) Tully argues that Quakers were able to maintain power in the Assembly by forging alliances through civil Quakerism. Non-Quakers appreciated the Quakers’ commitment to “Pennsylvania’s unique constitution, liberty of conscience, provincial prosperity, loosely defined pacifism, rejection of a militia, and resistance to the arbitrary powers of proprietors,” and joined with them to protect this ideology. See Tully, 296-303.

\textsuperscript{15} See David Hackett Fischer, \textit{Albion’s Seed: Four British Folkways in America} (New York, 1989). Fischer argues that Pennsylvania was the product of a Quaker seed which promoted reciprocal freedom and allowed the diverse people of the province to live together under Quaker rule.
Pennsylvania’s heterogeneity and the ethnic, religious, racial, and class tensions that divided the province.\(^{16}\) Often, such studies have tried to understand how Pennsylvania’s diverse peoples understood their place within the larger British Empire.\(^{17}\) More recent emphasis on the frontier borderlands has added a further dimension of the interactions between whites and Indians within a provincial and imperial context.\(^{18}\)

The 1776 constitution has often been painted as the product of Pennsylvania’s colonial divisions, but few studies examined these tenuous links in any significant detail. This is not to say that such studies were flawed or wrong in their assumptions, but rather that their focus was on political rather than constitutional issues. While our knowledge of political culture and ritual grew along with our insight into qualities and contradictions of Quaker rule, our understanding of the constitutional ideas that drove the Revolution in

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\(^{17}\) For example see Patrick Griffin, *The People with No Name: Ireland’s Ulster Scots, America’s Scots Irish, and the Creation of a British Atlantic world, 1689-1764* (Princeton, 2001).

\(^{18}\) James H. Merrell, *Into the American Woods: Negotiators on the Pennsylvania Frontier* (New York, 1999). Merrell’s study is influenced by Richard White’s important work, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815* (Cambridge, 1991). Merrell looks at the negotiations in Pennsylvania that made both trade and treaties possible. Indians and settlers approached life from different perspectives, but had to reach a common ground if cohabitation was to be possible. To understand this process, Merrell looks at "Wood's Men", the go-betweens between Indian and English society. Despite their role as mediators, Merrell is quick to point out that these go-betweens did not adopt many elements of the "other's" culture, but rather were firmly anchored on one side of the cultural divide or the other. See also Jane Merritt, *At the Crossroads: Indians and Empires on a Mid-Atlantic Frontier, 1700-1763* (Chapel Hill, 2003). A student of White, Merritt traces the middle ground through Pennsylvania, arguing that by 1760 Indian and white populations had developed nationalist sentiments that shut down negotiations and prompted Pennsylvanians to call for new territorial and political boundaries to separate themselves from Native peoples. Daniel Richter has also been central in recasting the way we see colonial and revolutionary Pennsylvania by considering the Native perspective. See Richter, *Facing East From Indian Country: A Native History of Early America* (Cambridge, 2001); Richter and William A. Pencak, eds., *Friends and Enemies in Penn’s Woods: Indians, Colonists, and the Racial Construction of Pennsylvania* (University Park, 2004).
Pennsylvania did not.\textsuperscript{19} The problem with the dichotomies that have structured inquires of Pennsylvania’s history is that they simplify the complex relationships that shaped the province’s history. The reality of the past is that it was much more messy than we historians like to admit. People lied, finagled, and made deals with people they hated in order to defeat people they hated even more. Certainly religion, ethnicity, and class played a role in framing the Constitution, but these factors alone cannot explain the version of democracy crafted by the members of Pennsylvania’s Constitutional convention.\textsuperscript{20} While many of the supporters of the new Constitution were Scotch-Irish Presbyterians, they were not its sole advocates. While Presbyterianism informed their understanding of their constitutional rights, it was not the only source of inspiration. Radical Whigs did not revolt to create a Presbyterian theocracy, as their critics often alleged, but to enact a revolution against decades of pacifist Quaker rule. These radicals did not undermine Quaker authority on the basis of religion, but because as legislators Quakers had failed to uphold their constitutional obligation to the common defense.

Neither can class sufficiently explain the Revolution in Pennsylvania for men of all ranks.


\textsuperscript{20} As Stephen Rosswurm argues, evidence for ethno-religious studies consist “almost entirely of an analysis of the assembly's membership roll-call divisions and random quotes from the 1750s to the 1790s, [and] is so weak that one hesitates to call the ethnic-religious argument an interpretation.” See Rosswurm, \textit{Arms, Country, and Class: The Philadelphia Militia and “Lower Sort” During the American Revolution, 1775-1783} (New Brunswick, 1987), 4. Gregory T. Knouff’s \textit{The Soldier’s Revolution: Pennsylvanians in Arms and the Forging of Early American Identity} (University Park, 2004) seeks to overcome the dichotomies that have framed discussions of Pennsylvania by tracing the forging of a “localist white male nation” before, during, and after the Revolution. Knouff examines local concerns, what he considers the stuff of provincial politics, to provide a cultural history of the Pennsylvania soldiers during the Revolution. He does not, however, consider the link between these concerns and the 1776 state constitution.
and occupations filled the Whig and Tory parties. Class concerns did not dominate the constitutional convention’s proceedings, and the one clause drafted to restrict land ownership was completely discarded.

The colonial past certainly directly influenced the nature of the Revolution in Pennsylvania. Indeed, any assessment of the 1776 Constitution must begin in the French and Indian War.\(^{21}\) Doing so forces us to come to grips with Pennsylvania’s contours before the Revolution, and allows us to better assess the changes radical Whigs hoped to effect with the constitution. Making sense of Pennsylvania’s colonial past is a daunting yet necessary task if we are to understand the province’s road to the Revolution and the resulting radical constitution. This dissertation hopes to bring some coherence to the historiography by looking at how Pennsylvanians understood their rights within the British Empire and eventually the new republic. Certainly, understanding political culture is important since the political arena played an essential role as the province’s diverse inhabitants attempted to influence the Assembly to suit their own desires. However, it was constitutional concerns that drove such political maneuvering, making the political sphere a means to constitutional ends. I argue that there was a coherent constitutional ideology and culture forged in the violence of the French and Indian War that was finally realized in the 1776 Constitution. Concerns for community safety lay at the heart of this ideology that prized individual participation in providing for the safety of the whole. Government played an essential role by laying a legal groundwork through a militia law that would provide the necessary coercion to punish those who refused to

\(^{21}\) Fred Anderson argues that the Peace of Paris was more than a backdrop to the Revolution, and that any true understanding of 1776 must begin in 1754. Fred Anderson, *Crucible of War: The Seven Years’ War and the Fate of Empire in British North America, 1754-1766* (New York, 2000).
participate. The legislature would also provide necessary supplies and leadership to make the militia fully functional and effective. The true citizen, whether he be in the Assembly or not, was one who acknowledged his civic duty to the common defense and contributed his share, be it through physical service or fines levied on pacifists and conscientious objectors.

The conflict between Quakers and their opponents was shaped by a debate over the rights afforded British subjects and the rights guaranteed by Pennsylvania’s founding constitutions. The 1701 Charter asserted Pennsylvania’s founding principle: religious freedom. “No people can be truly happy, though under the greatest enjoyment of civil liberties,” the constitution opened, “if abridged of the freedom of their consciences, as to their religious profession and worship.” To underscore the importance of religious freedom a later clause stipulated that the “first article of this charter relating to liberty of conscience . . . shall be kept and remain, without any alteration, inviolably for ever.”

Responding to demands that had surfaced throughout King William’s War (1689-1698) that Quaker assemblymen resign or raise a militia, the frame of government stipulated that the only condition for participation in government was a belief in Jesus Christ as Savior of the World, “notwithstanding their other persuasions and practices in point of conscience and religion.” Those elected would serve with “powers and privileges of an Assembly, according to the rights of the free-born subjects of England.”

Ironically, it was this clause, meant to secure British freedoms, that was the root of so much conflict in the decades to come. While Quakers clung to its guarantee of religious freedom to support their pacifism, their critics argued that in so doing the Quakers were denying others their right to safety as British subjects by resisting a militia law.
Understanding the frontier experience is crucial to making sense of the safety provisions included in the 1776 constitution’s Declaration of Rights. The Paxton Massacres and Riots of 1763-64 were a watershed moment in Pennsylvania history where dissenters articulated a language of rights that served as the ideological basis for the 1776 Constitution. It is no coincidence that wording of the “Apology” issued by the Paxton Boys in 1764, which accused the Quakers of refusing to take up “arms in defense of themselves or their country,” is mirrored in the thirteenth clause of the constitution’s Declaration of Rights which guaranteed all Pennsylvanians the right to “bear arms for the defense of themselves and the state.” When the Quaker Assembly neglected provincial safety, frontier people appealed to their rights as British subjects and to the contradiction that Quaker pacifism posed to civil society. Assemblymen who could not vote for a militia bill because of religious conscience were considered unfit to serve in the government as their personal convictions denied the right to safety of their constituents.

As Benjamin Franklin argued in 1747, “protection is as truly due from the government to the people, as obedience from the people to the government.” This conception of civic responsibility clashed with the Quaker vision that favored negotiation and peace with Natives as a means to solving violence on the frontier. Although Benjamin Franklin’s voluntary associator movement enjoyed some success in the late 1740s, the security of the province could not depend on persuasion alone. If men would not fulfill their

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23 Benjamin Franklin, Plain Truth (Philadelphia: Franklin, 1747), 15.
obligation to the state on their own volition, then the state would coerce their participation.

While previous historiography has not provided a satisfactory understanding of the 1776 constitution, it has laid a solid foundation on which to build a new conception of Pennsylvania’s constitutional culture. My dissertation blends recent trends in historiography in order to approach political and constitutional history in a new way. Taking my cue from the new social history and cultural history, I acknowledge that road to Revolution was shaped by more than a small elite, popular spokesmen such as Thomas Paine and Benjamin Franklin, or the leaders of the inchoate Constitutionalist Party. Although Indians did not pen the constitution, and although the poor and illiterate of the frontier usually did not sit in the Assembly, they all influenced the tone and content of the Revolution in Pennsylvania. I also incorporate elements of another historiographical trend: the recent emphasis on the emergence and transformation of the public sphere. While much of the work on the public sphere has been influenced by literary critic Michael Warner, my dissertation does not concentrate exclusively on print culture but also looks to the more fluid sphere of cultural persuasion. Plays, satires, poems, militia parades, and the occasional wagon-load of corpses on the steps of the statehouse served to effect deliberation as much as formal pamphlets and essays.24 And, as J.C.D. Clark

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24 While this dissertation owes a certain debt to Jurgen Habermas, my inquiry steps outside his tight focus on rational print culture. See Jurgen Habermas, The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society trans. Thomas McCarthy (Cambridge, 1989). For a critique of Habermas approach see Nancy Fraser, Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy,” in Craig J. Calhoun, ed., Habermas and the Public Sphere (Cambridge, 1992), 109-142. My approach to the public sphere has been most influenced by John Brooke’s revision of Habermas’ model through a focus on cultural persuasion and physical violence. See John L. Brooke, “Consent, Civil Society, and the Public Sphere in the Age of the Revolution and the Early American Republic” in Jeffery Pasley et al eds., Beyond the Founders: New Approaches to the Political History of the Early American Republic (Chapel Hill, 2004), 207-250.
suggests, law and religion were intimately related in colonial America. My dissertation does not discard ethnic and religious interpretations of the Revolutionary movement but rather builds on the foundations laid by John Paul Selsam and Owen Ireland. Our understanding of the Constitutionalist movement must also look beyond the republican paradigm. The independence movement was more than the liberalization of provincial politics or the triumph of country ideals, it was the attempt to redefine civil boundaries and ensure the safety of the citizens within those boundaries.

_For the Security and Protection of the Community_ makes three important historiographic contributions. First, it seeks to overcome the limitations of traditional political history by looking at national ideologies within local contexts. Multiple actors representing radically different communities and cultures contributed to the framing of the 1776 constitution, regardless of who penned the actual document. The quest for power and legitimacy from the 1750s through to the Revolution prompted deliberation throughout the province as people of many ethnicities gave or withheld consent from the Assembly. Even those who could not vote were not immune to this process, as Pennsylvania’s continual efforts to secure Indian loyalty shows. Secondly, my dissertation sheds some light on the meaning of the right to bear arms as understood by supporters of the 1776 Constitution. Indeed, the right to bear arms was essential if men were to perform their duty of militia service. While the concept of civic obligation may

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seem foreign to the modern reader, it made perfect sense to the radical Pennsylvanians of
the late eighteenth century. Lastly, my dissertation explores and explains the version of
democracy that emerged in 1776; its nature and nuances, its qualities and contradictions.
In so doing, I hope to explain the coming of the Revolution in Pennsylvania and explore
Pennsylvania’s contribution to early American history.
“LET MEN BE GOOD, AND THE GOVERNMENT CANNOT BE BAD;” DEFENSE, SAFETY, AND RESPONSIBLE GOVERNMENT IN EARLY PENNSYLVANIA

From the first time British settlers set foot on the lands that would become Pennsylvania they were concerned with the problem of adequate defense. This perhaps seems like common sense since they were engaged in an imperial struggle with France, Spain, and other European nations to wrest control of North America from each other and the Native Americans who inhabited the continent. The charter from King Charles II, granting William Penn proprietorship of Pennsylvania in 1681, allowed Penn to raise money for the “public state, peace or safety” of Pennsylvania, provided he did so “with the advice, assent and approbation of the freemen” of Pennsylvania. 1 Despite this provision “for the good and happy government” of Pennsylvania, Penn made no explicit allowance for a militia in the 1682 Frame of Government, and did not establish any obligation on the part of the government to provide for the safety of the province’s people. Penn premised this first constitution on the idea that every frame of government was flawed but could operate if the men in that government were good. “Let men be good, and the government cannot be bad” he wrote in the preface, “but, if men be bad, let

the government be never so good, they will endeavor to warp and spoil it to their turn.”

In other words, colonial rights would be best protected by virtuous leaders.

The lack of a militia law in Pennsylvania led to a number of conflicts between the government and the governed, but none as severe as those provoked in the 1750s by the French and Indian War. Indeed, the failure of the Assembly to prevent Indian incursions on the frontier from 1754 to 1758 led many to question the legitimacy of the provincial government. The disparity between imperial wishes, provincial actions, and frontier realities caused political tensions and prompted frontier settlers to challenge their leaders’ virtue to rule. Even when both imperial authorities and the people of the frontier called for military action, the Quaker-controlled Assembly, loathe to break their pacifist convictions or acquiesce to proprietary demands, looked to diplomacy in the opening years of the war to solve the province’s “Indian problem.” Resistance to the Assembly was not restricted to any one ethnic group or religion, for Scotch-Irish Presbyterians, German Lutherans and Reformers, and Anglicans all voiced their disapproval of the government. Even though ethno-cultural divisions played into the resentment of western Pennsylvania against the east, the roots of the province’s political tension were constitutional in nature. The protests from the frontier during the Seven Years’ War were much more than isolated events of purely local significance and reveal deeply contested ideas over the role of responsible government. The inability of the provincial Assembly to ensure the safety of its citizens’ persons and property gave birth to a vision of civil society premised not on ethnicity but rather on the rights and responsibilities of British subjects. In this vision the Quaker government was flawed because it was not ruled by

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“good men” who sought to protect both the natural and constitutional right of all British subjects to safety.

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When the British successfully finished their campaign against New Netherlands in 1664, the Duke of York gained control over what would become the far eastern lands of Pennsylvania. Under his rule, every male over sixteen was to be “furnished with arms and other suitable provisions” or be fined five shillings for each infraction. Each man was to have a serviceable gun “kept in constant fitness” along with four pounds of bullets, a pound of powder, and four flints. A “sword, bandeleer, or horne” finished the list of requirements, along with the order that military captains send yearly reports to the governor detailing “how the inhabitants are furnished and provided, that due supply may be ordered.” Under such provisions early militia units formed, and in 1669, Captain John Carr petitioned New York’s council to approve construction of a blockhouse to defend New-Castle on the Delaware.

These early militia provisions and organizations became void when Charles II granted Quaker spokesman William Penn the lands of Pennsylvania as a proprietary colony in March 1681. The 1681 royal charter recognized that incursions from Indian nations “as of other enemies, pirates and robbers, may probably be feared” and thus made provisions for Penn to “muster and train all sorts of men, of what condition soever, or

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4 Andros’ correspondence indicates that there were recognized militia units in New-Castle in the late 1670s. See Samuel J. Newland, The Pennsylvania Militia: The Early Years, 1669-1792 (Annville, 1997), 5, n8.
wheresoever borne.”

Penn founded his colony on the ideals of religious freedom and liberty of conscience, and as such the 1682 Frame of Government he drafted made no provisions for defense and did not mandate any sort of militia service. Operating under the notion that good men could make government work, Penn’s constitution gave political preference and power to the propertied Council to the detriment of the popular Assembly. Still, very few colonists voiced any opposition to the constitution, and the first year of the colony’s existence saw nearly three thousand people sail into Philadelphia’s harbor.

When the Duke of York granted Penn the three Lower Counties on the eastern Delaware peninsula in August 1682, Penn sought to revise his original constitution since it provided for too many representatives and would have made government unruly with the incorporation of these new counties. Adopted in April 1683, the new frame of government still did not make any provisions for a militia, an omission that would soon cause conflict. Pennsylvania’s initial military problems did not come from within, but rather from imperial efforts to coordinate colonial defense in the wake of the Glorious Revolution. With the outbreak of King William’s War in 1689 came royal requests for Pennsylvania to form a militia since there were few Regulars stationed in the American colonies. When Pennsylvania refused New York’s request to supply either eighty men or money to defend against French and Indian incursions, the Lords of Trade asked that a royal government replace Penn’s proprietorship. Already wary of Penn’s previous

5 1681 Charter of Pennsylvania, A Collection of Charters, 8.

6 As Alan Tully argues, Penn gave “considerable weight in Pennsylvania’s government to well-to-do first purchasers” while emasculating the lower house. See Alan Tully, Forming American Politics (Baltimore, 1994), 30.
relationship with James II, William agreed and appointed Benjamin Fletcher, a soldier, to
govern New York and Pennsylvania. When Fletcher came to Philadelphia to force
compliance to royal military requests, he met strong Quaker opposition. Needles to say,
his attempt to pass a militia bill was quashed by the Assembly. Since patronage had
never failed him before, Penn turned to William and Mary to plead his case and regain
proprietary control of his colony. When the King and Queen restored his proprietorship
in August 1694, Penn appointed his cousin, William Markham, as governor and left
provincial affairs to local Quaker rule until the turn of the century.

The Council had proved to be a weak bastion against imperial demands for
military requisitions during the Fletcher crisis, so the newly-empowered Assembly
demanded that Markham accept a new constitution which gave the Assembly the power
to initiate legislation. Adopted in 1696 without proprietary approval, the new
constitution strengthened both Assembly and Quaker power.7 Again, no provisions for a
militia were drafted, although the constitution did repeat a vague phrase included in each
previous frame of government: “the Governor and Council shall, from time to time have
the care of the management of all public affairs, relating to the peace, safety, justice,
treasury, trade, and improvement of the province and territories.” Quakers, who
consistently resisted civil authority when it conflicted with their religious conscience,
now had the institutional grounding and the constitutional authority to stymie all royal
attempts to exact resources from Pennsylvania for colonial defense. When residents in
the Lower Counties expressed concern for their safety, their petitions were dismissed.

When King William’s War broke out in 1689, Lower County councilmen withdrew and

7 Tully, Forming American Politics, 34.
created their own separate legislature, which was eventually disbanded when the Lower Counties agreed to the clauses of the 1696 constitution. However, the problems of adequate defense were not addressed and Quakers now had the upper hand in the legislature.

William Penn returned to his colony in 1699 to find it rife with divisions both civil and religious. Many resented Penn’s proprietary power and the quit rents they owed him. By the late 1690s, a coalition of Anglicans, Baptists and Quakers declared their opposition to the 1696 constitution. Already feeling threatened at home, Pennsylvania Quakers viewed the establishment of the Board of Trade and the Society for the Propagation of the Gospel across the Atlantic as possible encroachments on their power. When Parliament proposed a bill to reclaim all proprietary lands for the Crown in 1701, Penn headed back to England and worked together with fellow Quakers to draft the Charter of Privileges, the constitution that would govern Pennsylvania until the Revolution.

The 1701 Charter reasserted Pennsylvania’s founding principle: religious freedom. “No people can be truly happy, though under the greatest enjoyment of civil liberties,” the constitution opened, “if abridged of the Freedom of their Consciences, as to their Religious Profession and Worship.” To underscore the importance of religious freedom Penn also guaranteed in a later clause that the “First Article of this Charter relating to Liberty of Conscience . . . shall be kept and remain, without any Alteration, inviolably for ever.” The new frame of government stipulated that the only condition for men to serve in the government was a belief in Jesus Christ as Savior of the World,

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“notwithstanding their other persuasions and practices in point of conscience and
religion.”9 The Assembly would consist of four members per county and would have the
“powers and privileges of an Assembly, according to the rights of the free-born subjects
of England.” Ironically, it was this clause, meant to secure British freedoms, that was the
root of so much consternation in the decades to come. While Quakers clung to its
guarantee of religious freedom, their critics argued that in so doing the Quakers were
denying others their right to safety as British subjects.

By the turn of the eighteenth century Pennsylvania government had reaffirmed its
commitment to the right of religious freedom, but in honoring Quaker religious pacifism
had avoided its responsibility to contribute to the common defense. Quakers were
determined to make Pennsylvania a colony that surpassed all others with regards to
popular privileges, which meant they could not coerce any man into militia service that
violated his religious rights. But, as frontier residents would soon argue, the Assembly
was infringing on others’ liberties through its commitment to pacifism. As continental
wars spilled over into the colonies the issue of defense and a provincial militia rose again
and again. For example, the opening of the War of Spanish Succession in 1702, and the
ensuing French-Iroquois alliance, prompted deputy-governor Andrew Hamilton to bypass
the Assembly and recruit a militia based on his power as Captain General of
Pennsylvania. Drummers called Pennsylvanians to arms but few saw the need to answer.

9 The Quakers were quick to protect themselves with the clauses of the 1701 constitution, but were less
enthusiastic when letting other dissenting sects into government. Yet, they found themselves bound by
their own rhetoric. On 9 March 1739, a petition arrived in the Assembly from “sundry Presbyterian
ministers in this province” explaining that they could not “without wronging their consciences, swear in
judgment according to the common form of kissing the book.” As such, they had been “shut out from all
offices in the civil government, and from giving evidence in causes for promoting of justice,” and asked the
Assembly for redress. After some debate, the Assembly did draft a bill to remove the offending ritual. See
To complicate the situation further, some Anglicans ignored the call to arms to undermine the Quaker government and precipitate its demise. Hamilton’s death in 1703 ended all talk of a militia until his replacement, John Evans, came to the province with instructions from the proprietor to raise a militia. Evans began recruiting men into a Governor’s Guard but the lack of pay and other local factors dampened public enthusiasm for the venture. In a last ditch effort to save his pet project, Evans fabricated a report of a French fleet moored off the coast of the mid-Atlantic states. He was quickly found out and attempts to raise a militia were all but dead by the time of his recall in 1708.

Although Quakers diminished in number in the Assembly during the opening three decades of the eighteenth century, they were able to build an effective popular coalition with non-Quakers who either shared their pacifism or saw no immediate danger that necessitated militia service. The peace the colonies enjoyed with the conclusion of Queen Anne’s War in 1714 only served to strengthen this alliance. The commencement of the War of Jenkins’ Ear in 1739 proved how strong the Quaker alliance had become as it was able to keep a militia law at bay despite the influx of Presbyterians and Anglicans into the province’s frontiers. But in some ways, things had changed since the early 1700s. When Governor George Thomas raised a militia in 1740 for deployment in the Caribbean, over seven hundred men volunteered, though some were indentured servants who had been promised their freedom by the governor’s recruiters. In the ensuing crisis Thomas wrote to London asking that all Quakers be removed from office so that

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Pennsylvania could put itself in a posture of defense. The 1740 election was divided between a governor/proprietary faction that portrayed the Quakers as unfit for civil service, and a Quaker/German faction forged when Quakers reminded Germans of the horrors of war in Europe from which they had escaped, and the almost certain loss of rights if their enemies prevailed. When the votes were counted, the Quaker alliance still controlled the Assembly.

In the wake of the 1740 election some Quakers saw that compromise on defense issues might be necessary. James Logan, a Scotch-Irish Quaker, argued that a Quaker minority would soon lose power if it did not rule in the interest of the majority. While Logan still considered an offensive war to be incompatible with biblical principles, a war to defend one’s property did not contradict Quaker pacifism. Claiming that the majority of Pennsylvanians now wanted a militia law and that a Quaker minority could therefore not deny it, Logan suggested that “all such who for conscience-sake cannot join in any law for self-defense, should not only decline standing candidates at the ensuing election for representatives themselves, but also advise all others who are equally scrupulous to do the same.”

Samuel Chew, Chief Justice of the Lower Counties and fellow Quaker, agreed. Emphasizing the “lawfulness of defense against an armed enemy,” Chew argued that “no religion whatsoever . . . can be true that is inconsistent with or repugnant to the Law of Nature.” The Quakers in the Pennsylvania Assembly denied men their God-given natural right of life and liberty, and in so doing promoted a doctrine “inconsistent

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11 The theme of a justifiable defensive war would pervade the frontier sermons of the French and Indian War.


with the very nature of civil communities.” When the French joined the war in 1744, the threat of attack and the need to prepare some kind of defense system seemed more pressing to Pennsylvanians. The Mayor and Common Council of Philadelphia sent a petition to the King explaining Pennsylvania’s poor defensive state and asking for redress. Governor Thomas declared that a state of war existed between the Commonwealth and France and once again set to raising a militia by preparing a list of qualified men in each county to whom he could offer commissions. He also asked the Assembly for arms, ammunition, and a militia law. The Assembly did not grant any of these requests though it did agree to provide money for the Crown’s use rather than supply troops for the war, a tactic which served to deflect some criticism from London.

It was during this debate over defense that Benjamin Franklin emerged into the political sphere. In 1747 he published *Plain Truth: Or, Serious Considerations on the Present State of the City of Pennsylvania and Province of Pennsylvania* under the pseudonym “A Tradesman of Philadelphia.” Well-known for his various benevolent and philanthropic ventures in Philadelphia, Franklin addressed his essay to his fellow middling peoples. As “Tradesman,” Franklin played on his readers’ sense of class to drive his point home, even though the very next year Franklin would retire into the ranks of the genteel.14 The rich would take care of themselves, he argued, for “the means of speedy flight [was] ready in their hands.”15 The answer to the defense problem lay with the middling sorts; they could form a private army. Like Logan, Franklin condemned the Assembly for putting their religion before their duties as representatives of the people,

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and suggested they relinquish their power during wartime. As he argued, “protection is as truly due from the government to the people, as obedience from the people to the government.” Franklin had tapped into the fundamental contradiction of the 1701 constitution, namely, could religious freedom trump other British liberties? He also provided the ideological groundwork for future polemics against the Assembly by explicitly stating that the government was required to provide protection. Quakers could not sit in the Assembly if they neglected this requirement, even though restricting their civil participation explicitly contradicted the 1701 constitution.

As promised in the closing paragraphs of *Plain Truth*, Franklin quickly set himself to the task of drafting a proposal for a military association, enlisting the help of Presbyterian William Allen and Anglican Richard Peters. Seeking to “animate all the middling persons to undertake their own defense in opposition to the Quakers and the gentlemen,” Franklin read his proposal to one hundred fifty tradesmen and mechanics on 21 November 1747. Every man present offered to sign, but Franklin cautioned them to wait until some gentlemen of the city signed as well to ensure the association’s financial security and success. Within a few days Franklin had built a broad coalition of support for his plan and obtained over 500 signatures from men of a variety of backgrounds and economic statuses. By the end of November, over 1000 men had signed. When six hundred associators marched to the Philadelphia courthouse in early December, the Council told the men they would commission all elected officers, thus giving legitimacy to this extra-legal organization. In the short term, Franklin’s associator movement was a

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success with thirty-three companies raised in Lancaster County, twenty-six in Chester, nineteen in Bucks, twelve in Philadelphia City, and eight in Philadelphia County by 1749. \textsuperscript{18} Even with the treaty of Aix-la-Chapelle on 19 April 1748 Pennsylvania’s associators did not disband, but less time and energy were put into their maintenance.

Many of Pennsylvania’s Presbyterians celebrated Franklin’s defense organization. In a 1747 sermon dedicated “to all that have joined in the late association for defense”, New Side minister Gilbert Tennent asserted that a defensive war was lawful and “approved by God.” \textsuperscript{19} A member of the congregation who heard Tennent’s sermon penned an anonymous essay and sent it to Franklin to be published in his \textit{Gazette}. “A total prohibition or discouragement of bearing arms” could not be found in the New Testament, he argued. Rather, arms served a very necessary role in the “defense of our country, and the protection of the helpless and innocent.” \textsuperscript{20} Of course, Tennent’s sermon provoked controversy in Philadelphia and prompted Quaker John Smith to issue a retort explaining that war and the New Testament gospel were incompatible. \textsuperscript{21} Tennent stood firm and penned two additional pamphlets to support Franklin’s defense association, although he claimed to have an “aversion to controversy.” \textsuperscript{22} In these two pamphlets

\textsuperscript{18} Newland, \textit{The Pennsylvania Militia}, 42. Bucks, Chester, Philadelphia City and County, and Lancaster were the only organized counties in 1749. Cumberland would be created from western Lancaster in 1750, and Berks and Northampton would be created in 1752.

\textsuperscript{19} Gilbert Tennent, \textit{The Late Association for Defense Encouraged} (Philadelphia, Bradford, 1748), 7.

\textsuperscript{20} \textit{Mr. Franklin, the Absolute and Obvious Necessity of Self-Defense} (Philadelphia, 1748).

\textsuperscript{21} John Smith, \textit{The Doctrine of Christianity Explained, As held by the People Called Quakers, Vindicated} (Philadelphia, Franklin & Hall, 1748).

\textsuperscript{22} Gilbert Tennent, \textit{The Late Association for Defense Farther Encouraged} (Philadelphia, Franklin & Hall, 1748). In his introduction Tennent called for his detractors to correct his theology if he was in any way mistaken, for it was “truth and the public safety” that he sought, not victory.
Tennent defended his assertion that God was “a Man of War,” unchanged from the days when he sent the Israelites into battle, and praised all the men who had joined in the mutual defense of the province. “Therefore, go on, my dear brethren, in the name of the God of armies,” he admonished the volunteers, “I rejoice to hear of the increase of your number, and to see so much love and unity among you, notwithstanding of your different denominations!”

Although Franklin had taken a large step in providing a viable system of defense for Pennsylvania his associator movement did not solve the political tensions or constitutional debates which had thwarted previous attempts to form a militia. No one in Pennsylvania was obligated to join an associator company nor was the Assembly required to supply funds or arms to these units. Although Franklin had side-stepped the recalcitrant Assembly, he had not addressed the constitutional ideology that had caused the problems in the first place. Quakers could still appeal to freedom of conscience and religion under the Pennsylvania constitution, also sacred British rights, and their control of the Assembly meant that those rights trumped any petitions for defense. Pennsylvania lacked a militia law and could still evade royal requests for troops to aid in imperial wars. Pennsylvania had avoided any direct attack from either France or Spain, but when hostilities with France heated up in the Ohio River Valley in the early 1750s Pennsylvania was not so fortunate. Immigrants to the province had settled westward into Cumberland, York, and Lancaster counties, and north into Berks and Northampton.

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24 By the early 1750s Pennsylvania’s population was approximately 33 percent English, 30 percent German, 30 percent Scotch-Irish with Swedish, Dutch, Finnish and African peoples completing the remaining 7 percent.
When France’s Indian allies began to attack the frontier settlements it became clear that a volunteer force alone could not provide adequate defense. True to form, the Assembly rejected all calls for a militia and instead turned to a time-honored avenue to protect the frontier: Indian negotiation.

The onset of the French and Indian War in Pennsylvania forced the province’s leaders to continually negotiate peace between the Indians and settlers of the frontier. Convinced that success or failure in the conflict with France hinged on gaining the loyalties of the Indians, authorities in Pennsylvania, along with their counterparts in New York and Virginia, expended great amounts of time, energy, and money to secure treaties with the Six Nations of the Iroquois, the Shawnee, the Delaware, and other tribes within their spheres of influence. Likewise, French agents sought to sway the Indians to fight against the British, often promising the return of the lands the Natives had lost to the British since the 1600s. Although the French and British attempted to divide the peoples of the North America into distinctly opposing sides, the realities of the frontier borderlands were much different. Indians, concerned more with maintaining their autonomy over land and trade than the victory of any particular European power, played one European power off the other, dividing their loyalties between both the English and French. Settlers on the Pennsylvania frontier often killed Indians indiscriminately, regardless of the treaties which had been signed by colonial leaders. Their aggressive acquisition of land and trade routes continually undermined imperial and provincial diplomacy and galvanized violent and often horrific Indian reprisal and retaliation. Translators and negotiators, such as Conrad Weiser and George Croghan, mediated
between imperial wishes and frontier realities. Indeed, the most pressing problem for Pennsylvania during the war was appeasing Indian demands while protecting their constituents on the frontier at the same time. Despite the great amounts of energy expended, provincial leaders were often unable to maintain legitimacy either from those they ruled or from the Indians under their “protection.” Violence on the Pennsylvania frontier became rampant, causing many settlers to flee their farms and settle further east away from the Indian threat.

The obligations of male citizens to the state, and of government to those they ruled, was an issue of great concern for Pennsylvanians of the 1750s. In 1753, William Dover published a pamphlet which explored “men’s duty to God and towards one another, with advices civil and religious.” Dover emphasized that every man was bound to every other not through obligation but duty. “A good neighbor is no small part of civil society,” he cautioned, adding that “‘tis sometimes better to disappoint thyself than disoblige thy friend.” Duty was also tied into religious community, and with the threat of a French Catholic attack, Protestant ministers emphasized the obligations of Protestant soldiers to stave off the “popish” armies. “What course shall we pursue in defense of our native rights and privileges, when these dogs of hell . . . dare to erect their heads,” Philip Reading asked the congregation at Christ Church in Philadelphia, “shall we not rise up as

25 For a more detailed look at these negotiation on the frontier, see James Hart Merrell, Into the American Woods: Negotiators on the Pennsylvania Frontier (New York, 1999). As a young boy, Conrad Weiser had lived with a Mohawk tribe for half a year to learn their language and customs and act as a mediator between the Iroquois and the German settlers of the New York frontier. Weiser moved to Berks County, Pennsylvania, in 1729, and was soon hired by provincial secretary James Logan to use his knowledge to ensure stable frontier relations. George Croghan, who immigrated from Ireland to Cumberland County, Pennsylvania, in 1741, was a trader who used his economic ties to mediate between the settlers and Indians of the frontier.

26 William Dover, Useful Miscellanies (Philadelphia, Chattin, 1753), 24.
one man, and with united hearts and hands vindicate our religion and liberties, our Protestant religion and British liberties?”27 With a very real threat of a land attack on Pennsylvania, an ideology of rights and obligations began to gain credence in which defense was a central concept. Men were bound together in the bonds of civil society and were thus obligated to one another to contribute to the common defense, to “rise up as one man.” For Protestants, a defensive war against heathen and Catholic attacks was lawful and necessary to ensure the security of British liberty. Protestants needed to lay aside their differences and be “perfectly joined together in the same mind” to ensure the “future peace and happiness” of “religion and liberty.”28 Anglican Thomas Barton pleaded with all Pennsylvanians, “to defend our country, when in danger, is virtuous; and to preserve our religion in her departing moments is—it is more than virtuous! It is divine!”29 As fear of attack became reality, many looked to the Assembly to contribute their share to protecting the province.

To neglect the safety of the frontier was to violate the very contract that formed the basis of civil society. Pennsylvanians understood civil society in Lockean terms, namely to be when “any number of men are so united into one society, as to quit every one his executive power of the law of nature, and resign it to the public.”30 This power was vested in a popular government, which had “no other end but the preservation of


29 Barton, *Unanimity and Public Spirit*, 5-6. Although Barton personally despised Presbyterians and New Side evangelicals, the need for pan-Protestant solidarity and Barton’s ties with the proprietor forced him to become a frontier spokesmen against the Quakers throughout the French and Indian War. See Kerby Miller et al eds., *Irish Immigrants in the Land of Canaan*, (Oxford, 2003), 488.

property.”\textsuperscript{31} The binding together of men into civil society created a community, one protected by the rule of law to which all men were equally subject.\textsuperscript{32} Once he entered into this community, every man put “himself under an obligation to everyone of that society, to submit to the determination of the majority.”\textsuperscript{33} Indeed, civil society consisted of men bound together “according to the law of nature, for the safety of the whole; having a common established law and judicature to appeal to; with authority to settle controversies between them, and to punish offenders.”\textsuperscript{34} Every man was obligated “by the law of nature to preserve his own life, liberty, and property; but also that of others.” Pacifism was antithetical to the purpose of government, and many Pennsylvanians believed that “government has no power if it has not the sword.”\textsuperscript{35} Quaker critics were quick to point out that most people in the province wanted a militia, and to let a minority faction of pacifists block it was contrary to the very purpose of civil society. By the mid 1750s, Pennsylvanians on the frontier also had the very real problem of escalating violence to deal with, and a militia served a very practical function.

\textsuperscript{31} Locke, \textit{Second Treatise}, 162.

\textsuperscript{32} Use of the phrase “civil society” was quite sparse in Pennsylvania texts in the 1750s. When it was employed, it was used to denote the space protected and defined by law. Thus, when the law-abiding Reverend Thomas Arthur died, the \textit{Pennsylvania Gazette} could report on 19 February 1751 that “civil society is deprived of one of its brightest ornaments.” Likewise, an essayist in the 5 September 1754 issue of the \textit{Gazette}, who had not bothered with the debates of the political arena before, could consider himself “a peaceable member of civil society.” Pennsylvania readers could also nod in assent to the words of Jonathan Belcher, chief Justice of Nova Scotia, whose inaugural speech was reprinted in the 12 December 1754 edition of the \textit{Gazette}: “be assured the authority of government shall be ready to support the law; for the law, gentlemen, is the firm and solid basis of civil society.”

\textsuperscript{33} Locke, \textit{Second Treatise}, 164.

\textsuperscript{34} John Goodlet, \textit{A Vindication of the Associate Synod} (Philadelphia, 1767), 8-9.

\textsuperscript{35} John Carmichael, \textit{A Self-Defensive War} (Philadelphia, Dean, 1775), 11.
The charge that Quakers were unconcerned with the safety of the frontier was unfair. Quakers were concerned, but they felt they could protect both person and property without supporting a militia. In early 1754, the northeastern colonies attempted to develop a coherent plan of action that could secure Indian loyalties and defend against recent French incursions in the Ohio country. The English knew that the French had the upper hand since their desire to trade rather than acquire land had led to better relations with the Indians of the Great Lakes. In contrast, English settlers, especially those from Virginia, had aggressively captured land and trade routes. As Virginia governor Robert Dinwiddie fretted to Pennsylvania governor James Hamilton, “our forces to be sure will be much inferior to the French unless the other colonies are more liberal and sanguine than ours has been, and you know the uncertainty of depending on the Indians.” 36

William Shirley told the General Assembly of Massachusetts that as many of the Indian tribes inhabiting the British colonies as possible, especially the Six Nations, should be kept in friendship with the English lest they side with the French and inflict a “fatal influence” on British interests. 37

Dinwiddie and Shirley had good cause to worry, for word soon came from Indian agent George Croghan that the French were talking to the Six Nations, Delaware, and Shawnee at Logg’s Town, warning them that they had “but a short time to see the Sun, for in Twenty Days You and your Brothers the English shall all die.” 38 Although the


37 16 May 1754, The Pennsylvania Gazette.

38 A Speech made by Monsieur La Force, the French Gentleman that was at Log’s Town, Colonial Records, 6: 22.
Indians reportedly refused to be intimidated, telling the French that they were not afraid of warfare, on 23 March the Pennsylvania Assembly agreed to undergo the expense of sending commissioners to Albany, New York, to form a help draft a plan of colonial union and to sign a treaty with the Iroquois. The Assembly also voted to send a present of £500 to be given to the Six Nations at Albany as a gift from Pennsylvania, as well as £10,000 to be given to the King’s use. Still wary of the Indians along the Ohio river, Hamilton sent Conrad Weiser on 6 April to ask the Shawnee and Delaware if they had had any contact with the Ohio Indians, and to assess their general feelings towards the English. Likewise, in mid-April Governor Dinwiddie began to plan an expedition to the Ohio River under the leadership of Captain William Trent and Major George Washington to sway the Indians there to the English side and to build a fort at the confluence of the Allegheny, Ohio, and Monongahela rivers. While Hamilton supported the trip, the Pennsylvania Assembly was unable to agree to provide any sort of financial assistance to the Virginians.

Dinwiddie’s expedition quickly turned into a disaster, for no sooner had the men begun to build a fortification than they were met with a large French force. The Virginians were easily routed and the French finished what the English had begun, calling the completed structure Fort Duquesne. The increasing French military presence was cause for alarm, as was the number of Indians already reported to be under French

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39 The terms British and English are often used interchangeably in this chapter to denote those living within the British colonies of North America, or the colonies themselves. The author acknowledges that the colonies, especially Pennsylvania, were ethnically diverse. However, when negotiating, the Indians did not differentiate between ethnicities, but rather saw all settlers as under British authority.

40 As Hamilton wrote, “I now think it incumbent on me to acquaint You that in my Opinion it is altogether uncertain whether any Thing will be done by out Assembly at their next Meeting that may contribute to the
influence. Perhaps equally distressing was news that the French were continually expending time and money to sway the Indians of the Ohio country to their side. “The French down the river,” Washington wrote to Dinwiddie, “are sending presents and invitations to all the neighboring Indians and practicing every means to influence them in their interest.”\footnote{Washington to Governor Dinwiddie, 9 May 1754, W.W. Abbot et al., eds., \textit{The Papers of George Washington}, Colonial Series (Charlottesville, 1983-1995), 1: 94.} The \textit{Pennsylvania Gazette} was quick to point out the danger the French and their allies posed: “the design [of the French is] to establish themselves, settle their Indians . . . [and] send out their parties to kill and scalp the inhabitants, and ruin the frontier counties.”\footnote{9 May 1754, \textit{The Pennsylvania Gazette}.} The English did have some allies in the Ohio country and had already been contacted by Half King of the Oneida, Scruneyattha, who sent a message and a string of wampum on 18 April to the governors of Virginia and Pennsylvania stating that he and his tribe were waiting for English assistance to strike back at the French who had begun to build forts along the Ohio River. The English soon took action. Washington and Half King of the Seneca, Tanacharisson, agreed in a council on 27 May 1754 to attack the French troops that were advancing on the Virginian force now camped at Great Meadows. Although Washington met with victory, he and his allies unwittingly sparked the French and Indian War.\footnote{For an exhaustive account, see Fred Anderson, \textit{Crucible of War: The Seven Years' War and the Fate of Empire in British North America, 1754-1766}, (New York, 2000).}

With the opening of armed hostilities with the French, colonial unity became of the utmost importance. The New York Assembly was convinced that “securing the Five Success of the Expedition.” “A Letter from Governor Hamilton to Governor Dinwiddie,” 18 April 1754, \textit{Colonial Records}, 6: 27.
Indian Nations and those in alliance with them in the British interest [was] of the utmost consequence to all his Majesty’s colonies on the continent." In order to ensure Indian loyalty, they recognized that they, in concert with the other English colonies, would have to build a system of forts to provide protection for their Indian allies. They also realized that frontier settlers would have to cease encroaching so aggressively on to Indian lands. Pennsylvania Indian agent, Conrad Weisrer, agreed, reporting on 2 May that “the Indians on Sasquehannah and about Shamokin . . . saw [New England men] making of draughts of the land and rivers, and are very much offended about it.” Indeed, equitable land dealings seemed to be the key to securing treaties with the Indians. If land was legally purchased, colonial authorities reasoned, the Natives would have no reason to turn to the French in order to seek retribution against encroaching settlers. Naturally, the Indians themselves were interested in allying themselves with whoever could help them maintain autonomy over their lands and keep aggressive settlers and traders in check. As they told the commissioners at the Albany Congress, “the French profess to be in perfect friendship with us as well as you; notwithstanding this they are making continual encroachments upon us both. They have lately done so in the most insulting manner, both to the northward and westward.” Of course, the English were not immune to the Indians’ ire. Native leaders chastised the governors of Virginia and Pennsylvania for allowing traders to establish trade routes and houses on their lands without permission.

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44 Resolution of the Assembly of New York, 17 April 1754, Colonial Records, 6: 34.
45 A Letter to the Governor from Conrad Weiser, Esquire, 2 May 1754, Colonial Records, 6: 35.
46 At a Meeting in the Court House at Albany, 27 June 1754, Colonial Records, 6: 70.
47 At a Meeting as aforesaid on Tuesday the 2nd July, 1754, P.M., 2 June 1754, Colonial Records, 6: 80. As the Indians told the commissioners at Albany, of “the governors of Virginia and Pennsylvania have
While in Albany, the Pennsylvania commissioners sought to ease Indian-settler tensions by securing a large land purchase from the Six Nations. On 5 July 1754, the Iroquois delivered the following message to the commissioners: “We have several times desired the Governor of Pennsylvania to remove his people from our lands, and we understand that he has done his utmost endeavours for that purpose except using force, which we do not desire he should. We are now, therefore, willing to part with them, and expect to be paid for them.” The following day, they signed a deed giving the proprietors the lands formerly belonging to the Mohawk, Oneida, Onandoga, Cayuga, Seneca, and Tuscarora for a sum of £400. For both parties, the deed did more than just transfer the ownership of land from one group to another, it also served to legitimize Anglo authority over those lands, seal a compact of friendship, and ensure an end to future land incursions. “We have made the firmest league of friendship with our Brethren of Pennsylvania,” stated the Iroquois, “and are become as one people with them.” The commissioners felt secure that they had made a stride forward in Indian relations, unaware that they had just been sold a large portion of Delaware land without their consent. While the Pennsylvania contingent in Albany congratulated itself for successful negotiation, their actions actually opened the door for future conflict.

Despite the perceived success of the Indian negotiations at Albany, the people of the frontier were not confident that their government had ensured the security of western

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48 At a Meeting of Seventy of the Six Nations at Mr. James Stevenson’s, in Albany, 5 July 1754, Colonial Records, 6: 115.

49 At a Meeting of the Six Nations on Tuesday the Ninth Day of July, 1754, 9 July 1754, Colonial Records, 6: 125.
settlements. The imperial and provincial attempts to cast the net of diplomacy over the Indians of the frontier and Ohio country did little to calm local fears, and talk of Indian violence spread through the western counties of Pennsylvania in the summer of 1754. On 15 July, seventy-five inhabitants of Cumberland county sent a petition laden with Lockean language to James Hamilton, claiming that they were “now in the imminent danger by a powerful army of cruel, merciless, and inhuman enemies, by whom our lives, liberties, estates, and all that tends to promote our welfare, are in the utmost danger of dreadful destruction.” With George Washington’s recent defeat at Fort Necessity weighing heavily in their minds, the citizens pleaded for the governor to “hasten [their] relief” from the French. Likewise, ninety-eight inhabitants of Lancaster county petitioned the governor to provide them with ample protection from the French and their Indian allies. Sensible to the dangers of being on the frontier, the petitioners asked the government to “put us in a condition that we may be able to defend ourselves,” guaranteeing in return that they would do their part to “join with all we can do for the safety of the province.” On 22 July, a petition from fifty-seven inhabitants of Paxton, Derry, and Hanover Townships in Lancaster County reached Hamilton, claiming that they were in particular danger because of their proximity to the Susquehanna River, which the French had been using regularly to transport ammunition, artillery, and supplies.

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50 Petition of the Inhabitants of Cumberland County to the Governor, 15 July 1754, Colonial Records, 6: 130.

51 Petition of the Inhabitants of Donegal, in Lancaster County, to the Governor, 26 July 1754, Colonial Records, 6: 131.
The question of defense began to dominate public debate by September of 1754. Seeking to rouse his fellow Pennsylvanians from “the lethargy which seems everywhere to prevail amongst us,” the essayist Philanthropos hoped to awaken a “sense of duty” throughout the province and asked all to “divest [themselves] of prejudice and party views.” But, despite Philanthropos’ best wishes, party spirit was entrenched in Pennsylvania and was not about to be easily overcome. The pressing issue of defense had led to the formation of a pragmatic alliance between Anglican and Presbyterian factions, two groups who had opposed one another in Europe. Anglicans were a minority in Pennsylvania, headed up in the political arena by Reverend William Smith, provost of the College of Philadelphia, and Reverend Richard Peters, head of the Governor’s Council. Relations had soured between the Quakers and the Proprietor (now converted to Anglicanism), and personal friendships and patronage wedded the Anglicans and pro-Proprietary factions together. The most significant of these factions was the Scotch-Irish Presbyterians under the leadership of William Allen, Presbyterian merchant and provincial attorney-general, and frontier leaders like militia officer and proprietary land agent John Armstrong of Carlisle. The Quakers had found allies in Pietistic Germans who shared their pacifist convictions, and through this alliance were able to control the Assembly up until the American Revolution. Of course, religious denomination or ethnicity was not a guarantee of political affiliation and many people traversed the province’s political divisions over the years. Political unity was fleeting amongst these

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52 5 September 1754, *The Pennsylvania Gazette*.

53 See Kerby Miller et al., eds., *Irish Immigrants*, 490.
tenuous alliances which strained to the breaking point by the time Pennsylvania declared independence from Britain.  

The defense issue fueled the divide between the Quaker party and the Proprietary party throughout the 1750s and early 1760s. The unwillingness of the Quakers to relent on the issue of a militia law destroyed all hope of a pan-Protestant alliance and set the Proprietary party on a course to oust Quakers from power and establish a system of defense for the province. An anonymous writer, claiming to represent the “well wishers of the province,” submitted an inflammatory essay to the *Pennsylvania Gazette*, railing against the Assembly for not protecting the frontier settlers. Claiming that the French were “daily plundering our back inhabitants, and spoiling and laying waste to our borders,” the author believed it was “high time to look around us, and unite as with one voice to elect such men as are able and willing to defend themselves and country from so violent an enemy.”

In the 26 September 1754 issue of the *Gazette* “A Lover of his Country,” who claimed that he had “not hitherto concern’d [himself] in publick disputes,” joined the critique of the Assembly’s inadequacy to arm the frontier. “I may venture to say, without the gift of prophecy,” he argued, “that those among us, who are desirous to choose such members as would be willing to pay a proper regard to the orders of His

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54 The Anglican-Presbyterian alliance was often an uneasy one, not just because of European animosities but provincial politics as well. Thomas Barton and Armstrong disliked one another and were competitors for proprietary favors in Carlisle. When Barton accepted an offer to serve as spiritual advisor to John Forbes’ men on the expedition to Fort Duquesne, it is quite possible that Armstrong, one of Forbes’ three colonels, lead the charge of the predominately Scotch-Irish regiment to reject Barton’s appointment. Consequently, Barton was only able to serve as a volunteer to the Anglicans in the regiment, and lamented to Peters about the insults he had suffered. See Kerby Miller et al eds., *Irish Immigrants*, 492.

55 19 September 1754, *The Pennsylvania Gazette*. 

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Majesty in this critical conjuncture, would be willing to vote money to supply the back inhabitants with arms.”56

Confident that the land purchases made during the Albany Congress would ensure Iroquois loyalties, Pennsylvania’s government began to address the issues raised by the west, and concerned itself with providing for the safety of both its citizens and Indian allies. Governor Hamilton remained convinced that the Iroquois and those within their sphere of influence would remain loyal to the British cause since the French were pushing onto their lands by force. By mid-August, some Indians had taken refuge within Pennsylvania’s boundaries and Hamilton expected that “many others” would soon join them. Exiled from their hunting lands these Indians expected that their English brethren in Pennsylvania would provide for them and their wives and children while “engaged in war against a common enemy.”57 Hamilton considered these expenses, as well as those entailed in securing arms and supplies for the frontier, as integral to the welfare of the province and to the success of defeating the French. As he told the council, “you may be assured that nothing which depends on me shall be wanting towards affording [the frontier settlers] the protection they desire.”

Unfortunately for Hamilton, Quaker members of the Assembly were much more resistant than he to raising money for military means, and saw Indian negotiation as sufficient in itself to protect the frontiers. There were also questions over the precise way to raise the money for defense; a problem that recurred throughout the war. The Governor resisted any bill that taxed the proprietary estate, while the Assembly balked at

56 26 September 1754, The Pennsylvania Gazette.

57 Council held in Philadelphia, Wednesday the Seventh of August, 1754, 7 August 1754, Colonial Records, 6: 134.
any direct orders to raise money for military means lest they sacrifice both their pacifist ideals and their role in governing the colony. By 1754, the Assembly had gained considerable legislative power and was not about to surrender that autonomy to the demands and circumstances of warfare against the French. Thomas Penn, concerned that the Assembly would not be able to wage an effective war, tried to use this crisis to restore proprietary control over provincial finances and legislation. He ordered governor Hamilton not to sign any bill that did not restore the chief executive’s power to participate in the appropriation of defense money. Thus, the Quaker Assembly found itself in the midst of a political quandary: if they followed Penn’s wishes they would lose what they saw as an important legislative right, but if their defense bills were vetoed, political enemies would brand them as aloof, opportunistic pacifists. Their fears were soon realized when William Smith published *A Brief State of the Province of Pennsylvania* in which he charged that the Quaker party had “no mind to give a single shilling to the Kings use, unless they . . . [could] thereby increase their own power.”

For the Assembly, Indian diplomacy was a more viable and realistic solution than a militia bill to the problems of the war. Quakers prided themselves on their years of success in this area and hoped that negotiation could help restore peace to the province. Pennsylvania’s leaders felt they could rest assured in their alliance with the Iroquois for the time being, but the movements of the French in the Ohio Country remained a constant concern. If the French were successful in swaying the Indians there to join with them, the frontiers of Pennsylvania were sure to be subject to the violence its inhabitants feared and

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that some had already experienced. Although Hamilton, and perhaps the other colonial
governors as well, believed that the Six Nations could control the Shawnee and
Delaware, reports from the west created cause for concern. On 16 August, word reached
Philadelphia that the Shawnee and Delaware were “all very uneasy to see the
backwardness of the English, and say that they fear what the French tell of their brethren
is too true, that is that the English are afraid of the French, notwithstanding their superior
number.”60 To help ease Indians fears and ensure their continued loyalty, Hamilton sent
Conrad Weiser to talk with them and present a gift of money. Weiser was to encourage
the Indians that the English had every intent to strike back at the French, and that their
appearance of backwardness was largely due to an “unfortunate disagreement” between
Hamilton and the Assembly about the way money should be raised for defense.

In early December, newly appointed Pennsylvania Governor Robert Hunter
Morris sent a message and wampum to the Delaware of the Ohio and Susquehanna rivers,
asking for their support on the basis that “we are one flesh and blood with you.”61 On 19
December, Morris met Indian leaders in Philadelphia to guarantee their people’s loyalty.
There the Indians related to those at the meeting a history of death wrought by the
French, telling the council that they and their allies would “take into consideration the
deaths of [our] forefathers killed by the enemy, and conclude to join . . . in assisting our
Brethren.”62 But the council also revealed that many Indians were not content with the

60 A Letter from Captain Stobo, 29 July 1754, Colonial Records, 6: 141.

61 To the Delaware Indians living on the River Ohio and the Susquehannah, September 1754, Colonial
Records, 6: 187.

62 At a Council held at Philadelphia, Thursday, 19th December, 1754, 19 December 1754, Colonial
Records, 6: 194.
English’s relative inactivity against the French. Turtle, a chief of the Twilightees, urged
the western Indians to

be strong and strike the French, and drive them from these waters. We the
Twilightees have struck the French and killed fifty of them. We desire all
nations to be strong. The Twilightees, Piankishaws, Waywawjachtanows,
and Muskoos, and all the Indians to the west, desire you to be quick and
strike the French; cut them down now whilst they are young and tender—
do not suffer them to grow to be large trees.63

Pennsylvanians had to rest in the confidence that they had “a large share in [Indian]
affections” due to the “justice, humanity, and tenderness” with which the province had
treated its Native inhabitants.64 With a political stalemate blocking the passage of
effective military legislation throughout most of 1754, Pennsylvania relied heavily on
Indian negotiation to ensure provincial security. More than any other issue, concern over
Indian loyalties pervaded the government’s proceedings, while fear of Indian violence
dominated the frontier. What emerged by the end of the year was a complex net of
loyalties and divisions that fueled existing divisions between the Quaker and Proprietary
parties.

1755 opened with a renewed effort to take Fort Duquesne with the help of royal
troops. General Edward Braddock and the 44th and 48th regiments left England on 14
January 1755, arriving in Alexandria, Virginia on 20 February. The pending campaign
did nothing to heal existing political tensions in Pennsylvania, leaving Quakers in a
conundrum of whether to resign or try to effect change from within the Assembly.
Should the province continue its tradition of paternalistic Indian policy, or should a more

63 At a Council, 19 December 1754, Colonial Records, 6: 198.

64 Assembly’s Reply to the Governor, 6 December 1754, Colonial Records, 6: 189.
aggressive plan of action be instated?"65 These questions still lingered when Braddock’s defeat in July of 1755 re-exposed the frontier to retribution from France’s Indian allies. French victory also shifted the theater of war from Pennsylvania to New York, which meant removing British troops from the province’s frontier. In mid-August, word came to governor Morris that Colonel Dunbar of Fort Cumberland intended to march to Philadelphia as soon as possible to tend to the three hundred wounded officers and soldiers in his company. “The removal of the army from the frontiers will leave the back settlements entirely exposed to the incursions of the French and Indians,” Morris warned the Assembly, “I lay these matters before you, that you may, as soon as possible, fall upon measures for the protections of the western frontiers.”66 Meanwhile, nine citizens of Carlisle entered into an association on 12 July 1755 for their “mutual defense”, promising to keep “night watch or guard, within the limits of Carlisle” and to “continue so long as it seemeth necessary to the majority of us.”67

The Assembly’s continued focus on negotiation at the expense of a militia bill baffled people in England and America. The contrast between the Virginia militia and Pennsylvania’s lack of defense stood out starkly and convinced many “how necessary it is to have an active and actual militia.”68 Indeed, it was the presence of a strong militia that would keep Indians “steady to [the British] interest,” for only with an active militia


66 14 August 1755, The Pennsylvania Gazette.


68 10 October 1754, The Pennsylvania Gazette.
could colonists realistically offer protection from French retribution. There was also fear that the French would capitalize on Pennsylvania’s pacifist leadership, a fear exploited with the publication of “Reflections of a French Author” in the Pennsylvania Gazette. “The British colonies have their respective governments both civil and military; they are independent and separated one from the other,” wrote the anonymous author, “but the subjection of the military government, in regard of the civil, will be an eternal bar to any coalition of their forces for acting harmoniously under one chief.”69 While some British officials lamented that not one colonial governor was a military man, many people on both sides of the Atlantic saw Pennsylvania as an especially weak chink in Britain’s imperial armor because of the pacifist civil government. If Pennsylvania were to pass a militia bill like the other provinces, estimates placed the number of potential militiamen throughout the North American colonies at about four hundred thousand men.70 Pennsylvania’s inactivity seemed even more blatant in the wake of Braddock’s defeat when Virginia governor Robert Dinwiddie asked the House of Burgesses to “conceive, to form and enforce such a law, as may render the militia both able, and ready to be useful, when called upon to defend their country.”71 The result was the formation of a 1200 man Virginia regiment. Pennsylvanians read about the news a few weeks later in the Pennsylvania Gazette and perhaps wondered why their government was not so actively


70 4 February 1755, The Pennsylvania Gazette.

71 28 August 1755, The Pennsylvania Gazette. For more on the Virginia militia on the frontier after Braddock’s defeat see Matthew C. Ward, Breaking the Backcountry: The Seven Years’ War in Virginia and Pennsylvania, 1754-1765 (Pittsburgh, 2003), 59-77.
protecting “the most dear and desirable of all human treasures: religious and civil liberty.”

In reality, the Virginia militia did little to prevent Indian incursions along the Virginia frontier and its commander, George Washington, had to deal with the problem of mass desertion. Indeed, the state of military preparedness and effectiveness in the colonies was a source of much exasperation in London. Although the colonies were “full of people,” lamented an article in the London Magazine, “we shall find them almost destitute of fighting men. In some colonies there is not appearance at all of a militia, and in some other there may be an appearance of such, but not of service.”72 But for frontier Pennsylvanians, the effectiveness of the Virginia militia was of little concern, they just wanted an opportunity to defend themselves. That opportunity could be afforded by the Assembly and the use of public funds to supply militia units. As such, Anglican George Ross and other prominent men from Lancaster petitioned Governor Morris asking for “assistance in furnishing those that are willing to do their utmost for the defense of their families and bleeding county.”73

By November 1755, Indians raids on the frontier had begun in force and it became apparent that both the Delaware and the Shawnee had been swayed to the French side. “It seems clear,” wrote governor Morris in a message to the Assembly on the morning of 5 November, “that the French have gained to their interest the Delaware and Shawanese Indians, under the ensnaring pretence of restoring them to their country.”74

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72 The June 1755 article was reprinted in the 16 October 1755 issue of the Pennsylvania Gazette.

73 Petition from Lancaster, 12 November 1755, Historical Society of Pennsylvania (HSP), Dreer Collection, No. 904.

74 13 November 1755, The Pennsylvania Gazette.
About 1500 French and Indians had begun to attack settlements along the Susquehanna River, killing some and taking others as prisoners. The inhabitants of the frontier, still waiting for adequate protection from the Assembly, began to leave their homes for safer regions to the east. Morris again called on the Assembly to pass a militia bill and raise supplies and money for the war effort. But rather than pass such a bill, the Assembly felt it was more important to actively engage in Indian diplomacy and undermine France’s human resource pool. “In our opinion,” the Assembly told Morris, “it requires great care and judgment conducting our Indian affairs at this critical juncture.” Still confident that the Six Nations would continue to fight for the English, members of the Assembly wanted to determine if there was any “disgust or injury” the Delaware and Shawnee had incurred from Pennsylvania that could be remedied, thus swaying the Indians back to the English. That afternoon, word came that “the settlements at a place called the Great Cove, in the county of Cumberland, are destroyed, the houses burnt, and such of the inhabitants as could not make their escape, either slaughtered or made prisoners.”

The Assembly’s reluctance to pass a militia bill in favor of resuming diplomacy enraged the governor. “You have been sitting six days,” he thundered, “and instead of strengthening my hands, and providing for the safety and defense of the people of the people and province . . . you have sent me a message wherein you talk of regaining the affections of the Indians now employed in laying waste to the country, and butchering the inhabitants.”75 The Assembly responded by drafting a bill to raise money for the King’s service, but was quick to remind Morris that Pennsylvania had been founded on the maxims of peace and had always, since the province’s establishment, maintained an

75 13 November 1755, The Pennsylvania Gazette.
interrupted friendship with the Natives. The Assembly maintained that they had “the most sensible concern” for the frontier inhabitants, and claimed that they “had reason to believe that in the midst of their distresses, they themselves do not wish us to go further. Those who would give up essential liberty, to purchase a little temporary safety, deserve neither liberty nor safety.” Always wary of losing legislative authority to the proprietor, the Assembly presented itself as the voice of the people who restrained executive authority in the interest of the common good. As their critics pointed out, the Assembly seemed to be more concerned with their own liberty than with the freedom of those on the frontier.

Despite their lofty rhetoric, the Assembly was not doing what its western constituents wanted, namely, protecting their persons and their property. Northampton County sustained a large number of attacks in the winter of 1755, and its inhabitants settled in the valleys north of the Blue Mountains suffered greatly as Indians raided into the upper reaches of the county.76 Within the first six weeks of the attacks, most of the settlers had been killed or had fled the transmontane and eastern slope townships for the Moravian mission town of Nazareth. As the Moravians observed on 31 October, “there is a great fear come upon the people of this neighborhood, and they are at a loss whither to go for refuge from the Indians.” By the end of November, sixty settlers had come to the mission, most the victims of attacks at Gnadenhuetten. Thirty soldiers also came to the mission to scout the Indian position, but “there was so much confusion, if not panic among them, that they failed to inspire confidence.” Some families, sure that the attacks

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were over, began to return to their farms, only to return a week later. To make room, the missionaries moved their two schools of seventy-eight students and fifteen attendants to Bethlehem. News came on 6 December of “a new alarm of Indians,” and two days later more refugees arrived seeking shelter and protection. On 10 December, the missionaries sent two wagons to a nearby farm to gather the stores of corn there, lest the Indians steal their food supply. The wagons never made it to its destination, for they found the farm’s owners and about forty others three miles away, seeking refuge from the Indians who had attacked in the morning.

Although the frontier was poorly guarded, it was not completely bereft of military forces. By mid-December, more British regulars arrived in Nazareth under the command of Captains Jennings and Doll, and built a sentry box in the rear of the stable and barn to guard against Indian attack. The soldiers soon marched toward Bethlehem to search for dead bodies and to bury them, and upon arrival found most of the homes in complete ruins. The recovery party met with a band of Indians “loaded with spoils” of war, but being in a poor position to attack, were forced to retreat to Nazareth. By 17 December, 315 refugees were crowded into the mission. After burying the bodies of the dead, Jennings and Doll posted seventeen men at the mission and sent the rest of the soldiers back home. On the 20th, Captain Crag of the Ulster-Scot settlement arrived with a company of men, concerned about the shooting they had heard earlier. One day later, Captain Laubach arrived with thirty men, some of which he posted at the mission, others of which were sent to Gnadenhutten. On the 26th, two companies of soldiers marched from Easton to build a fort in the mountains. By the end of the month, two wagon loads of goods and clothing arrived for the refugees from some Quakers in Philadelphia.
The dawn of 1756 brought little change for the ever-growing band of frontier refugees at Nazareth. The chroniclers of the town wrote that, “columns of rising smoke at different points along the horizon, mark the course of the savages who roamed within four miles of our settlements. We got news that the savages had devastated not only on the other side, but also on this side of the mountains, --burning and murdering.”

The troops trying to protect Gnadenhutten met with defeat, overpowered by a large Indian force estimated to be at least 250 strong. As Captain William Hayes related to governor Morris, reports indicated that “there was not one of our men in the town . . . thought alive.” The remaining troops and officers holed themselves up at small garrison eleven miles outside of Bethlehem to await orders and supplies. Their Lieutenant was too sick to lead his men, having been found after the attack “almost dead with cold, having little or no clothing on, and no shoes, his feet frozen, and all torn with ice and stones.” On 5 January, fifty soldiers arrived from Easton to secure Nazareth, for many feared that if the mission fell to the Indians, the enemy would soon move onto Philadelphia. To further protect Nazareth, the men of the town began to fell trees and build a stockade around the town’s barnyard. The project was completed by mid February, measuring an impressive 236 by 170 feet, and ten feet high. Some refugees, their houses completely destroyed, began to leave Nazareth by late January to re-establish their ravaged settlements. By spring, more began to leave the mission, perhaps comforted by the soldiers now patrolling the mountains. Unfortunately, several of these returns ended in tragedy. Some

77 “Six Months on the Frontier,” 351.
78 8 January 1756, The Pennsylvania Gazette.
were killed by bands of Indians, while others quickly returned to Nazareth, finding that once they got home they were too “afraid to go out of the house.”

The inhabitants of Northampton were not alone in their experiences of frontier violence. In the self-penned story of his life, Peter Williamson claimed that “after my arrival in America, [my life] was not, I confess, unhappy, ‘till the year 1754, when the Indian began their depredations in the province of Pennsylvania.” He had settled on 200 acres of land in Berks county, but was soon subject to “small skulking parties” of Indians who intimidated the frontier settlers with “yellings, shoutings, and antic postures.” Williamson claimed that the Indians committed “barbarities” on a daily basis, and that “scarce did a day pass but some unhappy family or other fell victims to French chicanery and savage cruelty.” Indians continually raided small areas, killing some, capturing others, and driving many from the frontier and east toward Philadelphia. These tactics led some to argue that a militia would be entirely ineffective, and that by the time the militia could be assembled “all that [would be] left for them to do, is to perform the mournful office of burying a friend or relation, cruelly butchered.” Williamson’s narrative indicates that the Indians, in this case the Delaware and Shawnee, were not bent on killing all in sight, preferring rather to take some prisoners to use for barter, and to plunder the farms for supplies and food. Although allied to the French, Native raiding parties still used any chance they could to strengthen their own autonomy. On the night

79 “Six Months on the Frontier,” 352.


of his capture, the Indians told Williamson that “they were no friends of the English, but if [he] would come out [of his house] and surrender . . . they would not kill [him].”

When Williamson and his captors reached the next farm, the entire family was killed and scalped, save for the young servant man would the Indians felt would “be of some service to them.”

William and Elizabeth Flemming’s narrative of their “sufferings and deliverance” tells a similar story of small raiding parties attacking their settlement in Great Cove, Cumberland County. While the authors complained of Native savagery, their story indicates the Indians’ desire to use warfare to strengthen their own position, not necessarily France’s. An almost comical scene unfolded when the Indians stopped William’s horse, commanded him to dismount, and then shook his hand and ordered him to go with them. As Williams writes, “I stood there trembling and speechless for some time, which my enemies, savage as they were, took notice of, and endeavoured to encourage me by clapping me several times on the shoulder and bidding me to not be afraid.”

Williams challenged the Assembly’s assertion that Pennsylvania was as safe as any other colony. When the French and Indians came to our settlements, he wrote, “finding Pennsylvania the only defenseless province, they concluded it safest to bend all their fury against it.” Indeed, the political struggle of the Quaker Assembly against the

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83 The Assembly told Governor Denny, “our frontier is now in a better state of defense than that of any of our neighbours equally near the enemy.” See 2 September 1756, The Pennsylvania Gazette.

84 A Narrative of the Sufferings and Surprising Deliverance, 4.
Proprietary Party did not go unnoticed on the frontier. As John Armstrong noted, he felt he could “forgive everybody except the Assembly and the enemy Indians.”\textsuperscript{85} The Scotch-Irish were the most vocal in their denunciations of the Assembly, partly because they made up the majority of the frontier populations, but also because some of their German neighbors supported the Quaker Party.\textsuperscript{86} But resistance was not the property of any one ethnic group, for many German settlers experienced violence on the frontier and questioned the priorities of the Assembly. To underscore their dissatisfaction, a mob of mostly German backcountry farmers dragged a wagon-load of scalped and mangled bodies to the State House in Philadelphia.

1756 saw a continued effort to form alliances and treaties with the Indians of the province. Governor Morris spent the month of January touring the frontier, holding Indian councils and trying to assess the state of the settlers in the western townships. British Superintendent of Indian Affairs, Sir William Johnson, had been sent to talk with the Iroquois in February, where he played off existing Indian tensions and Iroquois supremacy to convince them to reprimand the Delaware and Shawnee for attacking the frontier. “I tell you with all concern,” said Johnson, that “unless you and the Six Nations who have always maintained a superiority over them Indians, will now exert yourselves in this case you will not only lose that authority which they have hitherto acknowledge

\textsuperscript{85} John Armstrong to James Burd, 28 January 1757, HSP, Shippen Papers.

\textsuperscript{86} The Scotch-Irish lived west of the Susquehannah in western Lancaster and Cumberland counties. See Brooke Hindle, "The March of the Paxton Boys," \textit{The William and Mary Quarterly} 3 (1946), 462. Population estimates in 1759 placed the provincial population at 250,000, of which 25,000 were Anglicans; 30,000 Mennonites and other “Quietist” sects; 50,000 Quakers; 55,000 English, Scotch, and Irish Presbyterians; and 65,000 German Reformed and Lutherans.
but will have them as your enemies.”87 Diplomacy became an increasingly delicate
process, for the Indians themselves were not united in the favor of either the French of
the English. Further complicating the situation was the violence settlers were inflicting
on any Indians they found, regardless of their loyalty. Indeed, the people of the west
were “extremely exasperated against all Indians in general.” Word came to the governor
that a loyal Indian, who had been searching for a missing friend in Lancaster, very nearly
escaped being murdered by a group of frontiersmen.

A council in Philadelphia in April 1756 attempted to sort out the increasingly
complex network of Indian loyalties. It was there that the rationale behind the Delaware
attacks came to light. According to Scarroyady, the Delaware had told the Iroquois at the
Onondaga Council that the English “behaved very ill to us, [and] used us like dogs.”88
The Delaware were angry that after the sale of their lands in 1754, the English had done
little to take care of the Indians under their protection. The Delaware were left to starve,
were sold liquor by unscrupulous traders, and were often thrown in prison for vagrancy.
The Six Nations rebuked the Delaware and warned them that if they did not cease their
affiliation with the French they would be “severely chastised.” Doubting the ability of
the Iroquois to control their cousins, Morris declared war on the Delaware on 14 April,
offering bounties for Indian prisoners and scalps. Each male over twelve delivered alive
would be worth 150 dollars, and their scalp alone would fetch 130 dollars, as would
every female and male under twelve years old. The scalp of an Indian woman, unable to

87 A Meeting of Several Principal Warriors from the Most remote Part of the Seneca’s Country, E.B.
O’Callaghan, ed., Documents Relative to the Colonial History of the State of New York (Albany, 1858),
7: 59. Hereafter cited as Documents.

88 Council Held in the Council Chamber, Saturday 3d April, 1756, 3 April 1756, Colonial Records, 7: 71.
bear arms against the British, would only garner fifty dollars. The Six Nations reaffirmed their loyalty to the English, and in his response Scarroyady chastised the Pennsylvanians for their lack effective defense measures, telling Morris and his council to “shake off your lethargy; stand up with your hatchet in your hand, and use it manfully. Your enemies have got a great advantage by your inactivity; show them you are men.”

With the steady withdrawal of British troops to aid operations in New York, Pennsylvania recruiting officers began to force indentured servants into military service. Such action prompted a protest from the servants’ masters, who complained to governor Morris that “as this province has but few slaves, we are now obliged to depend principally upon our servants to assist us in tilling our lands.” If this labor force was taken away, it stood to reason that Pennsylvania would be hard pressed to keep supplying the King with much needed supplies for the war. And yet, Indians continued to attack the poorly guarded frontier. Word came from Fort Shirley in Cumberland County of the attempted murder of a man by two Delaware Indians, as did news of an Indian raid in Albany township which left houses and stables burnt, eight children (one of which was burnt), one man, and two women dead. By the end of April, at least 300 Pennsylvanians had been taken into captivity, and an untold number had been killed. As governor Morris wrote to William Shirley,

you cannot conceive what havoc has been made by the enemy in this defenseless province, nor what numbers of murders they have committed; what a vast tract of territory they have laid waste, and what a multitude of inhabitants, of all ages and both sexes, they have carried into captivity; by information of several of the prisoners, who have made their escape from

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89 Council Held in the State House, Saturday the 10th April, 1756, 10 April 1756, Colonial Records, 7: 79.

90 19 February 1756, The Pennsylvania Gazette.
them, I can assure you that there are not less than three hundred of our people in servitude to them and the French.\(^91\)

French estimates placed the total number of people killed by April at around 700 for all of Pennsylvania, Virginia, and Carolina.\(^92\) Despite the Assembly’s claims to the contrary, Pennsylvania was suffering as much as, if not more than, the other colonies.

On 9 May, the governor once again asked the Assembly to pass a militia bill since “there is the greatest reason to apprehend, upon the next attack, the counties of York and Cumberland will be entirely evacuated, and the river Susquehanna become the frontier on that side.”\(^93\) The Assembly disagreed, arguing that the province was perhaps the best guarded of all the British possessions in North America, and that a more effective way to protect the frontier was a tax for the maintenance of a standing guard. Meanwhile, French officials were sending news back to France that parties “only of Canadians and Indians, succeeded each other without intermission on the English frontiers exposed to their ravages, and were laying waste more especially in Pennsylvania, Virginia and Maryland.”\(^94\) Once again, both Morris and the Quakers looked to Indian diplomacy when Teedyuscung, a charismatic leader of the eastern Delaware and Mahicans, began to protest Iroquois rule. The Friendly Association, a philanthropic organization founded to promote peace between Pennsylvanians and Indians, supported Teedyscung even though

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\(^91\) A Letter from the Governor to Sir William Johnson, 24 April 1756, *Colonial Records*, 7: 97-98.

\(^92\) Abstract of Despatches from Canada, in O’Callaghan, ed., *Documents*, 10: 423.

\(^93\) 20 May 1756, *The Pennsylvania Gazette*.

\(^94\) Journal of the Siege of Oswego, O’Callaghan, ed., *Documents*, 10: 440. News of the 1756 campaign on New France also claimed that the French and Indians had “laid waste [to] . . . a good part of Pennsylvania, Virginia and Maryland.” More curious, however, is the report that “In vain did these three provinces, which have no Indians to aid them, levy and pay a thousand men, at the opening of this campaign, who dressed and painted themselves in the Indian fashion.” See p. 469.
he had no hereditary claim to chieftdom and his resistance threatened to upset the chain of
alliances that crossed Pennsylvania. Teedyscung agreed to a conference at Easton with
Morris, and from 25 July to 31 August, Iroquois and Delaware agents worked to redefine
Iroquois control over the Delaware. While all agreed to accept Teedyscung’s leadership,
and to lift the designation of the Delaware as “women,” Teedyscung accepted the
Iroquois right to control the Delaware through treaty negotiations with colonial
officials.95 Despite a qualified victory at Easton through their support of Teedyscung,
Pennsylvania still needed to solve the problem of violence on the frontier, a problem that
required a military solution. As a result, six Quaker members of the Assembly resigned
their seats rather than pass a mandatory militia bill.96 Pennsylvania’s role in the war soon
began to take a more offensive turn when in mid-September Colonel John Armstrong
attacked and leveled the Indian village of Kittanning. To complicate matters even more,
Morris’ successor, the eccentric veteran British soldier Colonel William Denny, assumed
the role of governor in October.

Denny faced the same problems as his predecessor: a resistant Assembly and a
vocal frontier asking their government for relief. The most pressing matter of late 1756
was raising money to pay frontier soldiers lest they abandon their stations and leave the

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96 Louis M. Waddell, ed., Unity from Diversity: Extracts from Selected Pennsylvania Colonial Documents, 1681 to 1780, in Commemoration of the Tercentenary of the Commonwealth (Harrisburg, 1982), 71. A few
days earlier while in session, the Assembliesmen threatened resignation, but their words soon became action. The Resignation was as follows: “This repetition of our continuing in those intentions [to resign] does not
proceed from any design of involving the house in unnecessary trouble, but as many of out constituents
seem of opinion that the present situation of public affairs calls upon us for services in a military way,
which from a conviction of judgment, after mature deliberation, we cannot comply with, we conclude it
most conducive to the peace of our own minds, and the reputation of our religious profession, to permit in
our resolutions of resigning our seats, which we accordingly now do.”
settlers “naked and defenseless to a savage and merciless enemy.” Although the Assembly claimed that Pennsylvania was as prepared to defend itself as any other province, they drafted an excise bill (rather than a tax of the proprietary estate) to tax wine, rum, brandy, and other spirits in hopes of raising £60 000. The citizens of the frontier disagreed with the Assembly’s optimistic appraisal of their safety, and sent letters to Denny detailing the violence on the frontier and asking for protection. At first, Denny seemed to be the person to ease the province’s internal divisions because of his military approach and desire to improve relations with the Quakers by calling a second conference at Easton in November. However, when some eastern Delawares heard of Armstrong’s raid, they refused to continue on to the conference until Denny extended them a formal invitation and offered them gifts. Things turned bitter when Denny’s advisors convinced him that the Quakers had only contributed gifts for the treaty to befriend the Indians and “persuade them to denounce the existing land distribution—especially that attributable to the notorious Walking Purchase of 1737.” Denny still allowed a contingent from the Friendly Association to participate in the talks, in which Teedyscung refused to make a settlement because Pennsylvania had stolen lands from the Indians through “fraud and forgery.” The job of placating the Delaware now fell to Conrad Weiser and George Croghan. Denny remained more optimistic about the conference, perhaps relieved that the Quakers were focusing their ire on the proprietors and not himself. As the Pennsylvania Gazette reported, “it is hoped our northern frontier will now have some rest

97 2 September 1756, The Pennsylvania Gazette.

98 Waddell and Bomberger, The French and Indian War in Pennsylvania, 27.
from the incursions of the savages, and the province better enabled to defend the western parts.”

In order to ease the tension with the Delaware and Iroquois, and to redress the problem of land grievances, Weiser and Croghan held conferences at Harris’s Ferry from March to May 1757. There, Iroquois delegates told Pennsylvania officials that the root of the “Indian problem” lay in settlers coming into the Wyoming and Juniata Valleys. This had upset the Seneca, who in turn aided the Delaware in their battle against the British. In response, Denny sent a message to Teedyscung, who had declined to come to the conference, offering him payment for all lands he could prove were taken fraudulently. While Denny recognized the need to deal with the Indians, he admitted to Thomas Penn that he feared meeting with them personally and doubted he could do little more than “give them a good reception, express a general regard for them, advise them to peaceable measures . . . [and] preserve them in their present good dispositions”

Denny felt that the resolution of the land problems with the Indians would help calm the violence on the frontier, much like the commissioners at Albany did in 1754. Without a militia law, there was little he could do to ensure his citizen’s safety save “encourage the [frontier] inhabitants to take arms in order to defend themselves and all that is dear to them.” Reports reached Philadelphia in May of 1757 of violence in Carlisle and Shippensburg, and Lebanon, Bethel and Paxton townships in Lancaster

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100 Governor Denny to Thomas Penn, 4 November 1756, reprinted in H.L.L. Denny, “Memoir of his Excellency Colonel William Denny,” PMHB, 44: 108.

101 Governor Denny to Abigail Edwin, 26 January 1757, PMHB, 44: 104.
In response, Denny asked for the Assembly to raise provincial troops, but the Assembly resisted. In a biting reply, they blamed Denny for the province’s defense problems, writing that they had prepared a militia bill at their last sitting, which Denny had returned with considerable amendments. “These amendments,” the Assembly charged, “and the bill itself, have been reconsidered, and lie now before your honor for your assent, and whenever you shall think fit to enact the bill into a law, we do not doubt it will prove well adapted to our circumstances, and the defence of this province.”

While the governor and Assembly argued, violence continued throughout June in Northampton and Cumberland counties. In July, Denny held another conference at Easton and strictly forbade Quaker presence, a dictate which the Friendly Association promptly ignored. Through the course of negotiations, Teedyscung, backed by a number of Seneca, demanded that the province build a permanent town for the Delaware in return for their loyalty. He also asked that if the land at the Forks of the Delaware be proven to still belong to his tribe, that Pennsylvania compensate the Indians. Isaac Norris, the speaker of the Assembly, promised to pass along the minutes of the conference to King George II for his consideration.

On 4 August, the Pennsylvania Gazette printed a list of the eighteen men, women, and children killed or taken captive in an attack on a groups of reapers working in a field in Cumberland county. Below this item was news of attacks at Lake George, and information that a party of Indians had been spotted five miles outside of Reading in Berks county. Indicative that the divisions of the conflict did not run along strict racial

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103 30 June 1757, The Pennsylvania Gazette.
lines, the article also related that “some white men, that belong to a party of Indians now on the frontiers, have been on the town, and lodged in it.”\textsuperscript{104} Reports were still reaching Philadelphia in late September of murders, scalpings, and captures in Cumberland and Lancaster counties. By the end of 1757, public opinion on both sides of the Atlantic was set against the Assembly, which was viewed as too obstinate to protect its own citizens. On 8 December, the \textit{Pennsylvania Gazette} printed a letter by William Franklin that had run in London’s \textit{Citizen} in September. Franklin pointed out that Indian raids were not unique to Pennsylvania, that the Assembly had allotted money for their defense, and that the losses on the frontier stemmed from “the loose scattered manner in which they have settled their plantations.”\textsuperscript{105} Those on the frontier begged to differ.

By 1758, a proposal for a militia in Pennsylvania had surfaced that attempted to solve the province’s peculiar dilemma of Quaker rule. While it was “necessary for the defense and safety of a country that the inhabitants be trained to the use of arms,” the proposal opened, “the same militia law cannot suit the genius and constitution of every country.”\textsuperscript{106} In Pennsylvania only four of the eight denominations in the province could enlist for militia service. Catholics were excluded from the militia “for political reasons,” Moravians by a 1749 act of Parliament, and Quakers and Menonists because of religious conscience. That left Anglicans, Presbyterians, Lutherans, and Baptists to serve in their place. Of course, the inequity of defending the property of those who would not aid in its defense was certainly a large inhibition for many to join a militia unit. “If the burden of

\textsuperscript{104} 4 August 1757, \textit{The Pennsylvania Gazette}.

\textsuperscript{105} 8 December 1757, \textit{The Pennsylvania Gazette}.

defense be cast on the four religious denominations who can bear arms,” the proposal cautioned, “it would be to preserve the religious rights of one part of the state at the expense of the civil rights of another.” The solution offered in the proposal was to allow Philadelphia city and the surrounding counties to train 100 men in times of peace and 600 in time of war, each to be paid by a small excise tax and a fine of twenty shillings per year for religious objectors. Every male over seventeen and under fifty-five years of age would pay five shillings a year and provide five years of service to the province. Although the author of the proposal went into great detail explaining the economic feasibility of his plan, it never came to fruition because it still required the passage of a militia law in which the governor could commission officers and appropriate public funds for defense.

By 1758, attacks on the frontier had begun to abate as did petitions for a militia law. The spring saw Governor Denny commission sixty men to construct a village for the Delaware, as had been promised in the Easton treaty the year before. Ten cabins were completed when one of the workers was killed and scalped by some Indians. Needless to say, the rest of the workers fled and the village was never completed.107 To ease tensions, Sir William Johnson worked throughout the year to gain the loyalty of the Mohawks, Oneidas, Onondagas, Senecas, Tuscaroras, Nanticokes, Kandt, Tuteloes, Chugnuts, Chehohockes, Munsies and Wapings Indians. By the time of the fourth conference at Easton in early October, Johnson’s diplomacy paid off as the traditionally pro-French Seneca allied themselves with the British. Enforcing his words with strings of wampum, Seneca chief Tagashata told the English “we now remove the hatchet out of

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107 Waddell and Bomberger, The French and Indian War in Pennsylvania, 30.
your heads that was struck by our cousins the Delaware; it was a French hatchet that they
unfortunately made use of, by the instigation of the French; we take it out of your heads
and bury it in the ground.\textsuperscript{108} Johnson also won another victory when the Six Nations
denied Teedyuscung’s claim to lands in northeastern Pennsylvania and confirmed the
Walking Purchase, thus deflating the Quakers’ charges against the proprietors. To
reward the Iroquois, governor Denny returned to them a large section of the land which
had been purchased by the commissioners at Albany in 1754. With Teedyuscung
rendered virtually powerless, and with the Six Nation more united than before in their
support of the English, violence on the frontier began to abate. With English victories at
Fort Frontenac and Fort Duquesne, and the capture of Louisbourgh, the French began to
lose their ability to sway Indians to their side. When the British captured Fort Niagara on
25 July 1759, and with it control of the Great Lakes region, French hopes to regain both
lands and Indian loyalties in western Pennsylvania were dashed.\textsuperscript{109}

The settlers of the frontier had spent most of 1754 to 1758 living in fear of Indian
attack, or being unfortunate enough to experience Indian violence first hand. They had
petitioned the government, entered into defense associations, fled their homes for safe
havens, and then returned once the threat of attack seemed over. The inability of the
Assembly to overcome internal divisions did not go unnoticed, and the events of the
French and Indian War were not without their internal political consequences. No sooner
did the war end than years of Indian diplomacy fell apart as settlers headed westward
onto Indian lands, sparking Pontiac’s War. The legitimacy that the colonial governments

\textsuperscript{108} Conference Held at Easton, on the 12\textsuperscript{th} of October, 1758, 12 October 1758, \textit{Colonial Records}, 8: 181.

\textsuperscript{109} Waddell and Bomberger, \textit{The French and Indian War in Pennsylvania}, 31.
had earned was destroyed as settlers infringed on Indian lands thought secure by the many treaties at Easton. Once again, Indian raiding parties struck the frontiers of Pennsylvania, Virginia, Maryland and the Jerseys with lethal effect. As George Croghan wrote to the Lords of Trade, “in the space of four months the last summer . . . [the Indians] have killed and captivated not less than two thousand of his Majesty’s subjects, and drove some thousands to beggary and the greatest distress.”110 The petitions of the French and Indian War had fallen on deaf ears.

The debate over defense was not a vindictive exchange between competing ethnicities vying for power, nor was it a struggle between economic classes or religions. Although these factors did play a role during this crisis, at its core was a fundamental disagreement over the role of government and the protection of rights and liberties. The fact that Anglicans and Presbyterians joined forces to overcome Quaker rule suggests that the crisis provoked by the French and Indian War was less about religion and more about fundamental constitutional guarantees. The Proprietary faction did not ask Quakers to recant their religious beliefs, but to step down from civil government when their conscience conflicted with the basic tenets of the British constitution. Priding themselves on years of successful Indian treaties and peace, and unable to support defense measures, Quakers turned to negotiation to solve the religious and civil quandary presented by the defense problem. When opposition arose, the Quakers appealed to the 1701 constitution and its reaffirmation of freedom of conscience and religion as justification for their defeat of all attempts to draft a militia bill. How could the Quakers compromise the central and founding tenet of Pennsylvania? Freedom of religion was paramount and Quakers had no

110 Colonel George Croghan to the Lords of Trade, O'Callaghan, ed., Documents, 7: 603.
qualms in protecting this most precious of rights. Those opposed to Quaker rule appealed not to the Pennsylvania charters but to the British constitution with its protection of both natural and civil rights. The natural right to life, liberty, and property was to be protected by civil establishments through such institutions as a militia. British subjects had a reasonable expectation of safety and looked to the government to provide the tools necessary for their defense. Integral to the right of safety was the stipulation to contribute to the common defense, to fulfill your duty as a member of civil society. Quakers could not deny the right of safety to their constituents because they were violating British liberties and breaking the bonds of civil obligation that held community together. As such, Quakers were not “good men,” and the provincial government was therefore inherently flawed.
CHAPTER 3

CHALLENGING THE “FOOLS” OF THE ASSEMBLY: THE CASE OF JUDGE WILLIAM MOORE OF CHESTER COUNTY

As a light April rain fell on the sloped slate roofs of Philadelphia, a gentle spring breeze blew that promised warmer weather for the summer of 1758. Chimney smoke drifted lazily above the streets as city wardens scampered from lamppost to lamppost extinguishing the whale-oil lanterns that had burned throughout the night. The city was starting to come to life as shopkeepers readied themselves for a day of commerce, sweeping up the garbage that had blown in front of their shops, and shooing away the dogs that roamed the streets looking for handouts. The sound of horse hooves striking the cobblestone streets echoed in the morning air as carriages carried their charges to morning appointments, avoiding the wet and muddy side streets. A small group of young men made their way down the patchwork of flagstones and bricks that made up the sidewalk on Market street, keeping an eye on the new clock faces on the State House to ensure their punctuality. Their destination was the prison on Third and Market, a two-story stone building surrounded by a foreboding eight foot wall. The young men gathered on the sidewalk below a first story window, some standing, others crouching and trying to balance their notebooks on their knees to facilitate note taking. Within a few minutes a man appeared at the window, greeted the boys, and began a lecture. When
the lecture was over, the pupils were dismissed and proceeded to walk the two blocks back to the College of Philadelphia to attend their next class.

This strange and somewhat humorous scene had become commonplace for those who lived and worked near the prison. Since late January 1758, provost of the College of Philadelphia, William Smith, had been incarcerated for printing attacks on the Quaker Assembly that criticized its pacifism. Undeterred, Smith continued to teach his classes from the window of the cell he shared with his partner in crime and future father-in-law, Judge William Moore of Chester County. It was in this cell that the two strategized their release and penned petitions to London decrying the Assembly’s actions. Anyone who has taken a cursory glance at the history of the College knows Smith’s story. Perhaps because of his high profile and bellicose manner, William Smith has received considerable attention in colonial histories over the decades, while Moore has been left to languish in his cell.1 Indeed, Moore was no less an important figure in this whole debacle and is crucial to understanding dissent against the pacifist Assembly. This is not to say that Smith did not play an important role, but rather that Moore was the driving force behind the challenge to Quaker rule in the Assembly. Indeed, it was Moore who first confronted the Assembly in 1755, asking for arms and for Quakers to relinquish their seats to those who would ensure the safety due the British subjects on the frontier. It was

Moore who was the object of many slanderous petitions calling for his resignation as county judge. It was Moore who wrote the “humble address” in 1757 that infuriated the Quakers so much as to incarcerate him and deny all royal writs of habeas corpus. And, it was Moore who became a central figure in one of Pennsylvania’s first political cartoons.

The Moore-Smith controversy shows how deeply contested constitutional issues were in 1750s Pennsylvania. At the heart of the differences between Moore and the Assembly was the issue of adequate defense on the frontier, which Moore and Smith considered to be the right of every citizen. And yet, this story does not fit the historiographical dichotomies that have helped explain colonial Pennsylvania. Neither Moore nor Smith were poor, western, Presbyterian, or radical, but in fact were wealthy, eastern, Anglicans. The Assembly they challenged was not comprised solely of Quakers, but rather a coalition of ethnicities and religions who accepted a Quaker civil ideology based on pacifism and the supremacy of the legislature over proprietary power. We cannot attribute Moore and Smith’s actions to the radicalizing force of living on the frontier, nor the Assembly’s reluctance to draft a militia bill to Quakers’ numerical dominance in the Assembly. What can help us make sense of this curious and interesting episode is how each side understood the responsibility of the government in protecting its citizens. For Moore and Smith, every British subject was guaranteed safety of property and person as an essential right, and it was the duty of government to aid in protecting that right in the form of a militia law. With state-mandated militia service, all men would contribute to the defense of the whole. Legislators who neglected to provide for the

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2 Generally speaking, historians have explained the contours of Pennsylvania’s past by emphasizing three dichotomies to varying degrees: east versus west, rich versus poor, and Quaker versus Presbyterian.
common safety were unfit to rule and should be removed from office since they violated the essential contract that formed civil society. The Quakers refused to allow the right to safety to trump their right to freedom of religion and conscience, and attempted to silence this threat to their liberty through drastic and unprecedented extra-legal action. In essence, both sides were trying to protect British rights, but had two radically different ways of doing so.

The story of Judge William Moore begins in the violence of the beginnings of the French and Indian War in 1755 and the frontier demand for an effective militia law. After a blundering attempt at peace by George Washington in 1754, violence on the Pennsylvania frontier began to escalate as France’s Indian allies raided homesteads and farms. General Braddock’s defeat at Fort Duquesne in July of 1755 only heightened such violence, and word spread that Indian raiding parties had moved as far east as the Susquehanna River and were encamped thirty miles north of Harris’ Ferry in Lancaster County.³ Some reports even indicated that the enemy was as close as eighty miles from Philadelphia, hiding out in the Kittochtinny Hills.⁴ In the spirit of Franklin’s 1747 defense association, the people of the frontier formed militia units and defense organizations in response to the violence, but looked to the government for resources and support. Governor Robert Hunter Morris struggled with the Assembly to supply the west, but the lack of a militia law and the Assembly’s unwillingness to grant the governor

³ Harris’ Ferry is present day Harrisburg. In 1733, John Harris started a ferry service across the Susquehanna River which served as a migration point for many of the Scotch-Irish and German immigrants who settled the western counties of Pennsylvania.

any undue power stymied his attempts. In his first address to the 1755 assembly on 3
November, Morris pleaded with the members to help the inhabitants of the back counties.
“As we have no militia,” he wrote, “it is not in my power to form the people into . . .
regular bodies as the present exigency requires, and you must be sensible that I have
neither money, arms, or ammunition at my disposal. . . . I think it is my duty to call upon
you to grant such supplies of money . . . and to prepare a bill for establishing a regular
militia.”

The Pennsylvania Assembly convened on 14 October 1755. Although no election
returns had yet been filed for Lancaster county, the presumed winners, James Wright and
James Webb, appeared to speak for their county. Moravian William Edmonds appeared
for Northampton, whose sheriff had also failed to file an election return, but no return or
representative appeared for Berks. A quorum of representatives was met, and prominent
Philadelphia Quaker Isaac Norris was unanimously chosen as speaker of the House.
Benjamin Franklin took his seat for Philadelphia city as he had since 1751 while his son,
William, was voted in as clerk. It seemed that it would be business as usual with the
Quakers taking the helm and controlling the Assembly for the next session. There was
little reason to believe that the Assembly would acquiesce to the Governor Morris’
demands for a militia bill since the October election had created little change from the
previous year, and only six of the thirty-six members were new to the Assembly.

5 Governor Morris to the Assembly, 3 November 1755, Pennsylvania Archives, 5: 4095.
While the Assembly prepared its answer to Morris’ message, a petition from York county arrived claiming that there were many in that county willing to enlist in a militia and “bear arms for the defense of the frontiers . . . if they had any assurance of arms, ammunition, and reasonable pay.”7 The petitioners claimed that three quarters of them had no guns or ammunition, and lacked any cohesive military leadership. Moreover, there were no forts to shelter their families. While this petition lay on the table the Assembly proceeded to read another from Chester county asking for protection from the advancing enemy. Conscious of the Quakers’ religious objections to violence, the petitioners warned that “the immediate preservation of the lives of the inhabitants” of Chester should be the only thing considered when addressing their petition, since the Assemblymen were elected as “the guardians of their lives as well as their fortunes.”8 Providing protection was the role of elected officials, and to fail to do so was to explicitly deny the “expectations of their constituents.” Lest the Assembly fail to grasp the gravity of the situation, the Chester petition ended with these words: “the eyes and hopes of more than one hundred thousand British subjects are, on this occasion, intensely fixed upon this House for assistance.” As the Assembly pondered this request, another petition arrived asking for arms and ammunition to be sent to the forks of the Delaware in Northampton county.

The Assembly responded to Morris’ message on 5 November, urging caution and moderation. “In our opinion,” they wrote, “it requires great care and judgment in

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7 A Petition from Sundry Inhabitants of the Town and County of York, 4 November 1755, Pennsylvania Archives, 5: 4096.

8 A Petition from Divers Inhabitants of the County of Chester, 4 November 1755, Pennsylvania Archives, 5: 4097.
conducting our Indians affairs at this critical juncture.”

Before any actions were taken, the Assembly wanted documentation of the movements of the French and Indians, as well as verification of the depredations western petitioners claimed were taking place across the frontier. The committee assigned to draft this response was dominated by Quakers with James Pemberton of Pennsylvania county, Joseph Hampton of Bucks county, Joseph Gibbons of Chester county, Calvin Cooper of Lancaster County, and Francis Parvin of Berks county all belonging to the Society of Friends. Only William Edmonds, a Moravian from Northampton county, was not a Quaker. Moravian missions dotted the frontier as missionaries sought to convert Natives to Christianity and bring them inside the boundaries of civility, and it was among these German pietists that the Quakers found most reliable allies. Edmonds was a dominant force the assembly of 1755, sitting on ten of the sixteen committees, second only to Benjamin Franklin who sat on fourteen.

After sending this message to the governor the Assembly turned its attention to yet another petition, this time from William Moore and thirty-five others in Chester County. Moore’s petition cut to the heart of the dispute growing between pacifists and militants in the province: if certain assemblymen would not defend their fellow citizens because of religious conscience, they should relinquish their seats to men who would do their duty as elected officials. For Moore, the Quakers’ religious pacifism disqualified them from political participation in civil society since it prevented them from making effective provisions for the common defense. Conscious of the rift between the governor

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9 Assembly to Governor Morris, 5 November 1755, Pennsylvania Archives, 5: 4098.

10 A Petition of William Moore, and Thirty Five Others, 5 November 1755, Pennsylvania Archives, 5: 4099.
and Assembly, Moore asked that the House would “not keep up unnecessary disputes with the Governor, nor, by reason of their religious scruples, longer neglect the defense of the Province.” In another message to the Assembly Governor Morris reinforced the idea that money and arms was needed to strike a blow against Britain’s enemies and to defend those who were entitled to the protections afforded all citizens. “I must therefore again most earnestly press you,” he urged, “to strengthen my hands, and enable me to speedily draw forth the forces of the province against his Majesty’s enemies.”

For Morris and many of the petitioners, money and arms were needed to defend the boundary of civil society from savage outsider attacks. For Quakers, the boundary between white and Indians, between “civil” and “savage,” was more permeable. On 7 November some Quakers from Philadelphia entered the House of Assembly to address the representatives. Instead of money for militia units, these men asked that “proper funds [be] provided . . . to cultivate our friendship with our Indians neighbors, and to support such of our fellow-subjects who are or who may be in distress, and for such other like benevolent purposes.” Just like the western petitioners asking for their due protection, the Quakers framed their petition with constitutional rhetoric. Since they paid taxes and were freemen, they were entitled to constitutional protections as well. Raising tax money for militias that were explicitly against the Quaker testimony of peace would violate a “fundamental part of the [Pennsylvania] Constitution” as well as the “free enjoyment of liberty of conscience” If the frontier was entitled to physical protection, then should not Quakers be equally entitled to religious protection?

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11 Governor Morris to the Assembly, 5 November 1755, *Pennsylvania Archives*, 5: 4100.

12 The Address of Some of the People Called Quakers, 7 November 1755, *Pennsylvania Archives*, 5: 4102.
In essence, the debates of late 1755 were constitutional, but played out in a contested political arena. As the governor and House fought to define the extent and limit of each others’ power, petitioners sought to secure the right to safety due them as members of civil society. Some petitioners from Bucks county pleaded that the “house would pass such a law as might enable this province to raise forces . . . [and] convince our enemies that we are able and willing to defend our civil and religious privileges.”\textsuperscript{13} But as the Assembly pushed for moderation and establishing communication with the Indians of the province, many Pennsylvanians begged for guns to ward off all threats to their safety. In the ensuing chaos of debate, some looked to establish a more definitive line between themselves and the Indians. In a petition to the House, some inhabitants of Bucks county asked for “a supply of arms and ammunition, and that some method may be fallen upon to enable to inhabitants to distinguish our friendly Indians from others.”\textsuperscript{14} Many Indians realized that they occupied a dangerous middle ground. Some Natives who lived along the Susquehanna came to visit Governor Morris in Philadelphia in early November asking whether “they were to depend on [him] for protection, or take care of themselves.”\textsuperscript{15}

William Moore had been concerned about the problems of defense for at least a decade before his petition to the Assembly in 1755. In 1744, Moore received a colonel’s commission from governor Sir George Thomas, but Moore feared it would do little to

\textsuperscript{13} A Petition from Divers Inhabitants of the County of Bucks, 7 November 1755, \textit{Pennsylvania Archives}, 5: 4103.

\textsuperscript{14} A Petition from Divers Inhabitants of the Townships of Tinnecom, Nocamixon, and Springfield in the County of Bucks, 6 November 1755 \textit{Pennsylvania Archives}, 5: 4101.

\textsuperscript{15} Governor Morris to the Assembly, 10 November 1755, \textit{Pennsylvania Archives}, 5: 4107.
provide any real protection on the frontier. As he wrote, “the inhabitants very well know we have no militia law and that they are in no manner obliged to obey the command of the officers you may think fit to place over them, so that I fear your good intentions will in a great degree be frustrated.”

Although Moore speculated that perhaps “a small number of men” would meet together to drill five or six times a year, he knew that the militia would fail without both regulation and funds from the government. Moore was not alone in his quest for an effective militia law, nor were those who petitioned the Assembly strictly from the western reaches of the province. The issue of safety forged east-west alliances between those who supported a militia bill and those who did not. Often, these alliances were not conscious or part of an organized plan to push the Assembly to action, but rather were reactions to Quaker policies. And so, on the heels of Moore’s petition came a message from William Plumsted, mayor of Philadelphia, and 133 men from the city asking the Assembly for “compassion for our bleeding and suffering fellow-subjects” and looking to “publicly join our names to the number of those who are requesting you to pass a law.”

Plumsted’s petition underscored the government’s responsibility to help organize a militia for the common defense. “It is highly unjust to think that the burden of defense should fall upon individuals,” they argued, “when the design of government is, to obtain general security by a general union of the force of individuals.”

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16 William Moore to Governor Thomas, 25 October 1744, Historical Society of Pennsylvania (HSP), Cadwalader Collection, Series V: Phineas Bond Papers, Box 24.

17 A Representation to the General Assembly of the Province of Pennsylvania, by Several of the Principal Inhabitants of the City of Pennsylvania, 12 November 1755, Pennsylvania Archives, 5: 4116.

18 A Representation to the General Assembly, Pennsylvania Archives, 5: 4116.
arms and a coherent militia structure, and should not be expected to undertake their own defense without any help from the government. Indeed, Plumsted considered it a “subversion of the very end of government to deny that legal protection to the governed.” Although the petitioners were certain that many men could be found to “risk their lives for the public safety,” the men cautioned that it would not be advisable, “for the sake of public liberty,” to keep up an armed force in the west “without the sanction and authority of law.” Passing bills to raise money for the “King’s use” was an inadequate solution and could not take the place of “a necessary law.” Moore and Plumsted’s petitions, which the Assembly read and debated on 11 November, worked together to send a clear message: if Assembly members would fulfill their purpose as representatives and pass a militia bill to protect all citizens, they must relinquish their seats to those who would. In a second petition on 24 November, Plumsted asserted that “a well regulated militia has always be found the surest and least expensive method of defense,” and again begged the Assembly to give “that legal protection to your bleeding country.”

Although Moore’s words were similar to his fellow countrymen’s petitions, his explicit declaration that Quakers were unfit to rule made his petition particularly distasteful to the Assembly. Moore was calling for more than just arms and ammunition to the frontier, he was asking to change the configuration of authority within civil society by restricting Quakers from holding office. Since they would not contribute to the defense of the province, then they could not be full members of the body politic. To answer the continual stream of petitions, the House resolved to pass a bill to raise sixty

19 A Remonstrance by the Mayor, Aldermen and Common Council of the City of Philadelphia, 24 November 1755, Pennsylvania Archives, 5: 4152.
thousand pounds in bills of credit for the “King’s use.” The money would be provided by taxing all estates within the province, and the lack of any explicit instructions to use the money for a militia helped some Quakers ease their religious consciences.

Nevertheless, James Pemberton, Joseph Trotter, and Joshua Morris of Pennsylvania County; Thomas Cummings and William Peters of Chester County; Peter Worral of Lancaster County; and Francis Parvin of Berks County opposed the passage of the bill.

The final order of business for 1755 was to address the lingering petitions still left unanswered. The Assembly quickly dismissed Moore’s petition, claiming that it “insinuates that the defense of the province is neglected by the Assembly, and neglected from conscientious scruples in the members, [and] is founded on mistakes and misapprehensions of facts and circumstances.”

Plumsted’s petition was also cast aside as “presuming, indecent, insolent, and improper.”

The House also considered a Quaker petition decrying the raising of money for the King’s use as inconsistent with Quaker pacifism. While the Assembly appreciated the petition’s respectful language and tone, it chastised the petitioners for “assuming a greater right than they were invested with,” and reminded them that the Assembly had long passed such bills to aid in imperial wars.

The House then agreed to reject the three petitions, except for James Pemberton, William Callendar, Joseph Gibbons and Peter Worral, who felt the Quaker petition should be given more serious consideration.

20 The Report of the Committee on the Petition from William Moore, 3 December 1755, Pennsylvania Archives, 5: 4173.

21 3 December 1755, Pennsylvania Archives, 5: 4174.

22 3 December 1755, Pennsylvania Archives, 5: 4173. The Assembly specifically referred to a bill for two thousand pounds passed in 1711 for Queen Anne.
The Assembly knew it was walking a precarious line between local and imperial demands. Their rejection of the Quaker petition indicates they were not biased to all Quaker demands as many western petitioners accused, but also that they were not willing to cave into every petition for a militia law or to raise money for the King. The Assembly sought to protect itself and its rights from the governor and from the many petitioners who demanded change. When a number of Philadelphians came in person to the State House in mid-November to express their dissatisfaction with the Assembly’s approach to frontier violence, Speaker of the House, Isaac Norris, asked the men “whether they desired that the House should give up any rights.” The men backed down, replying that they only wanted the province to be “relieved from its present unhappy situation.” Trying to navigate between the demands of a multi-ethnic populace was no easy task, especially when Quaker members held so dearly to their pacifism in times of war. Seeking to protect itself, the Assembly looked to forge alliances and remove any threats. Plumsted’s fiery accusations, combined with the fact that many of the people who signed his petition were not of voting age or were men of tainted reputation, amounted to more of an annoyance than a real threat to the Assembly. Moore, however, because of his stature in Chester as a judge, and because of his call to remove Quakers from power, was a far more serious problem.

The problems of ruling over a province as diverse as Pennsylvania became even more complicated with the arrival of over 400 expelled Acadians from Nova Scotia. William Shirley, governor of Massachusetts and Military Commander in America since

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1741, had supported a plan to remove the Acadians as early as May 1754, and as tensions with France escalated, Nova Scotia Governor Charles Lawrence saw the plan to fruition. Nova Scotia had become part of the British Empire in 1713 under the terms of the Treaty of Utrecht, but it was not until boundary disputes with the French in the 1740s that Britain began to assert any real authority over the province’s inhabitants. Approximately 1700 people lived in Nova Scotia, and most were of French heritage. The Acadians, as they were known, became an increasing concern with the outbreak of war with France in 1744, and ensuring their loyalty to the Crown became a priority. When the Acadians balked at signing an oath of allegiance to the King in favor of pursuing a neutral path, expulsion and dispersal into the other British colonies seemed a reasonable way to secure Nova Scotia.

Nova Scotia had been a place of permeable boundaries and tenuous middle grounds for years. Royal instructions to the governor in 1719 encouraged intermarriage with local Indian women by offering fifty acres of land free from quit rents for ten years as an incentive.\(^\text{24}\) After 1749, the Crown upped the ante and offered ten pounds and fifty acres of land free from rent for twenty years to any male who married a Native. Similar land grants were also given to encourage Protestant and Catholic intermarriage and Catholics’ conversion to Protestantism.\(^\text{25}\) The Acadians had been given the choice in 1713 to leave Nova Scotia or become subjects of the King. Unwilling to leave their farms behind, many agreed to subjectship on the condition that “they might be exempted


from bearing arms against the French.”

Britain was content with this arrangement and with the oath of fidelity the Acadians pledged. But, when some Acadians from Chignecto assisted French troops from their fort at the bottom of the Bay of Fundy in 1752, Britain reassessed the situation. Although the Acadians involved were pardoned since they had been “forced to take up arms in pain of death,” the governor demanded that all Acadians go beyond a verbal oath of fidelity and sign a loyalty oath. The Acadians sent to Pennsylvania assured the Assembly that would keep their oath of fidelity, but could not “plunge our swords in the breasts of our near friends and relations.”

Like the neighboring provinces, Pennsylvania drafted a bill to disperse the Acadians throughout various counties, fearful that keeping them together posed a serious internal threat.

The Acadians were not the only ones unwilling to take up arms against the French, and by the summer of 1756 pacifist members of the Quaker Party leadership began to express increasing discomfort with voting money for the King’s use. In early June, James Pemberton, Joshua Morris (Philadelphia County), William Callendar (City of Philadelphia), William Peters (Chester), Peter Worral (Lancaster), and Francis Parvin (Berks) requested that they be able to vacate their seats in the Assembly rather than damage “the reputation of our religious profession.”

On 7 June, Isaac Norris issued writs to the sheriffs of the effected counties to hold elections for new members to replace the resigning Quakers. By the end of the month, elections returns reached the House and

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the newly elected men took their place in the Assembly. The resignations of 1756 were of great encouragement to Benjamin Franklin who looked ahead to the October elections as a chance to forge a coalition and bring some coherence to provincial politics. Seeing the defense issue as key, the Proprietary Party began to campaign in the western counties to garner votes against a fracturing Quaker Party. In the east, Thomas Leech, Daniel Roberdeau, and William Masters, Anglicans whose views of provincial affairs were closely aligned with Franklin’s, were voted in to replace Pemberton, Morris, and Callendar. Franklin hoped that such a divided election would force a coalition between Quaker and Proprietary supporters, a coalition that he could ably lead.  

William Moore spent September of 1756 actively campaigning against the Quaker Party. The June by-elections had failed to produce a Proprietary Party sympathizer, and despite many petitions, the British government refused to disqualify Quakers from holding political office. He was joined by William Smith, enamored by Moore’s politics and perhaps even more by his daughter, Rebecca. Smith had kept a low profile since July when he was called before the Assembly to answer for “libelous, false, and scandalous assertions” printed in London’s *Evening Advertiser* under the name W. Smith. But now, with an election in the balance, Smith helped Proprietary Party strategists in Philadelphia, Lancaster, Chester, and Northampton counties. Despite Moore and Smith’s tireless efforts, however, the Quaker Party was still able to carry the elections. Even with fifteen new members, a forty two percent change from 1755, the political persuasions of

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the House’s membership did not change. Although Quaker numbers has dropped from twenty seven to twelve, moderate Anglicans took their places and allied themselves with the Quaker Party. As Alan Tully argues, even though many on the frontier blamed the Quakers for poor defense on the frontier, “they did not want to sacrifice the powers of their elected representatives merely for the possibility of better defense.” Fear of proprietary excess, combined with the uneasy alliance between Anglicans and Old Light factions, meant another Quaker victory. Even outspoken anti-Quaker New Light Presbyterians like Gilbert Tennent shied away from allying themselves too closely with the Proprietary Anglicans. This is not say that defense was still not a pressing issue. In August, Governor Morris was replaced by William Denny who almost immediately pressed the House to pass a militia law.

The newly elected House was no less willing to bend to proprietary demands than its predecessor, and it sought to eliminate all threats to its authority. Trouble for Moore commenced almost as soon as the House began its 1756-57 session. On 25 November three petitions arrived from Chester County detailing the “sundry grievances . . . sustained by means of the arbitrary proceedings of William Moore.” Two days later three more petitions were presented to the House, followed the next day by three more. Finally, on 30 November the last three petitions against Moore reached the clerk’s desk. The House did not have time to address these petitions since it was spending its time

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31 Ryerson, *The Revolution is Now Begun*, 259.


resolving a supposed election fraud in Northampton County. But those in Chester with a grudge against Moore were not deterred. On 15 December they sent six more petitions asking for redress of various grievances “occasioned by [Moore’s] arbitrary and oppressive conduct.”

Again the Assembly tabled the petitions, now caught up in a debate over quartering royal troops in the last months of 1756. But the problem of William Moore did not go away with a new year. Two more petitions reached the House on 4 January 1757 descrying Moore’s conduct. This time caught up in a debate with Denny over raising money for the King’s use, these new petitions remained unread.

It seems likely that the sudden surge of petitions were part of a design to impugn Moore’s character since he had spent the fall actively campaigning against Quaker rule and Quaker representatives. The election saw a non-Quaker majority in the House and a commitment to join the French and Indian War. As such, pacifists Mahlon Kirkbride and William Hoge of Bucks County, and Peter Dicks and Nathaniel Pennock of Chester County asked that their seats be “filled by members of other denominations, in such manner as to prepare, without any scruples, all such laws as may be necessary to be enacted for the defense of the province.”

One of the men elected from Chester to fill the vacancies was Isaac Wayne, a man who had quarreled with Moore before. Supposedly Wayne had claimed he would rather pay fifty pounds than serve in the Assembly, but if he could bring about Moore’s ruin he would gladly pay fifty pounds

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34 15 December 1756, Pennsylvania Archives, 6: 4459.

35 16 October 1756, Pennsylvania Archives, 6: 4385.
than not be elected. Some were suspicious that Wayne made a deal with the Quakers to disgrace Moore in exchange for a seat in the Assembly.

It would take until 1757 for the Assembly to address the trouble Moore seemed to be causing as a rogue justice of the peace in Chester. On 10 March, the House read John Carland’s petition which told of his “distressful situation” brought about when Moore “fraudulently possessed himself of the petitioner’s effects.” Although these were serious accusations, the Assembly was debating a militia bill. When the bill finally passed on 31 March, only to face the governor’s rejection, the House set to fixing the troubles in Chester the very next day. After reading a new petition as well as the many they had tabled in the previous months, the issues was referred to the Committee of Aggrievances. As the first order of business, the clerk of the Assembly wrote to Moore informing him of the complaints against him and of the Assembly’s resolve “to enquire into the justice” of these complaints at their next session in August. A meeting was set for 25 August in which both Moore and those who had petitioned against him could make their case in front of the Assembly. When the 25th came, Moore did not appear, claiming that he was not given adequate time to prepare a defense. Slightly perturbed but not willing to deny any man his right to defend himself in front of his accusers, the Assembly furnished him with copies of the petitions and agreed to meet on 1 September. Perhaps to irk the House, for his dislike of the Assembly was no secret, Moore did not appear that

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37 William Snoedy signed a statement in the presence of Adam McNeelly of Chester County swearing he had seen Wayne riding through the county looking for people to petition against Moore. See Preface.

day, but rather presided over his court in Chester. The members of the House spent the
next two days reading through the many petitions against Moore, but were unable to
reach a quorum and proceed to new business until the 19th.

On 22 September, Moore sent a memorial to the House opposing a trial by the
Assembly on constitutional grounds. The preface to Moore’s memorial was penned by
William Smith, who had already been questioned by the Assembly for seditious writing.
Smith’s preface condemned the Assembly for carrying out a vendetta against Moore as
punishment for both pushing for a militia law and for campaigning against the Quaker
party in the 1756 elections. “Mr. Moore,” Smith wrote, “who did not fail on all occasions
to discover his zeal for a well regulated militia, for the protection and security of this
distressed province, . . . was marked out by [the Quakers], as an object to execute their
resentment upon.”39 In his defense Moore appealed to the British Constitution and his
rights as an Englishman. As such, he refused to submit to any proceedings where he was
denied a legal trial by a jury, since the Assembly planned to prosecute the case itself
under the same inquest powers held by Parliament. Moore then addressed many of the
petitions against him in detail, dismissing each charge against him as unfounded. “If any
persons conceive that I have done them wrong,” Moore concluded, “I am ready to
vindicate myself before the proper judges, . . . as I should willingly have done before this
House, could I have done it consistent with my rights as an Englishman.”

Despite Moore’s dismissal of the Assembly’s powers, or perhaps because of it,
the House decided that Moore was indeed guilty of “great oppression of the people” and

sent an address to the governor asking him to remove Moore from the offices of Judge of
the Court of Common Pleas and Justice of the Peace.\textsuperscript{40} In the waning days of the 1756-
57 Assembly, Moore sent a “humble” address to governor Denny stating his case and
claiming that Assembly was acting out of rancor against him stemming from his
November 1755 petition for a militia law. “If [Quakers’] consciences tied them up from
doing their duty in points of such high consequence to the preservation of the lives and
properties of people committed to their protection,” he argued in Lockean fashion, then
they must “resign their seats to others.”\textsuperscript{41} Not only had the Assembly denied the safety
due all British subjects, they were now denying Moore his right to a trial by jury. The
House of Representatives, Moore asserted, “who should be the guardians of liberty, ought
to have been the last persons to propose such an infringement of the rights of a British
subject.” Moore then prepared his address for publication in both English and German
newspapers with William Smith’s help.

The election of October 1757 saw little change with only eight new members to
the Assembly. When the House convened in January 1758, Quaker speaker Isaac Norris
“was so much indisposed as to be able to attend public business,” so Anglican Thomas
Leech was unanimously chosen to take Norris’ place. With a moderate Anglican in
control, Moore and Smith could not claim persecution by Quakers, and the new
Assembly was not about to let the insults aimed at last term’s members pass without
punishment. The House almost immediately turned their attention to Moore’s “humble”

\textsuperscript{40} Pennsylvania Archives, series 8, vol. 6, 4645.

\textsuperscript{41} The Humble Address of William Moore, 19 October 1757, Samuel Hazard, ed., Pennsylvania Colonial
Records (Philadelphia, 1851), 7: 765.
address, and quickly issued a warrant to the sergeant at arms to bring him before the bar of the House. Although Moore had penned the vicious words against the Assembly, its members were convinced that William Smith was the true author. Leech immediately issued a warrant to bring Smith before the House. Smith tried the same evasive techniques that had gotten him out of trouble in the summer of 1756. Unable to “charge [his] memory” for most of the details, Smith made sure to protect himself by placing responsibility for the Address squarely on Moore. Still convinced that Smith was behind the Address, but lacking sufficient evidence, the Assembly charged Smith as a promoter of Moore’s libel for his role in publishing the Address. When Moore himself appeared before the House on 11 January, he acknowledged himself as the sole author of the address. However, he refused to answer the many petitions against him, “believing the House had not cognizance of such matters.”

The Assembly immediately drafted three resolves which deemed libel against the House as a “manifest violation of right and privileges” of the Assembly; judged Moore’s Address to be such a libel; and that criticism of the Assembly’s actions to protect itself from libel was a “subversion of one of the fundamental and most essential powers of the Constitution.” That being done, the Assembly committed Moore to the “common gaol” until he retracted the statements in his Address.

By mid January the Assembly began to call in all those they felt were connected to Moore’s Address, trying to get someone to implicate Smith as the author and looking to punish all who had helped perpetrate the insults against the House. Claiming all the

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42 11 January 1758, Pennsylvania Archives, 6: 4687.
43 11 January 1758, Pennsylvania Archives, 6: 4688.
powers of the House of Parliament, the Assembly told Smith that he would not be allowed to “argue against the authority or power of this House to take cognizance of the charge against him,” or “to argue that [Moore’s] address [was] not a libel.”44 First before the bar was prominent physician Thomas Bond and his brother, Phineas. As a founders and trustees of the College of Philadelphia, the Bonds knew both Smith and Moore personally. The Bonds confirmed that Moore had organized a meeting at Phineas’ house to look over his Address and suggest changes before seeking publication in the papers. Hoping to exonerate Smith from authorship, Thomas claimed that “some amendments were proposed by all the company, but less by Mr. Smith than the others.”45 Phineas corroborated his brother’s testimony, adding that Moore had sought legal advice before publishing and had been advised there was nothing criminal in his words. Also, he added, his “council told him the old Assembly were a non-entity and you may do it safely, otherwise I am certain he would never have done it.”

On 18 and 19 January the Assembly heard testimony from all those involved in printing Moore’s Address. Everyone from the clerk who transcribed the manuscript to William Bradford and David Hall, printers of the Pennsylvania Journal and Pennsylvania Gazette, appeared before the bar to answer for their actions. The Assembly was less concerned with punishing these men for printing Moore’s words than with trying to determine the extent of Smith’s involvement. Hall, also the provincial printer, had sought the advice of such prominent Assemblymen as Isaac Norris, Joseph Galloway, and Daniel


Roberdeau before publishing, and so it was pointless to charge the printers and risk public backlash from what would be considered an assault on the free press. Only Anthony Armbruster, a German printer, was put in jail for a night until he admitted that William Smith ordered him to print extra copies of Moore’s translated address. Smith’s council argued that he was no more guilty in the entire affair than the Bonds or the printers.

The Assembly took a few days to weigh the evidence against Smith, and during those deliberations Philadelphia was sent “into a flame” with debate of the trial.46 One observer wrote that “the whole town . . . thought Mr. Smith ill used, and even persecuted.”47 Another Philadelphian considered the Assembly’s actions “cruel and arbitrary.”48 Both men attributed the malicious trial the result of Smith’s earlier pamphlet writing which revealed “the miseries this province was reduced to by the mismanagement of the Quakers.”49 Edward Shippen, writing to his father, noted that “the evidence was agreed by everybody out of doors to be very lame.”50 A number of local Anglicans sent a petition to the House offering to post bail for Smith, but their request was denied. On 25 January, the Assembly called in Smith and pronounced him guilty. He was ordered to be

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46 Edward Shippen Jr. to Edward Shippen, 18 January 1758, HSP, Balch-Shippen Papers, 1: 53.

47 Minutes of the William Smith Trial, 18 January 1758, HSP, Penn Manuscripts, Wyoming Controversy, 1731-1775, Smith and Moore vs. the Assembly 1758-1759, Vol. 5.

48 “For the Reverend Mr. William Smith a Minister of the Church of England and Provost of the Academy of Pennsylvania Against the House of Representatives of that Province,” in Penn Manuscripts, Wyoming Controversy, 1731-1775, Smith and Moore vs. the Assembly 1758-1759, Vol. 5.

49 The second observer pointed to the “gross repeated misbehaviors of the Quaker Assembly so complained of by Mr. Smith and many others of the inhabitants,” as the reason for the 1758 trial.

50 Edward Shippen Jr. to Edward Shippen, 28 January 1758, HSP, Balch-Shippen Papers, 1: 53.
locked in the gaol until he gave satisfaction to the House in the form of an apology. In tune with public opinion, Smith refused to apologize and would sit in jail for the next three months. Vigorously defending himself before the Assembly and the public watching the proceedings from the gallery, Smith beat his chest and cried that he had been “singled out as the peculiar object of [the Assembly’s] resentment.”51 When he finished, the audience burst into applause, much to the chagrin to the assemblymen who immediately ordered the House doors closed to begin an inquiry “for the discover of the clappers.”52 Although some men were charged and put in the custody of the sergeant at arms, the inquiry eventually fizzled since “in so general and sudden an affair few particulars could be fixed upon.” Needless to say, the entire episode gave people pause to consider if the rights of the Assembly, which they had protected by handing the Proprietary Party a defeat in the 1756 elections, had now spiraled out of control. “I shall only say,” wrote Edward Shippen, “that people are now equally divided in their sentiments of the assembly.”

It is easy to see why Smith captured the attention of his contemporaries and of modern historians. Proud, arrogant, and always in the public eye through his many activities, Smith could not be missed. Even during his prison stay Smith taught classes, brought out issues of American Magazine, and organized a lottery to raise money for the College.53 It seems that most of the proceedings against Smith were brought on by party vendetta and animosity. “Our old inveterate scribbler has at length wrote himself in a

51 24 January 1758, Pennsylvania Archives, 6: 4715.
52 Edward Shippen Jr. to Edward Shippen, 18 January 1758, HSP, Balch-Shippen Papers, 1: 53.
53 Jones, A Pair of Lawn Sleeves, 40.
jail,” Isaac Norris noted with much satisfaction.\textsuperscript{54} Even the New York Council sent a message to Pennsylvania asking that since “no crime appears to be charged against Mr. Smith with sufficient certainty,” he be released from prison.\textsuperscript{55} But to focus solely on Smith is to overlook the man who started the entire controversy. Certainly, Smith was important, and his imprisonment points to a key shift in provincial politics. Where Smith had been able to sidestep trouble in 1756, withdrawal of pacifists form the Assembly and the ensuing coalition of Quakers and Anglicans meant that Smith could no longer blame Quakers alone for his persecution. Moore had asked for a militia law and for those who would stymie it to step down from power. By 1758, many pacifists had vacated their seats, but a militia law had yet to be passed. Since Moore’s first petition in 1755, Pennsylvania had seen the worst frontier violence of its history, and Moore placed the blame squarely with the “members, or rather fools of the late Assembly.”\textsuperscript{56} Unlike Smith, Moore was not trying to jockey for power in Philadelphia. Also, unlike Smith, Moore admitted to what he had done and stood by his very public criticism of the Assembly.

Moore created such a political firestorm that his critics produced one of the first political engravings in the colonies in 1758 with an accompanying one hundred twenty lines of verse.\textsuperscript{57} The engraving, titled, \textit{Labour in Vain: or, An Attempt to Wash to Black

\textsuperscript{54} Isaac Norris to Franklin, 21 February 1758, Leonard W. Labaree, ed., \textit{The Papers of Benjamin Franklin} (New Haven, 1967), 7: 385.

\textsuperscript{55} 28 February 1758, Penn Manuscripts, Wyoming Controversy, 1731-1775, Smith and Moore vs. the Assembly 1758-1759, 5: 161.


\textsuperscript{57} The first engraving was Benjamin Franklin’s now famous “Join or Die” cartoon produced to support his 1754 Albany Plan of Union. See Looney, \textit{Philadelphia Printmaking}, 74.
*Moor White* depicted Moore as an African Muslim, both a religious and racial outsider. The cartoon showed the various persons involved in the Moore affair as actors playing their roles on a stage. Moore occupied the center of the stage, stripped to the waist and sitting in a large wash bucket. Reverend Richard Peters, who worked with Smith to replace Franklin as president of the Academy’s Board of Trustees, and Attorney General Benjamin Chew, who ran on the Proprietary ticket in York County in the 1756 election, stood to either side scrubbing Moore in vain with brushes. Proprietary party supporter and William Allen’s law partner, Joseph Turner, poured a bucket of water onto Moore, while William Smith brought another. The brothers Bond stood to the side, observing the scene, as did the governor, seated in an arm chair. The attached verses dripped with invective against these Proprietary Party supporters. Moore was depicted as a corrupt judge with a “cruel and rapacious hand,” aided in his scheme to undermine the Assembly by an equally depraved set of friends.

The Moore case reveals the tensions in Pennsylvania’s constitutional and political history at a crucial juncture. The Assembly, a symbol of colonial rights, had long protected itself from proprietary and imperial intrusions, but never before had its members closed ranks in such a fashion against a fellow citizen. At first, the Assembly looked to the governor for aid, arguing that “both branches of government should act in concert, when the legal rights and powers of either are abused.”58 Denny wasted no time in challenging the Assembly’s actions, questioning if they could prosecute a slander against a now defunct Assembly, and cautioning them to “confine yourselves within the

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58 Assembly to Governor Denny, 10 January 1758, *Pennsylvania Archives*, 6: 4683.
limits” of the legal powers granted to the House.”

Denny refused to take part in the trials, arguing that the charter did not give him such powers, but also mindful not to get involved in the prosecution of Proprietary Party supporters. “Be pleased to remember, gentlemen,” he warned, “that the freedom and happiness of an Englishman consists, in a great measure, in the most inestimable privilege of being tried by his equals, . . . and that to deprive him of that right . . . is the highest injury that can possible be done him.”

“The Watchman,” an essayist in the Pennsylvania Journal agreed: “Of all the privileges of Englishmen, the right of personal liberty and a trial by known laws is the first and highest.”

Newspaper debate sparked by the Moore case continued through March of 1758 as Pennsylvanians argued over the personal rights guaranteed to all Englishmen, and the rights held by the Assemblies of the people. Two main issues dominated the debates: the right of the Assembly to imprison Smith and Moore, and the extent of freedom of speech and the press. “Freedom of speech is the great bulwark of liberty,” “Watchman” warned, “they prosper and die together.” Thinking “Watchman” to be Smith himself, opponents quickly responded, accusing him of being the “author or promoter of almost every virulent and false libel that has been published here or in Great Britain, against the constitution, and good people of this province.” The two camps probed through the

59 Governor Denny to the Assembly, 13 January 1758, Pennsylvania Archives, 6: 4693.

60 Governor Denny to the Assembly, 13 January 1758, Pennsylvania Archives, 6: 4696.


annals of British and ancient history seeking for precedent to justify or condemn the Assembly’s trial and their denial of habeas corpus for both Moore and Smith.

Refusing to apologize to the Assembly, Smith and Moore sat in jail until early April 1758. When the House went into recess from the 8th until the 18th, both prisoners were released on a writ of habeas corpus. When the Assembly returned it immediately issued warrants to arrest the men and incarcerate them. Embroiled in a dispute with Governor Denny over a money bill that would tax the proprietary estate, the Assembly was in no mood to let insults against them go unpunished. Denny accused “a few leading men of your House” for “acting in open contempt of law” and wanting to “see the province brought to the utmost destruction.”63 The Assembly angrily replied: “how far [your] conduct corresponds with the large professions of justice you made in the case of William Moore, that you would ‘condemn no man unheard,’ nor ‘without giving him and his accusers a full hearing face to face,’ we leave your conscience and reason to determine, declaring, that they appear to us the most glaring contradiction.”64 The Assembly was rankled that Denny had refused to remove Moore from office and blasted him for mismanaging all the money they had raised for the war. “What protection of defense has this unhappy colony received from the large sums of money it has generously granted?,” they asked.65 Even though Denny had washed his hands of the proceedings against Moore, he repeatedly asserted that the claims against the judge were false and that

63 Governor Denny to the Assembly, 22 April 1758, Pennsylvania Archives, 6: 4796.
64 Assembly to Governor Denny, 3 May 1758, Pennsylvania Archives, 6: 4805.
65 Assembly to Governor Denny, 3 May 1758, Pennsylvania Archives, 6: 4812-13.
the Assembly was operating outside of the boundaries of law. “Decency is . . . due to the Assembly, as representatives of the people” the House chided Denny.  

While the two branches of government spit venom at one another, and when the Assembly adjourned for the summer, Moore and Smith remained free and their arrest warrants were never served. In June, Smith married Moore’s daughter, Rebecca, at Moore Hall in Chester county. Smith realized that he would have to solve his debacle with the Assembly or spend more time in jail. Both he and his father-in-law had sent petitions to the Privy Council in January appealing the Assembly’s sentence. Benjamin Franklin, still bitter from Smith’s maneuverings to oust him from the Academy’s Board of Trustees, and now the Assembly’s agent in London, tried to block the appeal. Franklin argued that Smith’s appeal was “a matter of sufficient importance” since Smith was “a ready scribbler . . . employed in all the dirty work of abusing and libeling the Assembly.”  

Smith could not get to London so Thomas Penn’s lawyers argued his case for him.

From 24 to 26 August, the Governor began an inquiry into the complaints against Moore in order to justify his refusal to remove the judge from office. Edward Shippen noted to his father, “I understand they have gone through five already, all which turn out most villainously malicious.”  

The Governor agreed, and on the final day of the inquiry declared Moore to be “perfectly innocent.”  

When the Assembly reconvened in

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69 At a Council held at Philadelphia, 26 August 1758, *Colonial Records*, 8: 162.
September, they snubbed the governor’s opinion and on 24 September issued a warrant for Smith and Moore’s arrest. This third warrant was not served because of the dissolution of the 1757-58 Assembly, but new members for the 1758-59 term issued another. The 1758 Committee of Grievances ruled that Moore’s petition was “scandalous and seditious libel” and that he and Smith, be incarcerated until “they should make satisfaction to the House.”

To put the matter to rest once and for all, Smith set sail for London in December 1758, arriving on New Year’s Day, 1759. After much finagling, Smith and Moore were victorious and won their appeal on July 26. Although the Privy Council ruled that Moore did indeed libel the 1756-57 Pennsylvania Assembly, no future Assembly had any right prosecute him for his crimes. The Council also expressed their dismay that the Assembly had ordered the sheriff to disregard all royal writs of habeas corpus, and that the Assembly had assumed powers only Parliament could wield. Victorious, Smith sailed home.

The dynamics of the Moore affair fit none of the many dichotomies that have dominated scholarship on Pennsylvania during the French and Indian War. First, it reveals the limitations of a class approach. Moore and Smith were not poor men challenging rich, but rather equals with the affluent assemblymen they affronted. Secondly, Moore does not fit into the ethno-religious paradigm; he was not a Scots-Irish Presbyterian challenging Quakers. Although his original petition asked that Quakers vacate their seats, it was their pacifism, not their Quakerism, that served as the basis for their disqualification to rule. In the wake of the pacifists’ departure from the House and

70 17 November 1758, Pennsylvania Archives, 6: 4894.
the election of 1756, Moore and Smith, both Anglicans, faced the wrath of an alliance of Anglicans, Quakers, and German pietists. Lastly, Moore and Smith do not align with east-west divisions; Moore from Chester County and Smith from Philadelphia city.

So, what is left? The entire debacle was a debate between two groups of essentially similar men. So, why did they disagree so vehemently? Certainly, we must account for the political maneuvering between the Quaker and Proprietary parties. Moore and Smith both campaigned for the Proprietary Party in the disappointing October 1756 election. The essential difference between these two factions lay in constitutional matters. First, and most important, was the issue of defense. Indeed, the continuing war served as a backdrop for the sustained debate over Moore’s petition and the tensions in Pennsylvania’s two branches of government. Intimately tied into defense were constitutional issues of rights, both personal and collective. It is here where we find the root of the Moore debacle.

Members of the Quarter Party were jealous of their rights, both as individuals who could exercise liberty of conscience, and as collective representatives of the people. Non-Quakers who joined the party’s ranks adhered to what Alan Tully has termed civil Quakerism: “a deep appreciation of Pennsylvania’s unique constitution, liberty of conscience, provincial prosperity, loosely defined pacifism, rejection of a militia, and resistance to arbitrary powers of proprietors.”71 The Assembly would not cave to the demands of the governor, or to the demands of a faction of petitioners and sacrifice the right of the Assembly to act as a representative of the people as a whole. Aided by the

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overrepresentation of the eastern counties, assemblymen felt justified in their stance against a militia law. The post 1756 coalition finally acquiesced to passing militia bills but never mandated service, and their squabbles with the governor kept any of them from bringing military coherence to the province.

For Smith and Moore, the government was constitutionally obligated to provide for the safety of the people it ruled. Moore’s original 1755 petition asked that “religious scruples” no longer get in the way of the “defense of the province.” Individual quarrels and personal convictions could not stand in the way of the communal good. The solution was in a militia law to organize men together into defense units and bring security to the frontier. Moore blamed the “want of a militia law” for the “alarming situation of the Country,” and if the Quakers refused to preserve “the lives and properties of people committed to their protection” they must resign.72 Unlike the Quakers, Moore and Smith saw no conflict with Christianity and war. In a 1757 sermon at Christ Church, Smith preached on the Christian soldier’s duty, deeming the soldiery to be “armed by the laws of their country, and supported by the community.”73 Indeed, Smith argued, “the very end of [society] is to unite the force of individuals, for obtaining safety to the whole.”74 Like the men who would draft the Declaration of Rights in 1776, Moore and Smith believed that the purpose of government was to provide for the security and protection of the community. It was a natural rights ideology that would push men to violent action with the end of hostilities with France and the start of Pontiac’s War.

72 The Humble Address of William Moore, 19 October 1757, Colonial Records, 7: 767.


74 Smith, The Christian Soldier’s Duty, 16.
CHAPTER 4

“WHO EVER PROCLAIMED WAR WITH PART OF A NATION, AND NOT WITH THE WHOLE?:” THE PAXTON RIOTS AND PERCEPTIONS OF CIVIL SOCIETY IN PENNSYLVANIA

February 1764 was a busy month for Benjamin Franklin. Having returned from Britain a year earlier, he had almost immediately become entangled in a political controversy between the Assembly and the Proprietor that had sprung up with the onset of Pontiac’s War. Increasing violence on the western frontier combined with the Indian Confederacy’s attacks on British forts prompted Britain to ask her colonies for defense money and local militia units to aid in this latest Indian war. The Pennsylvania Assembly, controlled by a Quakers coalition, continually rejected or avoided such requests, fearful of either compromising their spiritual values or of giving the Proprietor too much power. When Thomas Penn’s nephew, John Penn, replaced James Hamilton as governor on 1 November 1763, Franklin was cautiously optimistic. It was no secret that Franklin disliked proprietary power, but he was also frustrated with the Assembly. Franklin worried that political tensions in Philadelphia would compromise Pennsylvania’s military abilities. “Tho’ we are strong,” he fretted, “we are in effect weak.”¹ The Assembly’s resistance to military requests from the governor led to more

than Franklin imagined, for in early February of 1764 several hundred men, mainly Scotch-Irish Presbyterians, marched fully armed from the frontier towards Philadelphia to kill the Moravian Indians held their under Quaker protection, and to air their grievances concerning poor protection in the province’s backcountry. The threat of bloody civil insurrection temporarily united Assembly and Proprietor, and Penn called upon Franklin to help the government though the crisis. Ultimately, is was Franklin who helped restore peace to civil society and stop the Paxton Boys from taking up arms against Philadelphia. On 7 February Franklin and a delegation of other prominent Philadelphians met with the Paxton Boys in Germantown to hear their complaints and persuade them to go back home. It was here that Franklin learned that the Paxton Boys’ aim was not to spark a civil war with Philadelphia, but to purge the city and province of Indians they felt were enemies to British interests. Angry that the government would protect Indians but not its own citizens the Paxton Boys sought to reestablish the line between civil and savage; placing themselves firmly within the boundaries of civil society and its protections and all Indians decisively outside. To accomplish this goal they insisted that Pennsylvania not befriend any Indians during Pontiac’s War. As they told Franklin in Germantown, “who ever declared war with part of a nation, and not with the whole?”

The Paxton Riots have received appreciable scholarly attention, though little of it has been detailed or comprehensive. Ever since Francis Parkman wrote of this band of “furious ruffians [who had] inherited some portion of their forefathers’ sectarian zeal,”

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2 Matthew Smith and James Gibson, A Declaration and Remonstrance of the Distressed and Bleeding Frontier Inhabitants of the Province of Pennsylvania, (Philadelphia, Bradford, 1764), 13.
historians have been intrigued by this episode of internal dissent. No one monograph deals specifically with the events surrounding and including the march of the Paxton Boys, but the riots have received treatment in the many histories of colonial and revolutionary Pennsylvania. Concerned more with the mechanics of the political sphere, scholars of Pennsylvania history have looked to Paxton as evidence of the racial, ethnic, religious, and social tensions of the day. Early studies appealed to the rhetoric of Frederick Jackson Turner, and looked to the frontier as the birthplace of democracy. To these scholars, the Paxton Boys were precursors to the revolutionaries of 1776 in that they challenged conservative and traditional rule. This interpretation has met its share of challenges, but the categories of religion and ethnicity have continued to dominate discussions of colonial Pennsylvania.

The Paxton Riots reveal more than just the ethnic, religious, and economic tensions that divided the province in the 1760s. More than just an isolated incident of

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4 The one exception to this rule is George William Franz, *Paxton: A Study of Community Structure and Mobility in the Colonial Pennsylvania Backcountry* (New York, 1989). Franz’s study is backward looking, and seeks to explain the conditions that made the riots possible, rather than explaining the effects the Paxton Boys had, or the meaning of their march to the east.

local significance, the events on 1763 and 1764 provide a window into Pennsylvanian society in the wake of the French and Indian War. The peoples of Pennsylvania were inextricably linked to the imperial world, as the battles for control of North America were waged across the western lands of their province. Colonial life was complex; a delicate balance between imperial wishes and local realities that were not always in synchronicity.\(^6\) As the crown asked the Pennsylvania Assembly for money throughout the French and Indian War, its Quaker members pushed for negotiation with the Indians to help stem violence on the frontier. To complicate matters, the Assembly was loath to draft any legislation that would give the governor or proprietor any undue powers (raising and commanding a militia, for example). Likewise, the governor refused to sign a bill that taxed the proprietary estate in order to raise money for defense.\(^7\) Frustrated that Pennsylvania’s government refused to protect their own constituents, frontier militia companies mustered to defend themselves against Indian attacks. When Quakers offered protection to Indians that many frontiersmen deemed to be enemies, they took matters into their own hands and attempted to effect change on their own terms.\(^8\) Convinced that

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\(^6\) As Eric Hinderaker argues, empires were processes, not structures; negotiated systems that individuals could shape, challenge, and resist. Eric Hinderaker, *Elusive Empires: Constructing Colonialism in the Ohio Valley, 1673-1800* (Cambridge, 1997).

\(^7\) By 1754, the Assembly had gained considerable legislative power and was not about to surrender that autonomy to the demands and circumstances of warfare against the French. Thomas Penn, concerned that the Assembly would not be able to wage an effective war, tried to use this crisis to restore proprietary control over provincial finances and legislation. He ordered governor Hamilton not to sign any bill that did not restore the chief executive’s power to participate in the appropriation of defense money. Thus, the Quaker Assembly found itself in the midst of a political quandary: if they followed Penn’s wishes they would lose what they saw as an important legislative right, but if their defense bills were vetoed, political enemies would brand them as aloof, opportunistic pacifists. See Tully, *Forming American Politics*, 110.

the boundary between Indian and settler was too permeable and uncertain, the Paxton Boys sought to establish a distinct line between “civil” and “savage.”

The Paxton Rebellion was initially a legal and civil conflict. More than just an attack of the west on the east, or the Presbyterians on the Quakers, the actions of the Paxton Boys brought the province’s legal and civil structure into question. By the mid 1700s, Englishmen on both sides of the Atlantic appealed to a common constitutional tradition, that is to say, to their rights as Englishmen. Clearly, the Paxton Riots were part of this trend, but past scholarly focus on competing ethnicities has ignored competing ethnic definitions of civil society. Indeed, the primary root of the Paxton Boys’ discontent was not ethnic or religious, but rather constitutional and civil—namely that the government had failed to protect the natural rights of its citizens, and instead had given protection to “enemy” Indians. In response, the Quakers, who considered order to be a condition of social peace, decried the illegality of the Paxtonians’ actions and

9 Writing from the Indian perspective, Daniel Richter argues that Pontiac’s confederacy attempted to do the same thing. Just as the Paxton Boys envisioned a world purged on Indians, Pontiac and Neolin fought for a land free from white intruders. Indeed, the Paxton Boys Remonstrance was a mirror image of Pontiac’s vision of racial separatism. See Daniel K. Richter, Facing East from Indian Country: A Native History of Early America (Cambridge, 2001), 201-08.


11 Patrick Griffin argues that Ulster Scots, who refused to be labeled as Scots-Irish, appealed to “Britishness” as a way to overcome prejudice by Anglo colonists who looked down on them. For Griffin, “the rights discourse employed by the Paxton Boys and their defenders . . . served as a touchtone for group unity.” See Patrick Griffin, The People with No Name: Ireland’s Ulster Scots, America’s Scots Irish, and the Creation of a British Atlantic World, 1689-1764 (Princeton, 2001), 172. Past historical oversight of Pennsylvania’s racial boundaries has recently been remedied in Jane T. Merritt, At the Crossroads: Indians and Empires on a Mid-Atlantic Frontier, 1700-1763 (Chapel Hill, 2003). As Merritt argues, by the 1760s “Pennsylvanians called for new territorial and political boundaries to separate and control people.” Thus, the Paxton Boys appealed to their own rights as citizens, and claimed that Indians were separate nations and therefore were outside British boundaries and protection. See pp. 282-294.
attempted to use law to bring the incident to a close. It was only after the riots had been quelled that religious rhetoric shaped public debate, as pamphleteers either congratulated or condemned Quaker rule.

The Paxton Riots were about more than just defense on the frontier, they were about the government protecting the rights of those who had entered into the contract of civil society. As the Paxton Boys remonstrated, they had “an indisputable title to the same privileges and immunities with his Majesty’s other subjects.” Certainly, defense was a prominent issue in for the Paxtonians, and was the subject of their Declaration. The Remonstrance, however, detailed other pressing constitutional concerns. First, the Paxtonians demanded equal representation in the Assembly, which they deemed “an infringement of our natural privileges.” Secondly, they sought to stymie a bill before the House that sought to prosecute any Paxtonians charged with the Conestoga murders to be tried in Philadelphia, thus stripping these men of “a privilege long esteemed sacred by English men.” The whole Paxton affair also had an unmistakably racial tone, and the Paxton Boys asked that no Indian be allowed to live in the inhabited parts of the province while Pennsylvania was at war, and that the governor reinstate the scalp bounties of the French and Indian War. For the Quakers, who accepted a more pluralistic and permeable view of civil society based on negotiation and alliance, the Paxton Riots were a clear assault on the peace and order they had helped create in Pennsylvania since its inception.

12 As David Hackett Fischer argues, since law was an essential condition for social peace, the Assembly made laws that made their officers (namely sheriffs and coroners) responsible for maintaining “good order.” For a detailed look at Delaware Order Ways, see Fischer, Albion’s Seed, 584-89. See also James E. Crowley, "The Paxton Disturbance and Ideas of Order in Pennsylvania Politics," Pennsylvania History 37 (1970), 317-339.

13 Smith and Gibson, Declaration and Remonstrance, Dunbar, ed., The Paxton Papers, 105, 106.
Such violence, however, was indicative of the white, militaristic, and increasingly exclusive vision of civil society growing in the backcountry.

The Pennsylvania frontier had enjoyed relative peace from 1758 until the outbreak of Pontiac’s War in May of 1763. Confusion and fear gripped the backcountry once again as Forts Venango, Le Boeuf, and Presque’ Isle fell to Pontiac’s confederacy by June of 1763. The Assembly felt dual pressure from both the frontier and the Crown to remedy the mistakes of the French and Indian War. In April, they had received messages from Britain expressing the King’s displeasure with the Assembly’s conduct. One official wrote that King George commanded him to “express his Surprise at the conduct of the Assembly . . . and his Majesty’s high Disapprobation of their artfully evading to pay any Obedience to his Majesty’s Requisitions.”\textsuperscript{14} At the same time, requests were coming in from Lancaster, asking for payment for the thirty two men who had assembled in 1755 under orders of Benjamin Franklin and George Croghan to defend against Indian attack. Although still feeling the sting of both royal and local reprisal, the Assembly questioned the assertion that the men of Lancaster had ever received official orders to assemble, and thus unanimously rejected the petition.

By early July 1763, news of renewed Indian attacks reached Philadelphia. Once again, the problem of public safety and defense came to the fore and the Assembly was called into session to consider a course of action. Letters from governor-general Jeffery Amherst begged for their “assistance for the public safety,” asking for men and money. “I have called you together,” he wrote, “to give you an opportunity of consulting and

providing for the public good and safety, and do most earnestly press you, with as little loss of time as possible, enable me to raise a body of men.”

Conscious that warfare would effect the harvest, lieutenant-colonel Henry Bouquet asked for the Assembly to “send immediately arms and ammunition” to the frontier “to be distributed to the inhabitants, to defend their reapers.” The Assembly responded by drafting a bill allowing for up to 700 frontier volunteers to be paid by the province in order to protect the backcountry during the harvest. The bill was passed into law within two days, and the Assembly went into recess.

By mid July, Pontiac’s forces had invaded the Juanita, Tuscarora, Cumberland, and Sherman’s valleys. These assaults, combined with attempts to take Fort Pitt, forced some to flee the far western frontier and regroup in places like Shippensburg. By August, British soldiers and local militia were finally winning battles, but such success had dubious results. Bouquet’s victory outside of Fort Pitt and the Battle of Bushy Run inspired confidence, but Indian raids still struck fear along the frontier. In response, 120 Lancaster volunteer marched up the west branch of the Susquehanna in late August to attack the Delaware, and met with qualified victory in a battle at Muncy Hill Creek. When sixteen people were killed and captured in Berks County in early September, Governor Hamilton reminded the Assembly that even though the harvest was in, protection was still needed.

The problem of adequate protection pervaded the early months of Pontiac’s War. By September, petitions from the frontier greeted both the Assembly and the governor.

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15 Governor Hamilton to the Assembly, 5 July 1763, Pennsylvania Archives, 6: 5426-27.

16 Colonel Bouquet to the Assembly, 6 July 1762, Pennsylvania Archives, 6: 5430.
The problem was, who should the government protect? Petitions from Cumberland County asked for money to keep local militia units viable, lest they all be “obliged to abandon their plantations to the savages, to the ruin on themselves, and the great injury of their neighbours.” A petition from Philip Martsloff of Berks County asked the Assembly for relief, as five Indians had come to his farm on the 10th, killed and scalped his wife, two sons, and three daughters, and burned his barn to the ground. When frontier inhabitants became suspicious that local friendly Indians, such as the Conestoga, had been involved in the murder of local citizens, the issue of protection became more complicated. On 13 September, Colonel John Elder wrote to the governor: “I suggest to you the propriety of an immediate removal of the Indians from Conestoga, and placing a garrison in their room.” Penn replied that he could not remove the Conestoga without adequate cause, explaining that “the Indians of Conestoga have been represented as innocent, helpless, and dependent upon the Governor for support. The faith of this Government is pledged for their protection.”

On 8 October, twenty three Pennsylvanians were killed near Bethlehem in Northampton County, and the following day eight more were killed in Lehigh County. Rumor spread around the county that local Moravian Indian converts had played a hand in the murders, and public outcry against them forced the Provincial Commissioners to

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17 A Petition from the Inhabitants of the Great Cove, 17 September 1763, Pennsylvania Archives, 6: 5438.

18 John Elder to John Penn, 13 September 1763, as quoted in John Raine Dunbar, ed., The Paxton Papers, (The Hague, 1957), 22. Elder was also a Presbyterian clergyman, ordained as pastor of Paxtang and Derry Presbyterian churches. During the French and Indian War, Elder captained a company of his own parishioners, and for two years, every man in the church, included Elder, carried rifles. See Hiram H. Shenk, ed., Encyclopedia of Pennsylvania, (Harrisburg, 1932), 163-64.

19 John Penn to John Elder, as quoted in Dunbar, ed., The Paxton Papers, 22.
investigate the Moravian settlements at Nain and Wichetunk. The Commissioners reported to the Assembly on 21 October that the Moravians had supplied the Indian with guns, which they had then traded on the frontier to enemy tribes. The Commission recommended that the Indians be removed to the interior of the province so their activities could be more closely monitored. The Assembly, however, seemed more concerned with the safety of these Indians than with scrutinizing their trading habits. “It is the opinion of this House,” the Assembly resolved, “that such of the said Moravian Indians as are willing and desirous, from their attachment to the government, or regard for their own safety, to be removed to the interior parts of the province . . . to such places . . . [the governor] may judge most safe and convenient for them.”20 The expense for the removal would be defrayed by the government. By November, the Moravian Indians had been taken to Philadelphia to “quiet the minds” of the people of Northampton county.21 Although the Assembly subsequently voted £24 000 to employ no more than 825 men to defend the frontier until 1 February 1764, some in the backcountry felt the Assembly treated Indians better than the province’s own citizens.

Despite frontier outbursts against various Native tribes, early December still saw newly-arrived governor John Penn and his council engaged in Indian diplomacy. Much like the French and Indian War years, colonial officials sought to secure the loyalties of the Six Nations. As part of this endeavor, Pennsylvania sent wampum belts to the Iroquois via the Nanticokes with a message of friendship. “We . . . are very glad that you

20 21 October 1763, Pennsylvania Archives, 6: 5482-83.

21 John Penn to Thomas Penn, 15 November 1763, as quoted in Dunbar, ed., The Paxton Papers, 22, n 2.
want an answer so soon to your Belts, replied the tribe before embarking on their mission. “You shall know all your Brothers’ minds of the Six Nations; They are doing their endeavours to reconcile all matters, and make all things easy.” The Proclamation of 1763, which reached Philadelphia by 8 December, reinforced the importance of maintaining friendly Indian relations for the security of the colonies: “it is . . . essential to Our Interest and the Security of Our Colonies, that the several Nations or Tribes of Indians with Whom we are connected, and who live under our protection, should not be molested or disturbed.” Like his predecessors, John Penn tried to use Indian alliances to rein in the violence on the frontier, asking Papounan, a Mohican Indian living at Wyalusing, to find which Indians had committed murders on the frontier and report them to him. To do so, Penn advised, would be best for the “security and protection of you and all other Indians as are against [Pontiac’s] War.” Of course, alliance meant extending a blanket of protection over those who sided with Britain. To do so meant providing both physical and legal protection from both Indians and settlers alike. The Indians at Wyalusing were keenly aware of this, telling Penn that although three of their people were recently killed by Pennsylvania settlers, they would disregard the deaths in order to maintain friendly relations with the province. Their actions, however, had garnered the wrath of Pontiac’s confederacy. “They have threatened me to lay my head on the Logs

22 At a Conference at the State House, 1 December 1763, Samuel Hazard, ed., Colonial Records of Pennsylvania, (Harrisburg, 1852), 9: 77.

23 A Proclamation, 7 October 1763, Colonial Records, 9: 83.

24 At a Council held at Philadelphia, 10 December 1763, Colonial Records, 9: 86.
and cut off my head for taking the White people’s part,” one Indian related to Penn, “and
they have threatened to tie me.”

The longest relationship Pennsylvania had with local Indians was with the
Conestoga, with whom William Penn had treated at the province’s inception. When John
Penn took over the role of governor, the Conestoga sent him an address on 30 November
reminding him of the long bond of friendship that had existed since the time of both their
grandfathers. “We now promise ourselves your favour and protection,” they wrote Penn,
conscious that the ongoing war placed them in a precarious position. No longer able to
support themselves autonomously because of the sale of their hunting lands, the
Conestoga relied on the Pennsylvania government to provide them with clothing and
other supplies. Past governors had appointed men to attend to the needs of the
Conestoga, but the circumstances of the French and Indian War dictated that government
resources be allocated elsewhere. As such, settlers had begun to encroach onto
Conestoga Land causing them to ask Penn to appoint Captain Thomas McKee to “take
care of [them], and see Justice done,” since he lived near them and spoke their language.
Little did they know that in two weeks everything would be thrown into confusion.

On 14 December 1763, fifty-seven men rode under Matthew Smith to Conestoga
Manor in Lancaster County and killed and scalped the Indians they found there. Initial
details of the attack reached Philadelphia five days later, though the exact details were

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25 At a Conference at the State House, 1 December 1762, Colonial Records, 9: 78.

26 To the Honorable John Penn, 30 November 1763, Colonial Records, 9: 89.

27 C. Hale Sipe, The Indian Wars of Pennsylvania (Harrisburg, 1931), 463. Sipe identifies Smith as the
ringleader, although contemporaries did not mention him by name until after the meeting in Germantown.
uncertain at that time. A coroner’s inquest revealed that six Indians had been killed, the others having been out of town on business and personal matters. Among the mutilated bodies was Sheehays, one of the Indians who signed his mark on the address welcoming John Penn as the province’s new governor. ²⁸ Both county and provincial officials sprang into action. When the remaining Conestoga returned to the manor, they were informed of the tragedy and were advised to put themselves under the protection of local authorities, which they agreed to. The Indians were quickly placed in the workhouse while warrants were issued for the band of murderers. The Council, claiming that “the Indians who were settled at Conestogo were under the protection of [the] Government and its laws,” urged the governor to write to the magistrates of York, Lancaster, and Cumberland counties to issue arrest warrants for the perpetrators. The council also felt it prudent to invite Papounan and the Indians at Wyalusing, as well as the remaining Conestoga, to Philadelphia to live under government protection. Since the expense for this removal would be undertaken by the government, it required the Assembly’s approval before action could be taken.

The governor sent a message to the Assembly on 21 December, along with the minutes of the conferences held with the Wyalusing Indians, asking for their assistance in this matter. In his message, Penn railed against the illegality of the murders, and reasoned that the Conestogas deserved justice under the law. “I conceived they were as much under the protection of the government, and its laws, as any others amongst us,” he

²⁸ Benjamin Franklin later reported in his A Narrative of the Late Massacres in Lancaster County (Philadelphia, 1764) that when Sheehays was told that some frontiersmen might come and murder him and his people, he replied “It is impossible: There are Indians, indeed, in the Woods, who would kill me and mine, if they could get at us, for my Friendship to the English; but the English will wrap me in their Matchcoat, and secure me from all Danger.” See p. 9.
explained, wherefore I thought it my duty to do everything in my power for the immediate apprehending and bringing to justice the authors of this horrid scene.”

The next day, Penn issued a proclamation reiterating that the Conestoga were “justly considered as under the protection of this government and its laws,” and calling for all civil officers to find and apprehend the murderers. Penn also explained that the Moravian Indians had been moved to Province Island for their protection, and warned that any who tried to harm them would face retribution. On the 24th, the Assembly agreed to the council’s suggestion to protect any friendly Indians that would come to Philadelphia, describing the murderers as a “lawless Party” that they hoped would be “apprehended and brought to Justice.”

Penn was pleased that the Assembly responded so quickly, and hoped such actions would put the province in a favorable light with Britain, who continued to chastise them for their actions during the French and Indian war. “Your speedy resolutions,” he cheered, “cannot fail to recommend you to his Majesty’s favour, as you thereby testify your zeal for his service, as well as your regard for the safety and happiness of the people of this province.”

Although Philadelphians were taken by surprise by the December 14th killings, some on the frontier were more conscious of the extent of the anti-Indian sentiment, and feared the worst. Edward Shippen wrote to John Elder that he had received intelligence on the 13th that a party of men were assembling together to kill the Conestoga Indians.


31 Assembly to Governor Penn, 24 December 1763, *Colonial Records*, 9: 97.

Shippen, in concert with a neighboring magistrate, sent an express to the men, explaining that “private persons have no right to take the lives of any under the protection of the Legislature,” and to do so they would “become liable even to capital punishment.”  

Shippen was convinced that even Bill Sawk, a Conestoga of whom many people had a low opinion, was not responsible for the depredations in the frontier. No warnings about the hard repercussions of law seemed to stay the hands of the murderous band. Although Shippen warned the men that the people of the frontier would not protect them from punishment, no person was ever arrested for the December 14th murders even though Shippen, and undoubtedly others, knew exactly who they were. While the frontier was by no means in unanimous support of the killings, the lack of action on the part of citizens and civil servants alike indicates some level of sympathy with their actions. 

Rumor quickly circulated that this band of men would soon march to Philadelphia to kill the Moravian Indians living on Province Island. As Edward Shippen wrote to his son, “to tell you the truth I am afraid for those in the workhouse here.” 

Shippen had good cause to worry, for on the 27th, Lazarus Stewart led the frontiersmen to the workhouse at Lancaster and killed the Conestoga Indians living

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33 Edward Shippen to John Elder, 16 December 1763, quoted in Dunbar, ed., The Paxton Papers, 26.

34 While generalizations are hard to make, the east tended to be more favorable toward Indians than the counties of the west. When Renatus, a Moravian Indian, was charged with murder, Lewis Weiss petitioned the Assembly “praying Leave to bring in a Bill for trying the said Indian in the City of Philadelphia, instead of the County of Northampton, where the said Murder was committed.” See A Petition from Lewis Weiss, 23 December 1763, Pennsylvania Archives, 6: 5495.

35 Edward Shippen to Joseph Shippen, 19 December 1763, as quoted in Dunbar, ed., The Paxton Papers, 27.
Although a regiment of British regulars under Colonel Robinson was stationed at the jail, the band was able to break in, kill the Indians, and leave on horseback all within a ten minute time span. William Henry, a local resident, gave the following statement:

The first notice I had of this affair was, that while at my father’s store, near the court house, I saw a number of people running down the street toward the jail, which enticed me and other lads to follow them. At about six or eight yards from the jail, we met from twenty-five to thirty men, well mounted on horses, and with rifles, tomahawks, and scalping knives, equipped for murder. I ran into the prison yard, and there, oh what a horrid sight presented itself to my view! Near the back door of the prison lay an old Indian and his squaw, particularly well known and esteemed by the people of the town on account of his placid and friendly conduct. His name was Will Soc; across him and squaw lay two children, of about the age of three years, whose heads were split with the tomahawk, and their scalps taken off. Towards the middle of the jail yard, along the west side of the wall, lay a stout Indian, whom I particularly noticed to have been shot in his breast; his legs were chopped with the tomahawk, his hands cut off, and finally a rifle ball discharged in his mouth, so that his head was blown to atoms, and the brains were splashed against and yet hanging to the wall, for three or four feet around. This man’s hands and feet had also been chopped off with a tomahawk. In this manner lay the whole of them, men, women, and children spread about the prison yard; shot, scalped, hacked and cut to pieces.

The death toll was fourteen men, women, and children.

Locals accused the town’s magistrates of sympathizing with the murderers. The 

*Lancaster Journal* reported that when Edward Shippen ran to Colonel Robinson’s quarters to help rescue the Indians, the officer replied, “Damn them I would not care of the whole race were slain, for my company has suffered enough by them already, I will

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36 Sipe, *Indian Wars*, 465. Sipe credits Stewart with the leadership of the second massacre, but his name is not mentioned in the correspondence with the Assembly or governor.

not stir one step.”\textsuperscript{38} The rapidity and ease with which the murders were committed, and the fact that none of the Paxtonians had been arrested since their first excursion, implied complicity from those in charge of order in Lancaster, namely the sheriff and the jailor. Sheriff Hay and his son, Donnelly the jailor, and two men called Smith and Howard, came under public scrutiny in the wake of the massacre. When Hay was later killed in a saw mill, Smith drowned himself, and Howard accidentally died after falling on a knife, it seemed to some that justice had been served. “It is a little remarkable,” reported the \textit{Lancaster Journal}, that three of the persons who were most deeply concerned in the murders of the Indians . . . met with an untimely death.”

News of the second massacre at Lancaster reached Philadelphia the night of the 28\textsuperscript{th}. An express from Edward Shippen informed the governor that “upwards of a hundred armed men” had stormed the jail, but reported favorably on the sheriff, claiming that he “could not prevail with them to stop their hands.”\textsuperscript{39} Shippen warned that the Paxton Boys could soon be on their way to Philadelphia, as some locals had heard them declare they would ride to Province Island and kill the Indians there.\textsuperscript{40} The government immediately sprang to action that evening. The council’s first move was to send boats to the Moravian Indians on Province Island, so that they would be able to escape should the rioters come to kill them. Secondly, they advised the governor to contact Edward Shippen and ask him to find out the future plans of the Paxtonians, and to learn the names

\textsuperscript{38} Mombert, \textit{An Authentic History}, 186, 187.

\textsuperscript{39} Edward Shippen to Governor Penn, 27 December 1763, \textit{Colonial Records of Pennsylvania}, 9: 100.

\textsuperscript{40} The \textit{Lancaster Journal} reported that before the Paxton Boys left town they gave three cheers and said, “We have presented the citizens of Lancaster with a Christmas Box, and we shall present the Philadelphians with a New Year’s Gift.” See Mombert, \textit{An Authentic History}, 187.
of the ringleaders so that they could answer for their crimes. Thirdly, they advised Penn to write to Colonel Armstrong at Carlisle, and to Reverend John Elder at Paxton, asking them to find the rioters and “suppress all such Insurrections among the People under their influence for the future.”

Lastly, the council felt it prudent that a bounty of £200 per insurrectionary be offered, and retired for the night.

During the final days of December, the government turned its attention to ensuring and securing the safety of the Moravian Indians. They suggested raising and posting fifty men at Province Island both day and night to defend the Indians should the Paxton Boys follow through with their threats. On 31 December Penn wrote to General Thomas Gage, detailing the Paxton Boys’ “insults upon the government and its laws” and asking that the three royal companies stationed in Carlisle be made available to him “for the preserving peace and good order, and supporting and executing the laws.” Fearful that news of the late massacres would harm British relation with the Iroquois, Penn also wrote to Sir William Johnson, asking him to assure the Six Nations that Pennsylvania would bring the insurgents “the punishment justly due to their crimes.”

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41 27 December 1763, *Colonial Records of Pennsylvania*, 9: 101. According to Elder’s son, Thomas, when the Paxton Boys finally marched on Philadelphia to kill the Moravian Indians living there under government protection, Elder rode after them to convince them to abandon their mission. However, they threatened to shoot him down if he tried to stop their advance. See John F. Watson, *Annals of Philadelphia and Pennsylvania* (Philadelphia, 1868), 2: 175.


43 Governor Penn to Sir William Johnson, 31 December 1763, *Colonial Records*, 9: 106. Johnson relied to Penn on 20 January: “You may be assured, I shall use every argument with the Six Nations, the unfavourable ideas which they must certainly entertain of such a proceeding, as well as to satisfy them that your Government highly disapproves of it, and will severely punish the offenders.” See *Colonial Records of Pennsylvania*, 9: 130.
The new year saw the government scurrying to both protect the Indians and capture the men responsible for the Lancaster massacres. “You must be sensible, gentlemen,” Penn warned the Assembly, “that the civil power alone is incapable of frustrating the attempts of those abandoned and desperate persons, and that no means can be effectual, but the opposing force by force.”

On 2 January Penn issued a proclamation that offered £200, upon successful prosecution, to any citizen who could apprehend any three of the ringleaders and bring them to Philadelphia to stand trial. Any accomplices in the murders who did not shed Indian blood would receive a pardon from the government and the reward money if they turned their leaders over to the authorities. With the arrival of an anonymous letter on 3 January claiming that men in Lebanon, Paxton, and Hanover were forming a company to march on Philadelphia, the Council quickly decided to send the 140 Indians on Province Island to Sir William Johnson in New York. Fearful that the Paxton Boys would strike before formal arrangements could be made, Penn sent the Indians north on the 5\textsuperscript{th} and immediately sat down to write a letter to Johnson explaining the situation. But New York rejected the band of refugees, claiming that the people of their own frontier were not too kindly disposed to Indians due to Pontiac’s War, and so the company settled at Trenton, New Jersey. After leading the Indians back and forth across the New Jersey countryside looking for a safe-haven, the council decided to bring them back to Philadelphia and house them in the barracks north of the city.

\textsuperscript{44} Governor Penn to the Assembly, 3 January 1764, Pennsylvania Archives, 6: 5500.
The Paxton Boys rejected the notion that the Conestoga were entitled to the same legal protection as any white, British subject. It is uncertain whether the murderers truly believed that the Conestoga had perpetrated violence along the frontier and has therefore received justice, but it is very clear that that Paxtonians viewed all Indians as enemy combatants in times of war. More importantly, even friendly Indians who has signed treaties of peace were not entitled to the same civil and legal benefits as whites. No matter how “civilized” these Indians became, they would never be British. The Paxtonians had not murdered the Conestoga, they had justly protected themselves. Their critics strongly disagreed.

The majority of the pamphlets written in response to the massacres focused not on the rebellious nature of Presbyterians or the incompetence of pacifist Quakers, but on the sheer illegality of the Paxton Boys’ actions. Benjamin Franklin was the first to weigh in on the situation, anonymously publishing *A Narrative of the Late Massacres in Lancaster County*. The opening paragraphs of the narrative reiterated the long friendship Pennsylvania had enjoyed with the Conestoga Indians. Franklin appealed to the first treaty William Penn signed with the Natives which guaranteed that their friendship would last “as long as the Sun would Shine, or the Waters run in the Rivers.”45 Franklin exhibited a fairly intimate knowledge of the twenty Conestoga Indians living in Lancaster, offering a brief biography for most of the slain adults. The murder of Sheehays, who had helped negotiate the second treaty with William Penn in 1701, represented the most egregious transgression of treaty and tradition. The men who

45 Benjamin Franklin, *A Narrative of the Late Massacres, in Lancaster County, of a Number of Indians, Friends of This Province, by Persons Unknown* (Philadelphia, 1764), 3.
committed these brazen and murderous acts, Franklin argued, did so “in defiance of
government, of all laws human and divine, and to the eternal disgrace of their country
and colour.” If the Conestoga were guilty of the murder of whites on the frontier, which
he doubted very much that they were, retribution should have been sought through legal
channels. As Franklin wrote, even Will Sawk “lived under our Laws, and was subject to
them; he was in our hands, and might easily have been prosecuted; was it *English Justice*
to condemn and execute him unheard?” Franklin claimed that fear had kept the rioters
from being arrested, that “the murderers having given out such threatenings against those
that disapprove their Proceedings . . . [that] no one durst speak what he knows.” Of

course, the other explanation was the many agreed with what the rioters had done, though
Franklin claimed he was ashamed to hear such talk. “Cowards can handle arms,”
Franklin concluded, “but it belongs to *brave* men to spare, and to protect.”

Charles Read, acting chief Justice of the New Jersey Supreme Court, echoed
Franklin’s sentiments in a published letter to Gloucester County Justice of the Peace John
Ladd. “The late outrage committed in *Lancaster,*” he wrote, “is such a notorious
violation of the rights of government, and a crime of so black a dye, that I have not the
least doubt but that the perpetrators of it will, in good time, suffer the punishment [of]
law.”

Read reasoned that as free people, Indians had the same rights to go to war as any
other nation. When they became subjects, as the Conestoga had done, “their treatment

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46 Franklin later wrote the following to Richard Jackson: “The spirit of killing all Indians, friends or foes, spread amazingly thro’ the whole country: the action was almost universally approved of by the common people.” Franklin to Richard Jackson, 11 February 1764, PBF, 11: 77.

47 *Copy of a Letter from Charles Read, Esq; to the Hon: John Ladd, Esq; and His Associates, Justices of the Peace for the County of Gloucester,* (Philadelphia, Steuart, 1764), 2.
ought to be the same with other subjects in like circumstances; their persons and effects equally claim the protection of the laws; and to murder or assault one of them, is a crime as equal to the doing of the same to another of His Majesty’s subjects.”48 Neither Read nor Franklin mentioned religion, except to say that the murders were both against the laws of God and man, for they were concerned more with restoring civil order and establishing a legal basis by which to condemn the Lancaster murderers.

Of course, the religious tensions between the Quaker east and the Scots-Irish frontier were very real. The anonymous author of a pro-Paxton poem, *The Cloven-Foot Discovered*, railed against the protection afforded the Indians by the Quaker government while the frontier suffered:

Devoutly then, make Affirmation,
You’re Friends to George and British Nation;
Encourage ev’ry friendly Savage,
To murder, burn, destroy and ravage;
Father and Mothers here maintain,
Whose Sons add Numbers to the Slain,
Of Scotch and Irish let them kill,
As many Thousands as they will.49

The poet went on to mock the Quakers for teaching Christianity to the Indians, and letting them conduct services in their native tongue. Although the Indians appeared friendly, they had in fact duped the Quakers into a false sense of security. “You can hear an Indian bellow,/ And praise him for a pious fellow,” the poet claimed, “Though what he

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48 *Copy of a Letter*, (1764), 4.

49 *The Cloven-Foot Discovered* (Philadelphia, 1764). This poem was later attached to John Shebbeare, *A Letter, from Batista Angeloni, Who Resided Many Years in London, to His Friend Manzoni. Wherein the Quakers Are Politically and Religiously Considered. To Which Is Added, the Cloven-Foot Discovered.*, (Philadelphia, 1764). The letter questioned whether Quakers, with their exclusivism and pacifism, could ever reap the full benefits of government: “What right have any set of men to the protection of government in times of peace, who will not assist with every power they possess to defend their country in times of war?” See page 4.
means you cannot tell;/ Nor if he talks of Heaven or Hell.” Just as the Indians had fooled the Quakers, the Quakers had tried to fool the frontier into believing that they were protected and cared for by the government. “In many things change but the name,” the poet concluded, “Quakers and Indians are the same.” Not to be outdone by the inflammatory verses of *The Cloven-foot Discovered*, a pamphlet emerged that depicted the Presbyterian participants in the murders as perverters of Christianity. A fictitious conversation between two frontiersmen, the pamphlet depicted the murderers as callous men ruled by anger and malice, who had no regard for the treaties that offered the Indians friendship and protection. When Thomas Zealot, a Paxton Boy, tells Andrew Trueman, a more cool-headed Presbyterian, that he killed the Indians in accordance with Scripture, Trueman rebukes him, saying, “I am a Presbyterian you know, as well as yourself. . . . Jesus Christ is the Prince of Peace, and has taught us the Doctrine of forgiving even our Enemies.”

The last pamphlet written in response to the Lancaster murders pulled the public’s attention back to legal and civil matters. “It is a fundamental law of all Civil Government,” the author argued, “that no person shall put another to death by his own authority.” Where the murderers erred was in considering all Indians as part of the same nation. As with war in general, the offences of one nation could not be held against another, and to kill the children of one nation for the crimes “of other Nations of the same

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50 A Dialogue between Andrew Trueman and Thomas Zealot; About the Killing the Indians at Cannestogoe and Lancaster, (Philadelphia, Armbruster, 1764), 6.

51 A Serious Address, to Such of the Inhabitants of Pennsylvania, as Have Connived at, or Do Approve of, the Late Massacre of the Indians at Lancaster; or the Design of Killing Those Who Are Now in the Barracks at Philadelphia, (Philadelphia, Steuart, 1764), 4.
colour” was unconscionable. The Conestoga, by virtue of the 1701 treaty, had become British subjects, making the crime against them all the more egregious. If the Conestoga were indeed guilty of crimes, then they deserved a trial by jury to answer for their crimes, as had been the case in the past. “If some of them have, now and then, been guilty of offences,” the author argued, “they were always ready to be apprehended and brought to trial.” Lastly, the author warned of what the future would hold if such lawless behavior were allowed to continue. Should the government be unable to apprehend the Paxtonians and bring them to justice, the Crown would most certainly force the province to renounce its pacifist past and maintain a military force to support the civil government.

Early February saw Philadelphia rife with credible rumor that frontiersmen from Paxton and Donegal townships were on the march towards the city. On 2 February, John Penn asked the Assembly to frame a riot act by which the government could suppress any further internal threats. Penn was concerned about the legality of using British troops against other British subjects. As he told the Assembly, “I find great difficulty in settling, on the footing of law, and on the principles of the English Constitution, the orders proper to be given to the commanding officer of [the royal troops] sent here to support the civil power. . . . I would not, in the orders I give for that end, be guilty of the least infraction of the laws.”52 By the afternoon of the next day the Assembly had drafted a riot act which was passed into law on the 4th, stating that any group over twelve persons engaged in riotous behavior would be adjudged felons and would suffer the death penalty without benefit of clergy. The same day, after getting word that a “very considerable number” of

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52 Governor Penn to the Assembly, 2 February 1764, *Colonial Records of Pennsylvania*, 9: 129.
frontiersmen were intending to strike Philadelphia the next day, Penn drafted a letter to
the Assembly asking for a militia bill. Penn was certain that the troops in the city under
General Gage would soon be called away, leaving Pennsylvania virtually defenseless. “I
think it my duty to his Majesty, and to the good people of this province,” he explained,
“to recommend to you to frame a militia law, . . . as the only natural and effectual means
of preserving the public tranquility, and enabling the civil power to enforce the laws.”

The Assembly did not see the letter until the 10th, for the rumors that the Paxtonians were
coming came true and threw the city into disarray.

At four o’clock on the 4th, all citizens were summoned to the court house in the
pouring rain, where the governor read a proclamation informing all gathered that a large
mob of frontier settlers were coming to Philadelphia to kill the Moravian Indians in the
barracks. After invoking the recently passed riot act, Penn assigned over one hundred
soldiers to guard the barracks, and called upon all willing citizens to form associations
and submit their names. Should the rioters be spotted approaching the city, the alarm
bells were to be rung in warning. Much to the dismay of many Philadelphians, the city’s
German citizens did not enlist, causing rumor to circulate that they were working in
concert with the approaching rebels. Some Germans believed that it could be proved that
the Indians in the barracks were guilty of killing Germans settlers on the frontier, and still

53 Governor Penn to the Assembly, 4 February 1764, Pennsylvania Archives, 7: 5540-41.

54 The Assembly finally drafted and passed a Militia Bill on 28 February 1763. However, Penn rejected it
because it gave the governor very limited powers in either commissioning officers or controlling
the militia’s movements. As Franklin correctly speculated in early February, “The jealousy of the addition
of power to the proprietary government, which is universally dislik’d here, will prevail with the House not to
leave the sole appointment of the militia officers in the hands of the governor; and he, I suppose, will insist
upon it, and so the bill will probably fall through.” See Labaree, ed., Franklin to Richard Jackson, PBF, 11:
78.
others were suspicious that the Quakers had used these Indians for their own personal gain. Why else, they reasoned, would the Quakers protect the Indians while turning a blind eye to the sufferings of the frontier? Knowing full well that some of the approaching frontiersmen could be of the same ethnicity, German Philadelphians refused to take up arms.\textsuperscript{55} With so many rumors and so little evidence to substantiate them, most Philadelphians entered the crisis riding high on emotion and speculation. As the pastor of St. Michael’s Lutheran church in Philadelphia, Henry Melchoir Muhlenberg, wrote, “It is difficult in such a crisis to say anything or give judgment in such a strange republick which had caught a fever, or, rather, is suffering from *colica pituitosa*.”\textsuperscript{56}

February 5\textsuperscript{th} saw Philadelphia abuzz with activity. Carpenters were busy building a redoubt in the center of the parade ground at the barracks, and four cannon were taken from the State House along with available artillery stores and set up in defensive positions. Scouts were sent up the various roads which led to Philadelphia to find out the rioters’ position and report on their movements. Rumor spread throughout the city that anywhere from 700 to 1500 English, Scots-Irish, and German backwoods settlers were close at hand. Realizing that a scout had not been assigned to watch the ferry on the Schuylkill River, men quickly rushed off to secure that position. But it was too late; the rioters had crossed the river and were heading towards Germantown. Quakers and Moravians ran furiously back and forth to the barracks, checking the defenses. But since

\textsuperscript{55} The reasons for German refusal to join militia units were recorded by German Reverend Henry Melchoir Muhlenberg, who spent a great deal of time talking to his parishioners during the riots. See Henry Melchior Muhlenberg, *The Journals of Henry Melchior Muhlenberg*, trans. Theodore G. Tappert and John W. Doberstein, (Philadelphia, 1942), 2: 18.

\textsuperscript{56} Muhlenberg, *Journals*, 2: 19.
the rioters were still a fair distance from the city, Philadelphians settled down for an uneasy night.

The peace of the early morning of February 6th was shattered by the ringing of alarm bells and the banging of drums. At once the marketplace began to fill with citizens, and arms were given out to those who were willing to bear them. As one Philadelphian would later recollect, “drums, colors, rusty halberds and bayonets, were brought forth from their lurking places; and as every good citizen who had a sword had it girded to his thigh, so everyone who had a gun had it placed on his shoulder.” Rumors flew wildly about, claiming the “rebels had divided into three groups and were going to attack the open city in three places simultaneously; then they were near; then they were still far away; now they were coming from the east, then from the west, and so on.” The alarm bells and drums continued sounding until daybreak, when sunshine revealed the rioters were in fact not immediately at hand. Like the early morning, the day was also filled with tension and confusion, though, as a Moravian at the barracks noted, “Our Indians slept quite peacefully and took little notice of the uproar.” What made the situation particularly disorienting for some was the fact that a number of Quakers took up arms and organized themselves into companies. The sight of an armed Quaker did not go unnoticed by even the smallest Philadelphians: a group of small boys followed a prominent Quaker down the street shouting, “Look, look! a Quaker carrying a musket on

58 Muhlenberg, Journals, 2: 19.
his shoulder!”\textsuperscript{60} Older citizens as well were baffled at the sight of Quakers bearing flintlock muskets and daggers. As Sally Potts wondered to her sister, the Quakers “seem’d as ready as any to take up arms in such a cause to defend the laws and libertys of their country against a parcel of rebels.”\textsuperscript{61}

The bizarre sight of Quakers in a militia stood in stark contrast to the relative inactivity of Philadelphia’s German citizens. Not everyone was caught up in the excitement of the potential military conflict: David Brookes and Sara Jordan still found time to get married by pastor Muhlenberg. John Penn and the council invited German Reverend Dr. Wrangel to talk to them that evening and explain why the Germans were so apathetic. Consequently, Wrangel spent the 6\textsuperscript{th} trying to convince German Philadelphians to take up arms. He also ordered Pastor Brycelius to ride to Germantown to warn the church there not to join the rebels. By the afternoon, a small mounted company of German craftsmen had formed and proceeded to sound trumpets and parade in and around the city for several hours. Disaster nearly struck when a constable on watch mistakenly identified the company as the rioters, and orders were given to fire. Men rushed to arms and the cannon was almost fired when a level-headed man recognized the Germans and put his hat over the touch hole.

Pastor Brycelius returned from Germantown in the evening with an amazing story to tell. He had made it to Germantown and delivered his message to the church, but they knew nothing of the rebels. He then mounted his horse and rode to the outskirts of town where he ran head on into the approaching frontiersmen. He tried to turn around and flee,

\textsuperscript{60} Muhlenberg, \textit{Journals}, 2: 20.

\textsuperscript{61} Quoted in Dunbar, ed., \textit{The Paxton Papers}, 40, n 2.
but the rioters stopped him and ordered him to stay with them. He proceeded talk with
the men, “Irishmen and Englishmen who appeared to be respectable.”62 Brycelius was
told that the men did not wish to harm their fellow citizens or kill the Moravian Indians,
only to take the Indians into custody and escort them out of the province. To prove the
veracity of this statement, the rioters claimed they would post a £10 000 bond. They also
intended to submit their many grievances to the governor, to demand protection and the
“barest necessities” which Philadelphians took for granted. Brycelius advised them that
taking the Moravian Indians would be quite impossible, since the government had passed
a Riot Act declaring them outlaws, and that a large company of royal soldiers guarded the
barracks. To go to Philadelphia, he cautioned, would surely end in bloodshed. This gave
the rebels pause, for they had only 250 men, though they expected over 1000 more to
arrive by midnight since over 3000 men had initially enlisted to participate. Unable to
persuade the men to return home, even with the help of two English preachers and one
Presbyterian minister recently sent by Penn, Brycelius returned to Philadelphia.

While the militia drilled in a large Quaker meeting house, Wrangel met with the
governor and council at Benjamin Franklin’s house to try and find a resolution to the
 crisis. Penn and others had little faith in the hastily assembled militia companies, and so
they resolved to attempt to reach a peaceful settlement with the rioters. At 5:00 am on
the 7th, Benjamin Franklin, attorney-general Benjamin Chew, Joseph Galloway,
Philadelphia Mayor Thomas Willing, William Logan (a prominent Quaker), Dr. Wrangel,
and Daniel Roberdeau set out for Germantown. Wrangel and Roberdeau rode ahead of

the rest to prepare the rioters with a speech, which Wrangel delivered to the men they
found at Coleman’s tavern. The speech lasted for twenty minutes and informed the men
that they were about the break both religious and civil law. Just as he was finishing,
William Logan entered the tavern, causing the rioters to shout “there is that scoundrel
Logan, that Quaker!,” causing him to flee, mount his horse and ride back to Philadelphia.
The rest of the Philadelphia delegation was received and ushered to a room upstairs
where they met with John Armstrong (who had snuck undetected to the barracks and
observed the preparations being made), frontier spokesman Matthew Smith, and his
assistants, James Gibson and Mr. Brown. During the course of the meeting, the
deblegation convinced the rioters to write down their grievances and return home.
Franklin and Willing helped Smith and Gibson with the wording of the document, and
then headed home to Philadelphia in the evening with Smith. But, when word came that
400 more men had come to Germantown, Smith returned there at midnight to tell them to
return to the west. Meanwhile, the militia had been kept in a state of readiness. At the
request of the Quakers, the men had spent the evening drilling once again in the Quaker
meeting house.

Another false alarm the morning of the 8th sent the city into panic once again;
shops were closed and guns made ready. At noon, representatives from Germantown
arrived along with a small company of thirty armed men to see the city and inspect the
Indians at the barracks. About 500 local militiamen, Quakers included, escorted the men
about the city, their banners flying in the breeze. After finding no Indians they could
recognize at the barracks, the men prepared to return home. The militia was then called
to the marketplace, disbanded, and thanked for their zeal. Many citizens returned home
upset that they had not been able to put their military prowess to the test.\textsuperscript{63} The Paxton Riots, it seemed, were over.

While the threat of physical violence had dissipated, the war of words had just begun. The meeting between Smith, Gibson, Franklin, and the delegates from Philadelphia produced two important documents, “A Declaration” and “Remonstrance.” Meant to inform the government of the reasons for the murders at Lancaster and for the march on the city, these documents affirm the essentially legal and civic nature of the Paxton riots. Insisting that they and their men were loyal subjects of the King George III, Smith and Gibson sought to expose how permeable the lines of civil society had become. Why, they asked, did the government protect non-British enemies, while its own citizens were exposed to the violence these enemies inflicted on the frontier? The Indians, they argued, “pretend themselves Friends, . . . and the publick, that could not be indulged the liberty of contributing to his Majesty’s assistance, obliged, as tributaries to savages, to support those villains, those enemies to our king and country.”\textsuperscript{64} The fact that the government had “prostituted” public funds to hire a “mercenary guard to protect his Majesty’s worst of Enemies” was particularly repulsive and contrary to the rights afforded them as British subjects.

\footnote{Parkman, \textit{The Conspiracy of Pontiac}, 371. Parkman claims that the militia was disbanded on the evening of the 7\textsuperscript{th}, and makes no mention of the militia escorting the 30 Paxton Boys to the barracks. The journals of Henry Muhlenberg, on which this section of my study is based, indicates that the militia was disbanded on the 8\textsuperscript{th} immediately after the small band of Paxton Boys had exited the city.}

\footnote{The two documents were later published together as a single pamphlet. Smith and Gibson, \textit{A Declaration and Remonstrance of the Distressed and Bleeding Frontier Inhabitants of the Province of Pennsylvania}, (Philadelphia, Bradford, 1764), 6.}
In the Remonstrance, Smith and Gibson first attacked the nature of representation in Pennsylvania by pointing out the inequity in allowing the three eastern counties twenty six representatives, while the five western counties were allowed only ten. They then objected to a law before the Assembly whereby persons charged with killing an Indian in Lancaster would be tried in one of the three eastern counties. “This is manifestly to deprive British subjects of their known privileges,” they wrote, “to cast an eternal reproach upon the whole counties, as if they were unfit to serve their country in the quality of Jury-Men, and to contradict the well known laws of the British Nation.”65 The Remonstrance also echoed the sentiments in the Declaration which saw putting enemy Indians under government protection while refusing to protect the frontier as a serious transgression. The Paxtonians were convinced that the Moravian Indians had been aiding other enemy tribes, and pushed for the government to declare war on them, like they had with Pontiac, rather than protect them.66 The Paxton Boys wanted to reestablish the line between civil and savage, which they felt had been damaged by Quaker treaties. “We humbly conceive,” they wrote to Penn, “that it is contrary to the maxims of good Policy and extremely dangerous to our frontiers, to suffer any Indians of what tribe soever, to live within the inhabited parts of this province, while we are engaged in an Indian war.”67

65 Smith and Gibson, A Declaration and Remonstrance, 11.

66 Several depositions were taken throughout the frontier regions to support these accusation, but their veracity is questionable as they appear to be self-serving documents used to justify the riots. Some of these depositions were reprinted in Thomas Barton, The Conduct of the Paxton-Men, Impartially Represented, (Philadelphia, Andrew Steuart, 1764). Depositions also appear in The Apology of the Paxton Volunteers, reprinted in Dunbar, ed., The Paxton Papers, 185-204.

67 Smith and Gibson, A Declaration and Remonstrance, 15.
The Declaration and Remonstrance are important because they reveal the frontier perception of the contours authority in civil society. The Paxtonians were frustrated with the inherent unfairness of unequal representation in the Assembly, and many concerned about adequate defense felt that if they could elect more representatives the Quaker party would be outnumbered and a militia law would be passed. Since men deferred their natural right to protect themselves and their property to their representatives, it was imperative that those representatives have an equal voice. To deny the west equal power in the Assembly was as insulting as revoking their right to serve on juries, for it implied that those on the frontier were inferior in ability to men in the east. Seeking to assert their status as full citizens, the Paxtonians defined themselves against the savagery of the Indians. Surely, they reasoned, their own government would protect their liberties, not the Indians’. If not, the very foundation of civil society was unstable.

First the Remonstrance and then the Declaration were sent to Penn, who passed them along to the Assembly. On the 18th, the Assembly contacted Penn, informing him they would like to talk to Smith and Gibson to try to convince them their grievances were unfounded. Wanting to present a unified front to the two frontiersmen, the Assembly asked Penn to participate in the process. Penn refused to agree to this course of action, arguing that it would be below the dignity of government, and that the powers of government needed to remain separate, even though “the petitioners have in this case [had] very injudiciously blended [them] together.” Penn’s answer ended all discussion on the subject, and on February 21st the Committee created to deal with the Paxton

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situation signed and closed its report. Accordingly, Smith and Gibson were sent home. Although their specific grievances were never addressed, the Paxton Boys sparked a reassessment of the nature of Pennsylvania’s government. The Assembly and Governor became quickly embroiled in a heated debate over a pending militia bill, and over how money should be raised for the King’s service. Amidst this imbroglio, petitions from the frontier continued to come, asking for relief from the ongoing war. The Assembly appointed a committee to examine the Journal of the House of Commons in order to understand any precedent that had been set with regards to petitions from citizens. As the Governor rejected the Assembly’s militia and money-raising bills on the grounds that they infringed on proprietary power, the committee appointed to draw up and bring in Resolves upon the present Circumstances of the Province submitted a report decrying proprietary power. “It is the opinion of this House,” the Assembly resolved after reading the report, “that the proprietors of this province . . . can justly or legally be considered in no other light than as private owners of property, without the least share or constitutional power of legislation whatever.”

Perhaps the most damning accusation was that the troubles of the frontier were the fault of the proprietor, who used their calamity to gain more power. This was no doubt a direct result of the Paxton Riots and the subsequent death of the Assembly’s militia bill. As the Assembly claimed, the Proprietors took “advantage of the times of calamity to extort privileges from the people, or enforce claims against them, with the knife of the savages at their throat.”

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69 Assembly to the Governor, 24 March 1764, Pennsylvania Archives, 7: 5591.

70 Resolves of the Assembly, 24 March 1764, Pennsylvania Archives, 7: 5593.
While the factions of the government battled one another for control of the province, pamphleteers battled for control of public opinion. The march on Philadelphia inspired no less than twenty-six pamphlets, fourteen of them either condemning the Paxton Boys’ actions or claiming to offer a neutral position. Although the pamphlets initially continued the legal and constitutional arguments of the pre-February writings, they quickly became vituperative condemnations of either Quakers or Presbyterians. A Dialogue was printed in late April, a fictitious conversation between “Positive” and “Zealot,” two fictional Presbyterians, and Lovell, an honest plain man. This was the first pamphlet to use the term, “Paxton Boys,” and it did so in the most disparaging way possible. The author mocked the intelligence of the frontiersmen, claiming “not one in fifty understands [the Declaration and Remonstrance], or seeks for proofs for [the] propositions laid down.” The author was supposedly a Presbyterian of twenty years, and in a post script claimed he could no longer agree with “new fangled doctrines and manners” the church had adopted. He cautioned all those involved to “be careful lest you be found fighters against GOD, calling light darkness and darkness light.”

Other pamphleteers were more kind and optimistic, calling the Paxton Boys “gentle and easy” and their demands “too reasonable to be rejected.” Undoubtedly, True Countryman wrote, “from a just Constitution [they] will receive the just merits of their cause.” The Quakers were also quick to answer the many rumors that had circulated

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72 An Historical Account, of the Late Disturbance, between the Inhabitants of the Back Settlements; of Pennsylvania, and the Philadelphians, &C. (Philadelphia, Armbruster, 1764), 5.
about them during the riots. The Quakers appealed to Pennsylvania’s long history of peace and friendship with the Indians, and denied that they had any other motives in their dealings with the Natives than the well-being of the province. Although primarily a religious society, as citizens they had often felt compelled to become engaged in political and civil matters, such as Indian negotiation, throughout the French and Indian War. We are, they claimed, “real friends to the government, and steadily desirous of acting agreeable to our stations as members of civil society.” Others, of course, disagreed and portrayed the Paxton Boys as the true citizens.

The issue of the Paxton Boys’ ties to Presbyterianism took center stage by March of 1764. David James Dove, a schoolmaster and pamphleteer of shifting loyalties, wrote, “to talk against Presbyterians . . . is the effect either of malice and party spirit, or nonsense, for tho’ they happened to be generally Presbyterians who were so abused and injured, yet principles of BRITISH LIBERTY and the sense or sentiments of nature alone, not of Presbyterianism, or any other denomination, breathe in their Remonstrance and Petition.” Dove’s *The Quaker Unmask’d; or Plain Truth* was the most contentious pamphlet written about the riots and Dove himself became the target of many vicious cartoons and poems accusing him of sodomy, misogyny, dabbling in teratology, venereal

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73 After the members of the Paxton Boys inspected the barracks, a young boy swore before a magistrate that the Quakers had hired him and another boy to row four or five Indians to Province Island. Accusations flew that soldiers at the barracks had worked with the Quakers to protect guilty Indians. The charge was immediately denied, and the boy was never heard from again. See Dunbar, ed., *The Paxton Papers*, 46.


infection, whoring, perjury, and lechery.\textsuperscript{76} A song titled “A Touch of the Times” railed against the “wretched Paxtons” and accused Dove of having been directed by Beelzebub when writing his arguments.\textsuperscript{77} The writer of a pamphlet titled \textit{The Author of Quaker Unmask’d Strip’d Start Naked} asked, “how came you to give your piece the title of \textit{Plain Truth}, if you had call’d it downright lies, it would have agreed better with the contents.”\textsuperscript{78} Another pamphleteer sarcastically called \textit{The Quaker Unmask’d}, “a very well wrote piece indeed”, claiming it “would be still better, had not the author made the hyperbole, his darling trope.”\textsuperscript{79} Yet another author, calling himself Philalethes, attacked Dove’s argument paragraph by paragraph, arguing that Indian allies were essential in the ongoing Pontiac’s War. The Quakers, and not the Paxton Boys, had acted in the best interests of King and country and were to be commended for their service. “Let the \textit{Friends of Pennsylvania} lay aside the animosities which have been raised and maintained by the wicked and the weak,” he wrote, “let them hold fast to their integrity, and support the cause of their country and its laws, . . . and peace again shall be restored among us.”\textsuperscript{80} Philanthropos, who claimed to not be a Quaker himself, wrote that Dove was “an injudicious man . . . [who] hates his King, his Governor and even his country too.”\textsuperscript{81}

\textsuperscript{76} \textit{A Conference Between the Devil and Doctor Dove} (Philadelphia, 1764). The print room of the Library Company of Philadelphia has a copy of this cartoon and accompanying verse.

\textsuperscript{77} \textit{A Touch on the Times} (Philadelphia, 1764), 1.

\textsuperscript{78} Timothy Wigwagg, \textit{The Author of Quaker Unmask'd Strip'd Start Naked} (Philadelphia, 1764), 10.

\textsuperscript{79} Philadelphientis, \textit{Remarks on the Quaker Unmask'd} (Philadelphia, 1764), 2.

\textsuperscript{80} Philalethes, \textit{The Quaker Vindicated} (Philadelphia, 1764), 15.

\textsuperscript{81} Philanthropos, \textit{The Quakers Assisting to Preserve the Lives of the Indians in the Barracks, Vindicated and Proved to Be Consistent with Reason, Agreeable to Our Law, Hath an Inseperable Connection with the
Isaac Hunt, under the pen name Philo-Libertatis, argued that as Presbyterians the Paxton Boys could never have a legitimate claim on government. “Let us exert all our influence and power;” he wrote, “to keep the reins of government out of the hands of Presbyterians, as we are convinc’d, thoroughly convinc’d of their unfitness to govern.”

The opening barrage of pamphlets sustained a rigorous public debate over who had fulfilled their role as a member of civil society. Quaker supporters touted their adherence to law and peace, and juxtaposed their passivity with the murderous Paxton Boys. Ever mindful of the problems of the frontier, these men had carefully navigated the intricacies of Indian negotiation for the sake of the province. As educated and disinterested leaders, the Quaker party was to be commended for its service. Paxton supporters condemned the Quaker party as scheming and illegitimate rulers who ignored the perils of the west for their own gain. Indeed, it was the Paxton Boys who had acted in the interest of the province by eliminating the province’s enemies. Even anti-Quaker writers who disagreed with the Paxton Boys’ violent methods still has sympathy for their call for equal power in the Assembly. With an election in the near future, pamphleteers and essayist battled over the legitimacy of the Quaker and Presbyterian factions to wield power in civil society.

The Paxton Boys inspired not only essays but poems and plays as well, and many a pamphleteer used satire and sarcasm to comment on the situation. A poet under the name Agricola offered *The Squabble; a Pastoral Eclogue*, a piece claiming to be “really

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*Law of God, and Exactly Agreeable with the Principles of the People Call’d Quakers* (Philadelphia, Armbruster, 1764), 14.

wrote by a Country-Farmer” lest its pro-Paxton message be ascribed to the courtly gentlemen of Philadelphia. The stanzas of the poem detailed a discussion between Thyrsis, a Presbyterian shepherd, and his Quaker neighbor, Corin. Their dialogue concerned Corin letting wolves into the Thyrsis’ flock of sheep, an obvious metaphor for the Indians living among Pennsylvania’s frontier settlers. “In what-e’er clime by mortals was it told,” Thyrsis asked, “that rugged wolves are as the harmless Fold?” Corin replied that he had raised the wolves since they were young, and “ever since they’ve joined my fleecy care,/ [never] did they e’er my tender lambskin tear.” Crisis was averted, however, when Thyrsis released his Mastiffs (the Paxton Boys) who killed the wolves, much to Corin’s dismay who claimed, “but had I caught thy dogs, by my decree / they should have swung as high as yonder tree.” Although the subjects of the poem have obvious religious affiliations, the dialogue of The Squabble revolved around racial boundaries, or, whether wolves should be allowed to mix with sheep.

Similarly, The Paxton Boys, A Farce explored the legal and constitutional ramifications of the riots through a fictitious dialogue between several religious characters. As one Presbyterian said to his Paxtonian counterpart, “I would freely sacrifice my life . . . rather than those . . . R—ls, the Q—s, should continue longer at the head of government, it vexes me to the soul to see those heathen enemies openly protected by them, against the Law of Nature, the Law of Reason and the Law of God.” Although the characters were named according their denominational affiliation, and though they charge each other with being in league with the devil, the conclusion of the

84 A Native of Donegall, The Paxton Boys, a Farce (Philadelphia, Armbruster, 1764), 7.
play rested on matters of government and constitutionalism. As Churchman told Quaker, “our M—s are all good subjects, hearty in the cause of liberty and supporting the constitutions, and doubt not but, they will make public examples of any that dare oppose them.” The final dialogue between the characters Quaker and 1st Presbyterian questioned the Quakers’ right to enjoy all the benefits of civil society if they were not willing to take up arms and defend the government. “Why . . . do you not take up arms to support [the] King and his government,” asked 1st Presbyterian. “I have never done it yet,” replied Quaker, “but when there is a real necessity as there appears to be now . . . I will carry arms and fight too; and chatize such wretches as thou art with thy bloody persecuting principles, who art not worthy to live in a free government.”

While Presbyterians condemned Quakers for their pacifism and Quakers rebuked Presbyterians for their dissention, both saw the other as inferior members of civil society. To some, the Paxtonians were essentially white savages, untamed and unrestrained by law and decency. To others, the Quakers belonged with the Indians with whom they traded and treated, unable to wield any significant or legitimate power. As the pro-Paxton poet Christopher Gymnast wrote, “That we, who’re the only Gospel Church, / Should this be left here in the lurch: / Whilst our most antichristian foes / Whose trade is war and hardy blows, (At lease while some of the same Colour, / With those who’e caus’d us all this Dolor) / In Matchcoats warm and blankets drest, / Are by the Q—rs much caress’d.”85 One of Gymnast’s sympathetic contemporaries agreed, writing, “with

our foes [the Quakers] hold strickt Alliance / And bid all Government Defiance. / For what care they? good Furs and Skins / Will hide a Multitude of Sins.”

The deluge of pamphlets that circulated Philadelphia in the wake of the riots prompted the Paxton Boys to issue an “apology” that explained once again the constitutional reasons they had embarked on their expedition. Rather than show any contrition, the Apology detailed some of the many atrocities enemy Indians had supposedly inflicted on them during the past decade, and explained that when they asked the government for relief, “the far greater part of our Assembly were Quakers, some of whom made light of our sufferings & plead conscience, so that they could neither take arms in defense of themselves or their country.” Such actions stood in stark contrast to the Quakers taking up arms against the Paxton Boys, who claimed to be loyal subjects of the King. The Paxton Boys reasserted the claim that the Indians they had killed were indeed guilty of murder on the frontier and thus were enemies of the crown, and submitted six sworn testimonies to support this claim. These testimonies were of dubious veracity, as they were sworn before various magistrates in Lancaster County. Nevertheless, they indicate the legal and constitutional approach the Paxton Boys took to the issue of public defense and safety. Indians were enemies, and even if they were considered to be under the protection of the province, that status did not entitle them to the full benefits of British citizenship. Indeed, relinquishing their fully independent status as a nation did not make Indians British. “Can any person be so little acquainted

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86 A Battle! A Battle! A battle a Squirt, where no man is Kill'd, and no man is Hurt!, (Philadelphia, 1764), 8.

87 The Apology of the Paxton Volunteers Addressed to the Candid and Impartial World, reprinted in Dunbar, ed., The Paxton Papers, 185.
with the law of nature,” the Paxton Boys asked, “as to suppose that their giving up this single article to us, would secure to every individual of them the benefit of a trial by our laws?”

Some Pennsylvanians agreed with the Paxton Boys; men such as Thomas Barton, an Anglican minister and Proprietary apologist in Lancaster County. Barton appealed to natural law, and pointed out the contradiction Quakers posed to civil society. The Paxton Boys, he argued, “have been able at last to lay bare the PHARASAICAL BOSOM OF QUAKERISM, by obliging the NONRESISTING QUALITY to take up arms, and to become proselytes to the first great Law of Nature.”

Hugh Williamson, a Philadelphia physician, agreed with Barton. The Quakers were the enemies of all citizens, for they skewed the balance of power in the Assembly to favor their own. “The government was in your hands,” he accused the Quakers, “and that you might never lose it, you resolv’d to deprive all new counties of their rights as Englishmen.”

However, most pamphleteers disagreed with Barton and Williamson and devoted their energies to discrediting the Paxton cause and lauding the Quakers as true citizens for all they had done in service of the province. Philanthropos would again put pen to paper for a second installment of The Quakers Assisting, arguing that the Paxton Boys had transgressed the laws of men and, more importantly, the laws of God. “This law is the most extensive and the most binding, for the good of individuals, in civil society, of any law that ever was publish’d

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88 The Apology, 201.
on earth,” he wrote, “i.e. *whosoever shedeth man’s blood, by man his blood shall be shed*.”

Sixty-six years after the Paxton Riots, Robert Venable, who had once been a servant to a prominent Philadelphia family remembered being in the midst of the “Paxtang boys’ alarm,” which he described as a time of “great excitement.” But what was an episode of confusion for those in Philadelphia was a push for order and normalcy for those on the western frontier. For the Paxton Boys, the riots were a way to regain their rights as British subjects and redefine the relationships of power in civil society. The reasoning behind the riots, and the words and actions of 1763 to 1764 were not essentially religious or ethnic in nature, but rather political and constitutional. Although the majority of the Paxton Boys were Presbyterian, and their religion informed their sense of Britishness, they did not riot for religion’s or ethnicity’s sake. The rioters did not oppose the Quakers solely on theological grounds; rather, they challenged Quaker legitimacy to rule because their pacifism had stripped the frontier of the right to protection of life and property. When the government offered protection to enemy Indians, those who should have been outside the boundaries of civil society, the Paxton Boys rode to Philadelphia to physically move them outside that boundary. To the Paxtonians, a responsible government was one that protected its citizens, and Pennsylvania’s government as a whole had failed to do that. For those in positions of power, the boundaries of the frontier needed to be permeable, for they saw negotiation, especially with the Iroquois, as the key to imperial and provincial success in North

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America. Thus, the murders at Lancaster could only serve to hamper British designs for
the colonies. Indians played a key role in making British settlement possible and
successful, and offering Natives certain rights and protections was not antithetical to this
end. Indeed, it was the clash of these two perceptions of civil society that made the
Paxton riots so dangerous.

When Pennsylvania became embroiled in the Wyoming Valley dispute in the fall
of 1769, the Paxton Boys rose once again. Riding under Captain Lazarus Stewart, the
Paxton Boys defied the Pennsylvania government, defeating Pennamite soldiers and
helping Connecticut stake temporary claims to the valley’s disputed lands. In song, they
were celebrated in Northampton as true subjects of the King and preservers of liberty:

But to the voice of conscience some Squires are
grown so deaf,
That where you’ll find a Just-ass he is ten to one
a thief;
For justice, truth, and peace are fled,
And honest charity is dead,
There’s none for liberty to plead
But true PAXTON boys.
Shall those Jersey bankrupts our property invade,
And fugitive pretenders make honest men afraid?
I find we must disperse the gang,
With Yankee boys this present Spring,
Who worship GOD and serve their King
Like true PAXTON boys.  

93 A New Song, in High Vogue in Northampton County, in the Province of Pennsylvania (Philadelphia, 1771).
CHAPTER 5

“VIOLENT PARTIES, AND CRUEL ANIMOSITIES:” THE ELECTION OF 1764

On 23 March 1764 a petition arrived at the State House for the Pennsylvania Assembly signed by over twelve hundred inhabitants of Cumberland County. Complaining that many frontier inhabitants had been driven from their homes by a “barbarous and savage enemy,” the petitioners asked the Assembly to pass a militia law that would oblige “all his Majesty’s subjects, who have life and property at stake, to appear in defense thereof.” For these petitioners, any suggestion that Quakers could be exempt from militia duty was repulsive, especially since the Quakers had “the greatest share in government.” They claimed that what lay at “the bottom of all their grievances” and was “the source of all their sufferings” was the lack of fair representation for western counties in the Assembly. In conclusion, they asked that the Assembly “restore to the frontier counties their rights, of which they have been so long deprived.” For these petitioners, the liberties of the people was to be the Assembly’s main concern, and ensuring proper representation would solve the frontier’s defense problems. The petition echoed the Paxton Boys’ Declaration and Remonstrance, which decried unequal representation, and which the Assembly was still debating. The very next day the
Assembly passed twenty-six resolves criticizing proprietary government and asking that a royal governor be installed in its stead. The Assembly placed the blame for poor defense on the proprietors who would not permit Pennsylvanians to “raise money for their defense, unless the Proprietary arbitrary will and pleasure [was] complied with.”

Indeed, if the “natural course of human affairs” was a reliable guide, proprietary power would soon become absolute and thus a danger “to the liberties of the people.”

The Assembly’s attempt to undermine the proprietary government and install a royal government exploded into one of Pennsylvania’s most contested colonial elections in October of 1764. Of course, tensions between the east and the west over a militia law had existed since the 1750s, as had bitter debates between the Assembly and executive branch over taxation of proprietary lands. “We have no respect for our governor,” Franklin admitted, “and we cannot counterfeit it, tho’ perhaps we ought.”

Those who had suffered the violence of the French and Indian War felt its sting again with the outbreak of Pontiac’s War. To put the province in a posture of defense, Colonel Henry Bouquet, whose western campaign was stymied by the Pennsylvania government’s inability to agree on a supply act for his troops, reasoned that since “the king’s arms formerly lent to this province [had] not been returned, there must be sufficient quantity for present use, when put in repair.” He suggested importing 100 dogs from Britain to “be kept on the frontiers, and a few given to every scouting party, to discover the

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4 Henry Bouquet to John Penn and the Provincial Commissioners, 4 June 1764, PBF, 11: 225.
ambushes of the enemy.” Pennsylvania eventually provided 1000 men to march westward to Fort Pitt and the Ohio Country as reports came in of “great mischiefs . . . on the Virginia frontier.” Indeed, frontier violence and the issues of safety and the role of responsible government provided the backdrop to the royal campaign.

But 1764 was different from the 1750s in three ways. First, the Paxton Boys’ recent march to Philadelphia in February forced the issue of defense front and center in the public mind. No longer was frontier discontent mere words of faceless names on a petition, they were mounted and armed men capable of insurrection and violence. The ensuing public debate sparked a marked interest in the qualities of leadership; namely, who should be allowed to sit in the Assembly. While many on the frontier felt Quakers should not rule because their pacifism would ensure the defeat of any militia bill, eastern Quakers distrusted Presbyterians as a factious lot of rebels who would run roughshod over personal liberties and rule only in their own interest. The outcry against the Paxtonians galvanized the heretofore politically inept Presbyterians to defend their religion and their desire for safety on the frontier. “The most violent parties, and cruel animosities have hence arisen, that I have ever seen in any country,” Franklin lamented, “so that I doubt the year will scarce pass over without some civil bloodshed.” That figurative civil bloodshed would be the election, with a Presbyterian faction and electorate energized by the Paxton Riots and Pontiac’s War. Secondly, frontier populations had increased so significantly that the current system of representation was

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5 Franklin to Richard Jackson, 18 June 1764, PBF, 11: 229. See 14 June 1764 edition of the Pennsylvania Gazette for news from Virginia that around forty people had been killed in Augusta County.

6 Franklin to Richard Jackson, 25 June 1764, PBF, 11: 239.
an obvious affront to 1701 Charter of Privileges. The Paxton Boys, and petitioners like those from Cumberland, believed that the problems of defense could be solved if the western counties could get equal representation with the east. Lastly, June of 1764 saw the passage of the Sugar Act, the first tax instituted to pay for the costs of imperial administration. Franklin viewed the act with a wary eye, sure that “more is apprehended than will happen,” even though “much is said of the ill effects that must attend it.”

Word was also spreading that Grenville was planning to pass a Stamp Act in the very near future, as his 9 March budget had included plans to do so but was not put into immediate action.

The election of 1764 became a referendum on Quaker rule. As one local Philadelphian observed, the election was “the warmest that ever was held in this province.” Old Ticket Quakers who had long been in conflict with the Proprietor, called for a shift of power and moved to make Pennsylvania a royal colony. New Ticket Presbyterians accused the Quakers of failing to protect the frontiers, and supported the Proprietor to uproot Quaker power in the Assembly. Ben Franklin sided with the Old Ticket and had believed for some time that the way to solve the province’s defense problems was to remove the proprietor. The debate between these two factions reached

7 Franklin to Jackson, 25 June 1764, PBF, 11: 234.

8 “Anonymous Letter from Philadelphia,” 18 October 1764, North Carolina Magazine . . . for 1764 (New Bern, 1764), 198, as quoted in J. Phillip Gleason, “A Scurrilous Colonial Election and Franklin’s Reputation,” The William and Mary Quarterly 18 (1961), 70. Gleason is more interested in exonerating Franklin from the “upper class distaste” that tarnished his reputation in nineteenth century biographies than in looking at the constitutional issues that framed the 1764 election.

9 “Old Ticket” refers to the stalwarts of the Quaker Party and their supporters. “New Ticket,” by contrast, refers to the nascent Presbyterian party mobilized by the Paxton Riots.
such a feverish pitch that even the usually reserved John Dickinson challenged Joseph Galloway to a duel.  

Broadly construed, the 1764 election appears to have been a debate between west and east, and Presbyterian and Quaker. Upon closer scrutiny, however, a much more complex picture emerges that forces us to consider a different framing narrative. Although western Anglicans like George Ross supported a militia bill, were critical of Quaker rule, and allied themselves with the Proprietary faction as a result, other Anglicans embraced the royal campaign as a chance to establish closer ties to the Crown. Quakers and their Anglican allies saw Presbyterians as unfit to rule and liable to upset the old political order, and felt a royal governor could effectively quell dissent in the western counties. At the center of the debate of 1764 were two differing interpretations of how to secure colonial liberty, one which sought protection from the Crown, the other which pushed for equal colonial representation. Although these views were informed by religion and ethnicity, they were not dictated by them. Viewed in this light, the events of

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10 As William S. Hanna argues in *Benjamin Franklin and Pennsylvania Politics* (Stanford, 1964), the Proprietary Party never sought support from the “ordinary citizens of the province,” unlike the Quakers who were “champions of local rights.” The advances the Proprietary Party was able to make in 1764 thus indicate that “Pennsylvania almost achieved a long-overdue political reformation.” See pp. 154-155. However, Hanna dismisses the notion that Pennsylvania provincial politics “responded to fundamental principles,” and argues that leaders were “less interested in principles and theories than in power and advantage.” See p. ix. I argue that while there certainly was a good amount of political jockeying in Pennsylvania, that did not negate the existence of coherent political theories.

11 While a narrative of the election is necessary, this chapter also seeks to examine the language both parties, but particularly the Presbyterian faction, used to sway voters to their side. As Alan Tully argues, “unquestionably, Presbyterian rhetoric had a significant impact on public affairs” in Pennsylvania. See Alan Tully, *Forming American Politics: Ideals, Interests, and Institutions in Colonial New York and Pennsylvania* (Baltimore, 1994), 203. Tully is comfortable with using a Presbyterian versus Quaker dichotomy to frame his discussion in order to show the primacy of civil Quakerism in Pennsylvania politics. This chapter seeks to show that Pennsylvania’s political alliances were more complicated and nuanced, while tracing the persistence of Presbyterian rhetoric in the public dialogue.
1764, put in motion by the Paxton Riots, were the first cobbledstones of Pennsylvania’s road to the Revolution.

Perhaps nothing illustrates the complexity and diversity of the 1764 election contest than the figures at the center of the public debate. The most prominent figure was undoubtedly Benjamin Franklin, Quaker Party supporter and advocate for voluntary defense associations. His closest ally, Quaker Joseph Galloway, was tired of being forced to follow proprietary instructions and quickly threw his weight behind Franklin’s royal campaign. Also joining Franklin’s faction was Isaac Hunt, one of the most vituperative anti-Paxton writers. Hunt was an Anglican and a tutor at the College of Philadelphia who deeply disliked Presbyterians and their influence in the College through vice-provost, Francis Alison. On the other side of the aisle was John Dickinson of the Quaker Party, a late convert to the cause who admitted that proprietary government was not perfect, and whose moderate appeals were based on fear of “the uncertainties of the times to come.” He was joined by his father-in-law, speaker of the House, Isaac Norris, who at first supported the House’s resolves, but soon followed Dickinson in speaking out against them. When the House reconvened in May, Norris claimed that ill health would prevent him from attending the “public business,” and, much to Franklin’s dismay, resigned his seat. Much more effective at inflaming the public was Presbyterian Hugh Williamson, who interpreted the entire royal campaign as a Quaker smokescreen to hide their years of misrule. Williamson had studied under Francis Alison at his Chester Academy and was a professor of mathematics at the College. After his return to


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Philadelphia in June 1764, Provost William Smith joined these men and organized a petition drive in support of the proprietary party. Lastly, and perhaps most baffling, was Israel Pemberton, a prominent Quaker who had been ridiculed mercilessly in pro-Paxton cartoons and accused of having illicit sexual affairs with Native women.

After passing the twenty-six resolves against the proprietary government, the House adjourned for seven weeks to “consult their constituents.” This consultation was in fact a seven week campaign to plead their case to the public, not to listen to counter-argument. On 29 March, Franklin issued “Explanatory Remarks on the Assembly’s Resolves” in the Pennsylvania Gazette, opening up a concerted propaganda campaign for the Quaker Party. Franklin knew which buttons to push to try and sway the western counties to his cause, for he had helped the Paxton Boys draft their grievances only a month earlier. It was proprietary instructions not to tax the proprietary estates to support a militia that left the frontier “bleeding in every quarter” and the “unhappy inhabitants reduced to every kind of misery and distress.” He then drafted a “Petition of the Pennsylvania Freeholders and Inhabitants to the King,” and printed one hundred copies on 31 March, and another 200 copies on 18 April. Franklin also arranged for a German translation to be printed and distributed. Franklin framed his argument in the language of safety, reminding the King that proprietary stubbornness had led to “mischiefs . . . during the two last wars,” asserting that Pennsylvanians wanted to “partake in that happiness and security which they see all those colonies around them enjoy.”

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14 Explanatory Remarks on the Assembly’s Resolves, 29 March 1764, PBF, 11: 137.
15 Petition of the Pennsylvania Freeholders and Inhabitants to the King, 29 March 1764, PBF, 11: 147.
Unfortunately for Franklin, he was a poor judge of public sentiment and his royal campaign cost him both his seat in the Assembly and the allegiance of the Germans whose votes had kept the Quaker party in power since the 1750s. Of course, local politics was truly baffling at times as the winds of conflict blew hot and cold. Perhaps cheered by Assembly’s reaction with his campaign for royal government, (“never was there greater unanimity in any Assembly”), Franklin pushed forward only to become the focus of many a vituperative and vindictive tirade.\footnote{Franklin to Richard Jackson, 31 March 1764, PBF, 11: 150.} “We are now in the utmost confusion,” he wrote on 31 March to Richard Jackson, Pennsylvania’s agent in London, with “animosities between the Presbyterians and Quakers, and nothing in which we seem generally to agree but the wish for a King’s government.” This was, of course, an overstatement, and Franklin was far too optimistic about his petition’s success in the western counties. In fact, Gilbert Tennent, a pro-Paxton New Light, and Francis Alison, a more conservative Old Light had sent out a letter to Presbyterian churches instructing them not to sign any Quaker petition. The plan for royal government, they argued, was “an artful scheme . . . to divert the attention of the injur’d frontier inhabitants.”\footnote{Copy of a Circular Letter, 30 March 1764, in A Looking Glass, &c., Number II (Philadelphia, 1764), reprinted in John R. Dunbar., ed., The Paxton Papers (The Hague, 1957), 311-12.}

Sympathies for the Paxton Boys, and distaste for the Quaker Party’s attempts to shift all the blame for the frontier’s problems on the proprietors, caused many to refuse to sign the petition. Opponents blasted Presbyterian ministers for turning their pulpits into political platforms. “I have known one [minister] in this neighborhood,” wrote a Chester pamphleteer, “to procure leading men in his congregation, to read political papers and
sign petitions . . . . I have known another . . . to charge the people ‘as they valued their salvation, (even if their houses were on fire) to attend and sign a petition against a change of government.’”

The first response to the Assembly’s resolves and Franklin’s “Explanatory Remarks” came in early April from Hugh Williamson. “For my part,” Williamson wrote, “I am clearly persuaded that Quaker politics, and a Quaker faction, have involved this province into almost all the contentions, and all the miseries under which we have so long struggled.” After denouncing the Quakers for not allowing equal representation in the Assembly for the western counties, Williamson attacked them for refusing to provide defense money while opening negotiations with Indians so that they could secure “friendship and trade . . . no matter what miseries we suffered.” Williamson pointed out the contradiction of Quakers supporting the push for a royal government: those who had resisted raising money for the King’s use during the French and Indian War now wanted royal authority to dictate the workings of the province. This was particularly ironic given the Quakers’ pacifism. At the heart of Williamson’s argument were constitutional issues. “You have denied us of charter privileges, have made laws for us, and have offered to deprive us of juries,” he charged, “so that you might have the power to spare our lives, or take them away, at pleasure.” The change the province needed was not from Proprietary-Slavery to Royal-Liberty, but from Quaker-Slavery to British-Liberty. Williamson warned that a change in government would produce uncertain results and could lead to the establishment of the Anglican church in Pennsylvania as Britain tightened its imperial

18 Observations on a Late Epitaph (Philadelphia, Armbruster, 1764), 4.

grip on the colonies. “We know what we have, and we can hardly get better, but we may get worse, when it will be too late to repent,” he wrote. “It is very probable that we shall soon have stamp-offices, customs, excises and duties enough to pay, we don’t want to pay tythes into the bargain.”

Because of the Paxton Riots and Pontiac’s War, defense issues were quite salient in the opening debates over the proposed change in government. Joseph Galloway quickly printed a response to Williamson, reminding Pennsylvanians that the Assembly had granted the Crown over £500 000 for their “protection and defense.” Galloway agreed that the frontiers were poorly protected, but only because proprietary commissioners misappropriated the money and ineffectively coordinated royal troops. “The protection of the frontiers was then not the grand object in view,” he charged, “the people were to be first distressed and heart broken, that they might the more easily be brought to submit” to proprietary power. Another Quaker Party supporter took issues with the claim made by “a number of shameless scribblers,” that the Assembly had been negligent in “affording due protection to the distressed frontier inhabitants.” He submitted a 19 December 1763 petition from Cumberland which thanked the Assembly for its “tender care manifested for the protection of this extensive and peculiarly exposed western frontier” as proof that the west was content. Incensed, William Smith of Cumberland (not Provost William Smith), fired off a letter and the 25 March Cumberland petition to Bradford to set the record straight. “As the obvious design of publishing that

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21 *Pennsylvania Journal*, 12 April 1764.
petition was to insinuate that the distressed frontier inhabitants approve of the proceedings of our late Assemblies, “he wrote, “I think it my duty . . . to assure the public that the insinuation is notoriously false.”

Sensitive to the frontier’s concerns, and looking to defend the Quakers Party’s push for royal government, Franklin issued *Cool Thoughts on the Present Situation of our Public Affairs*, which appeared in the *Pennsylvania Journal* and was later sold as a pamphlet. Making a small concession to the Paxton pamphleteers, he agreed that old disputes between Assembly and Proprietor had been “obstructing the public defense.”

The problem lay not in Quaker pacifism, as the Paxtonians asserted, but with the nature of a proprietary government. As evidence he pointed to Maryland which had no Quakers in the Assembly and yet its people still suffered infringements on their “popular liberties.” But, according to Franklin, the answer was not to substitute Presbyterians and Lutherans for Quakers. Since the blame for poor defense lay with the proprietaries and the constitutions developed under their rule, the same obstacles to a militia law would still exist. Nor was it a problem with religion, as Franklin observed: “religion has happily nothing to do with our present differences, tho’ great pains [are] taken to lug it into the squabble.” Franklin looked to New Jersey as an example, arguing that as soon as it

22 *Pennsylvania Journal*, 19 April 1764. Only sixty people “in and near Carlisle” had signed the December petition, and Smith claimed that “the bulk of the people would not sign it.” The March petition, however, was signed by “all the magistrates in the county, by the clergy, and by twelve hundred of the most respectable inhabitants.” Submitting the December petition was, according to Smith, a “low and desperate measure to support a weak cause.”

became a royal colony it received “arms, ammunition, cannon, and military stores of all kinds;” things yet to be given to any proprietary colony.

Hugh Williamson was quick to respond to Franklin, incredulous that he would place the blame for Pennsylvania’s lack of defense on the proprietor. Though Williamson did not approve of the Paxton Boys taking arms against the city, he resented Franklin’s implication that it was the governor’s refusal to tax the proprietary estates that had blocked an effective militia bill. It was the Quakers who had failed to raise a militia “by which the natural force of the country might be made use of, to repel every insult.”

A militia was absolutely necessary, and Williamson concluded that “even a Bull and Bear militia would have intimidated those daring insurgents.” The Quakers’ pacifism made them unfit for office and they would remain just as unfit with a royal governor instead of a proprietor. Indeed, the people of the frontier would still be as willing to replace Quakers in office for representatives who would better defend their lives and liberties. “Will not those people by whom they are in danger of being turned out be as powerful then as now?,” Williamson asked. The answer lay in more equal representation for the western counties, and the push for a royal government was merely a ploy to distract westerners from this goal. Quakers knew that it would be impossible to “keep the NOSES of the PAXTONIANS to the grindstone” unless they took them “off their present pursuit, by cramming down their throats a NEW GOVERNMENT.”

Williamson published his last installment of “The Plain Dealer” on 12 May, a pamphlet touted by the printer to be “useful for every inhabitant . . . who desires to

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consult for his safety and liberty.”

Williamson brought the public discussion back to the issues the Paxton Boys had raised in their Declaration and Remonstrance, namely that the Quakers had “tyrannized over the innocent inhabitants of [the] frontier counties” and had supported “savages who were enemies.” Williamson charged that the Quakers had spent thousands of pounds to support the Indians of the province while frontier Pennsylvanians were asking for protection. Like the Paxtonians, he asserted that the Quakers’ failure to defend the province while negotiating with Indians made them unfit for office. “Rendering some effectual protection to the bleeding frontiers . . . has never appeared consistent with Quaker Politics,” he argued. By refusing to aid in the royal defense of the province the Quakers had not only robbed the frontier peoples of their rights as British subjects, they had “made the province contemptible in the eyes of the English nation.” What was needed was to remove the Quakers from power and restore Pennsylvania as a responsible and participating member of the imperial community. The Quakers had denied the frontier the right to protection, and through disproportional representation in the Assembly had also denied them their rights under the Charter of Privileges. “I hope that very man who loves his country,” Williamson concluded, “will contribute all in his power to recover for those injured people their charter privileges and rights as English Subjects.”

The Assembly reconvened on 14 May to a letter from Isaac Norris stating his intention to step down as Speaker of the House. Norris returned to the House on the 16th to discuss his departure and to preside for the time being while the Assembly considered

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his letter. Knowing that his loyalties had shifted, the meeting was no doubt tense, and probably made even more so when John Ross, the representative from Berks, presented a petition from his constituents complaining that they were not “being equally represented in legislation, being allowed but one member to represent one of the largest counties in the Province.”\(^{26}\) Ross also presented the remonstrance of the Grand Inquest, held in Reading on 9 May, to determine if any persons from Berks were involved in the Paxton Riots. “We are firmly persuaded,” the inquest concluded, “none of the freemen of [Berks] were engaged or concerned, in any manner, in the late dangerous riot.”\(^{27}\) Of course, the tensions of the Paxton Riots very much colored the debate over a change in government. The governor still demanded “a sufficient force to guard the frontiers,” and petitioners from Lancaster, York, and Northampton asked for redress “of certain grievances set forth in . . . the Remonstrance of Matthew Smith and James Gibson.”\(^{28}\) Much to their chagrin, neither Penn nor the Assembly had yet been able to prosecute anyone for the massacres in Lancaster, or the march on Philadelphia. For the Assembly, Penn’s inability to bring the Paxton Boys to justice was further proof of the ineffectiveness of proprietary government.

On 18 May some Assemblymen presented Franklin’s petition of 31 March before the House, signed by fifteen hundred men, in support of the request for a royal government. Franklin’s campaign throughout April had been only moderately successful,


and most of the names on the petition were men from Philadelphia. Three petitions did
arrive from Bucks, Lancaster, and Northampton on the morning of the 23rd asking for a
royal government, which cheered the anti-proprietary faction. The House quickly
appointed a committee of eight men, with Franklin at the helm, to draft a formal petition
to the King. The committee, which finished the petition by three o’clock that afternoon,
had a representative from each county, save York, but only one dissenting voice: John
Montgomery of Cumberland County. It is very likely that Montgomery’s opposition
stemmed from the fact that the Assembly still had yet to answer the Cumberland petition
of 23 March which opposed Quakers excusing themselves from militia duty, and
demanded equal representation in the Assembly. In any event, Montgomery was
outnumbered, and Franklin had already prepared a draft petition in advance to speed
along the process.29 As the draft petition lay on the table for “the perusal of the
members” throughout the afternoon, the House debated the Cumberland petition but
again put it aside for “further consideration.”30

The next day, the House engaged in “considerable debate” over the draft petition.
Only four of the thirty members present voted against drafting a petition, John Dickinson
(Philadelphia), John Montgomery (Cumberland), Joseph Richardson (Philadelphia), and
Isaac Saunders (Lancaster), and most of the debate was between Dickinson and
Galloway. Flanked by Saunders and Montgomery, Dickinson delivered an hour-long
speech so critical of the royal campaign that it was refused into the printed minutes of the
Assembly. Although Dickinson admitted “the inconveniences arising from a strict

29 For Franklin’s initial draft and the final petition sent to the King, see PBF, 11: 199-200.
30 Minutes of the Assembly, 23 May 1764, Pennsylvania Archives, 7: 5607.
adherence to proprietary instructions,” he advised caution for the sake of liberty above all. 31 “If the change of government now meditated, can take place, with all our privileges preserved; let it instantly take place,” he told his fellow representatives, “but if they must be consumed in the blaze of royal authority, we shall pay too great a price for our approach to the throne.” Dickinson’s fear of the future and unexpected support of the Proprietary Party was no small bone of contention with the Quaker Party, who mocked him for “collecting so great a number of ifs and maybes.” 32

Dickinson’s speech and the draft petition put Isaac Norris in a peculiar position. Although he had discussed the possibility of a royal government in the past, he now had serious reservations, no doubt because of his relationship with Dickinson. A royal government could easily revoke the religious freedoms he and other Quakers enjoyed. Norris could not in good conscience attach his name, as Speaker of the House, to a formal petition requesting a royal government. As Speaker, Norris could not enter the debate at hand, but he requested to “offer his sentiments on the subject,” which the Assembly allowed. 33 On 26 May, he sent a letter to the Assembly requesting them to “choose another Speaker in my stead,” relinquishing a position he had held for most of the past fourteen years. 34 Norris was no doubt ill to some extent, but he had abandoned his chair once before in a time of crisis. In January 1758, when the Assembly was prosecuting William Smith and William Moore, Norris claimed illness and vacated his chair until the

32 The Maybe, or Some Observations (Philadelphia, Armbruster, 1764), 4.
33 Dickinson, A Speech, vii.
34 Minutes of the Assembly, 26 May 1764, Pennsylvania Archives, 7: 5611.
controversy was over. This time, Franklin was the obvious replacement, and he immediately filled the role in the wake of a unanimous vote. The House then resolved to pass the petition, which Franklin had no qualms signing. Dickinson, Saunders, and Montgomery asked that they be allowed to “enter their reasons, by way of protestation against a late measure resolved on by a majority of the House,” but their request was denied when the twenty-four other members voted against it.

The dissent of these three members was not in vain. Dickson’s words of caution struck a chord in the anti-proprietary faction, who ordered the Committee of Correspondence to instruct Richard Jackson to proceed with the petition for royal government “with the utmost caution” to ensure the security of “all those privileges, civil and religious” that Pennsylvanians enjoyed “under the present constitution.”35 Perhaps even more illustrative of Dickinson’s influence was the addition of a clause to Franklin’s original draft petition asking for protection of “those civil and religious privileges” that had prompted the Quakers to engage in “the cultivation of this then wilderness.”36 This is not to say that Franklin was persuaded by Dickinson’s speech, but rather that he saw the propriety in allaying any fears over loss of liberty to ensure the success of his royal campaign. Franklin clearly still felt that the majority of the province was behind the change in government. The Assembly had received only one petition against the change of government, but since it was “from a remote part of the country, and . . .

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persons unknown,” Franklin was quick to dismiss it.\textsuperscript{37} He was also certain that Dickinson truly did not oppose a royal government. Those who voted against the petition were “arguing not against the expediency of the change,” he wrote to Richard Jackson on 1 June, “but the propriety of the time for making the application.”

Dickinson and Galloway’s long exchange in the Assembly soon entered public debate. Isaac Saunders and John Montgomery asked Dickinson in early June to “signify to the public how heartily [they had] concurred” with his speech by printing and affixing their names to copies of his “dissent and protest which the House refused entering on their minutes.”\textsuperscript{38} Presbyterian printer William Bradford issued two editions of Dickinson’s speech, the second of which appeared on 29 June and contained a preface by Provost William Smith outlining the missteps of Quaker rule since the French and Indian War, and the proprietary faction’s position on the current royal campaign. Smith demanded that the Assembly issue a public copy of the petition for royal government so that “if we lie under any accusations in it, we may have an opportunity to answer them.” Smith had just returned from Britain and saw an opportunity to discredit the Quaker Party and mobilize Presbyterians against the royal campaign. In the blistering heat of July, Smith coordinated a petition campaign to counter the Assembly’s own petition for royal government. “The Proprietary Party are endeavoring to stir up the Presbyterians to join a petition against a change of government,” Franklin lamented to Richard Jackson, “what

\textsuperscript{37} Franklin to Richard Jackson, 1 June 1764, PBF, 11: 218.

\textsuperscript{38} Dickinson, \textit{A Speech}, ix, xiv.
the endeavor will produce I cannot say.” By September, the endeavor produced approximately 15,000 signatures, dwarfing Franklin’s paltry 3,200.

By the end of July, Franklin and his supporters issued *The Speech of Joseph Galloway*, perhaps sensing that the tide of public opinion was against them. The speech was taken from the notes Galloway made during Dickinson’s 24 March speech, just recently published, and purported to be a true copy of his reply to Dickinson’s dissent. Opponents derided the pamphlet as “a speech . . . which no man spoke,” and no more than a partisan ploy “midwif’d by philosophic paw” (Franklin) and “mother’d by a man of law” (Galloway). Franklin provided an extensive preface, which was longer than the speech itself, to provide a “true state of facts” and to “rectify [the] misrepresentations” in Dickinson’s pamphlet. Seeking to sway the Presbyterians and other frontier peoples to his side, Franklin spoke directly to the issue of defense. “Your present proprietors,” he argued, “have never been more unreasonable hitherto, than barely to insist on your fighting in defense of their property, and paying the expense yourselves.” Indeed, it was the unwillingness of the proprietor to tax his estates a single penny for the common defense that had led to the depredations of the French and Indian War and Pontiac’s War. Franklin’s preface was bitterly partisan, condemning the Proprietary Party for treating Pennsylvania’s “distinguishing privileges as so many illegalities and absurdities.” He disparaged Proprietary Party supporters as “demons”, and sarcastically deemed its

39 Franklin to Richard Jackson, 12 July 1764, PBF, 11: 256.

40 *Advertisement, and not a Joke* (Philadelphia, 1764).

frontier supporters to be “the wiser part of the province,” blown too and fro on the winds of change and caught up in the passion of the Paxtonian moment.

Franklin had no qualms about directly addressing his opponents and publicly chastising them for opposing his plan. To Alison and Williamson, the “old sinners,” Franklin offered forgiveness through “repentance and amendment.” He also played on Norris’ indecision and late defection from the royal cause, and challenged him to publicly state his unwavering support of the Proprietary party. “Then might all your political offences be done away, and your scarlet sins become as snow and wool;” he cajoled, “then might you end your course with Proprietary honor. Penn should preach your funeral sermon, and Smith the poisoner of other characters embalm your memory.” Of course, Franklin knew Norris would never do such a thing and was only avoiding conflict, confident that when the affair as over Norris would be found in his “old post, firm for your country.” Lastly, Franklin offered absolution for “new sinners” as well, along with some words of caution: “let but the moon of proprietary favor withdraw its shine for a moment,” he warned Dickinson, and “[your supporters] shall immediately despise and desert you.”

Franklin devoted considerable space in his preface dismantling Smith’s counter-petition. Here the Paxton influence was clear. Smith’s petition had claimed, in a gross overstatement, that except for “Indian ravages,” Pennsylvania enjoyed “the most perfect internal tranquility.” “What!,” blasted Franklin in reply,

... Are there not pamphlets continually written, and daily sold in our streets, to justify and encourage [a spirit of riot and violence]? Are not the mad armed mob in those writings instigated to imbue their hands in the blood of their fellow citizens, and then representing the Assembly and their Friends as worse than Indians, as having privately stir’d up the
Indians to murder the white people, and arm’d and rewarded them for that purpose? LIES, Gentlemen, villainous as ever the malice of hell invented; and which to do you justice, not one of you believes, tho’ you would have the mob believe them.\textsuperscript{42}

For all his partisan anger, Franklin was not far off in his assessment of the fragility of the Proprietary alliance. The Paxton Riots and Pontiac’s War had drawn together groups that formerly opposed one another. Old and New Light Presbyterians tried to find common ground and establish committees of correspondence among the western counties while working with Provost Smith to gain the German vote. Smith worked tirelessly in Philadelphia County, urging the governor to appoint German justices of the peace, and ensuring that German Anglicans were on the Proprietary ticket for October. Francis Alison and Hugh Williamson, however, distrusted Smith as a political opportunist they felt was scheming to become the first colonial bishop. Alison disliked political controversy and both he and Williamson felt that a prolonged struggle between Presbyterians and Quakers would allow Anglicans to gain more power.

Through William Smith, the Proprietary Party had great success in swaying German voters away from the Quaker Party. Perhaps the most effective tactic was uncovering one of Franklin’s earlier writings from 1751, published in London, in which he had asked “why should the Palatine Boors be suffered to swarm into our settlements, and, by herding together, establish their language and manners, to the exclusion of ours?”\textsuperscript{43} Members of the proprietary faction circulated Franklin’s ethnic slur as widely as they could by visiting the German coffee house in Philadelphia every night in the days

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\item[42] Galloway and Franklin, \textit{The Speech of Joseph Galloway}, xxxii
\end{itemize}
before the election. Franklin’s enemies spread the idea that “boor” was translated as “hog,” while his supporters reassured Germans that “peasant” was a more accurate translation. The Proprietary Party circulated Franklin’s comments in a pamphlet that capitalized on the Paxton Boys’ call for equitable representation by claiming that Franklin agreed to fewer Assembly seats for York and Berks County since “a majority of Dutch lived in those counties, [and] it was not proper to allow them to sit in the Assembly.”

William Smith had written equally offensive statements about the Germans in the 1750s, a fact the Quaker Party tried to bring to light. They also tried to show that Presbyterians were equally disdainful of their German neighbors by publishing the supposed proceedings of a Presbyterian council in Lancaster in which the attending ministers celebrated their success in spreading lies and turning the “ignorant Dutch” against Franklin. “If it holds them ‘till the 1st of October,” they cheered, “we don’t care how soon they are undeceived afterwards.” Nevertheless, many German voters, unsettled by the Paxton Riots and wary of the royal government, latched onto Franklin’s remarks to justify their shifting political loyalties.

Frontier German settlers needed less convincing than their eastern counterparts, as they too had experienced the same violence as the Scotch-Irish since the 1750s. A group

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44 Hugh Williamson, What is Sauce for a Goose is Also Sauce for a Gander (Philadelphia, 1764), 4.

45 In a broadside titled The Plot. By way of a Burlesk (Philadelphia, 1764), Quakers tried to pass off the Proprietary scheme to sway the Germans as ridiculous. The pamphlet was a fictional encounter of two Proprietary Party supporters trying to convince the Germans that “Boors” meant “Hogs.” The plot failed when Hans, “who knew English better,” replied, “Your Wisdoms have mistook a letter, Boar may be Hogs but Boor is peasant.” The men are laughed out of town with cries of “go home ye dunces learn to spell. The Proprietary Party was quick to respond with their own broadside, calling the author of The Plot a “silly ass” whose “groundless exclamation” would only “raise feuds and discontents, to the mischief of the nation.” See An Answer to the Plot (Philadelphia, 1764).

of Germans had parked a wagon-load of corpses on the steps of the State House in protest
during the French and Indian War, and there is evidence that some Germans rode with the
Paxton Boys to Philadelphia.\textsuperscript{47} Initial frontier response to the petition for royal
government was negative, even before the Proprietary Party could organize its counter-
petition drive. On 29 March, a “fellow member of the Evangelical faith who lives on the
frontier” visited Philadelphia Lutheran minister Henry Muhlenberg.\textsuperscript{48} The man asked
Muhlenberg to issue a circular letter to “our United Preachers” asking them not to sign
Franklin’s petition “because it was the opinion of the hard-pressed frontier settlers that
back of it was a Quaker invention.” More importantly, the little protection the frontier
did have would cease during the transition to a royal government, leaving the settlers “in
the lurch” and exposed “for the Indians to massacre a large number of them before His
Majesty so much as heard about it.” Muhlenberg did not write a letter, convinced that as
a preacher he could not interfere in “such critical, political affairs.” He stayed true to his
word and seems to have avoided embroiling himself in the royal controversy. His fellow
Germans, however, were swept up in the partisan bickering of the impending election.\textsuperscript{49}

\textsuperscript{47} Henry Melchoir Muhlenberg wrote in his journal on 5 February that “Englishmen, Irishmen, and
Germans were on the march toward Philadelphia to kill the Bethlehem Indians at the barracks outside the

\textsuperscript{48} 29 March 1764, \textit{Journals of Henry Melchior Muhlenberg}, 2: 54-55.

\textsuperscript{49} Muhlenberg did visit William Smith a few times in July, and Smith did ask him to “translate a few lines
of English,” but there is no indication these lines had anything to do with Smith’s counter petition. See 25
who spoke German came to Muhlenberg’s church and “circulated among the people and had the menfolk
sign the petition to His Majesty for the ancient rights and privileges.” There is no indication that
Muhlenberg signed.
Efforts to influence the Philadelphia German vote were no doubt aided by the work of Philadelphia painter and engraver, James Claypoole, Jr., whose pro-Paxton sympathies were influenced by his involvement with Reverend William McClenachan, a minister at St. Paul’s Episcopal Church accused of sympathizing with the Paxton Boys and having “political views of his own.” McClenachan, of Presbyterian heritage, had been in a dispute with the congregation since early 1760s when they drafted an address to ask the Archbishop to license him. Claypoole refused to sign, claiming he “would rather have a sound dissenting minister preach [at St. Paul’s] than any of the church clergy.” Ultimately, the congregation did send an address, complemented by a letter from nineteen Philadelphia, New York, and New Jersey Presbyterian ministers recommending McClenachan as an advocate for the “common cause of truth and religion.” According to McClenachan, the Archbishop denied the petition because he was “bred in the Presbyterian Church” which he felt made “a greater leap from the Romish Church than

50 St. Paul’s church had been built with Anglican money, and as such its constitution stipulated that only ministers ordained in Britain or Ireland could preach from the pulpit. Members of the congregation considered McClenachan “far from being a true church minister” since he denied “the King to be Supreme Head of the Church.” When accused of Paxton sympathies in a heated congregational meeting, McClenachan issued a pamphlet claiming that he had been instrumental in ending the Paxton Riots. “The other day when nobody could do it,” he wrote, “I silenced the Paxton Boys and brought them over to peace; and yet, after all, even the Quakers abused me.” See William McClenachan, A Letter From a Clergyman in Town (Philadelphia, 1764), and True Copy of a Letter, from a Member of St. Paul’s (Philadelphia, 1764). Exactly to what he is referring this author cannot determine since McClenachan’s name does not appear in any of the Paxton literature. His opponents ridiculed his claim to a central role in sending the Paxton Boys home by issuing a retraction, farcically written in McClenachan’s voice: “Now as to the Paxton Lads, . . . I might be a little enflamed with their agreeable company as to wish ‘em well, &c. but as to silencing of ‘em, I am not so vain as to take all the honour to myself.” The Cheat Unmask’d (Philadelphia, 1764), 4-5.

51 True Copy of a Letter (Philadelphia, 1764), 4.

52 A True Copy of a Genuine Letter Sent to the Archbishop of Canterbury (Boston, Edes & Gill, 1762), 3. This petition touched off a debate amongst Presbyterians since the letter begged the established church for a favor and called the Archbishop “a cathlick friend to truth and practical religion.” “Believe not one word your Teachers say on this head,” cautioned “True Presbyterian Layman,” in his remarks to the Letter, “they are Churchmen in their hearts, and would turn superstitious English Episcopalians tomorrow if they could bring you, their hearers, over with them.” See p. 7.
the established [Anglican] church.\textsuperscript{53} When the congregation sought to remove him from his post in 1764, McClenachan issued a pamphlet justifying his dissenting theology and supporting the “people that are rightly principled for government they would kill the Indians, because they murder us, as they ought to do, when we will not fight them.”

Three weeks after the 24 March vote to oust the proprietor from power, Claypoole issued a cartoon, “The German Bleeds and Bears the Furs.” It depicted an Indian with a pack marked IP (Israel Pemberton) riding on the back of a German frontiersman. The German was being led by the nose by Pemberton himself, holding a wampum belt, riding on the back of an armed Scotch-Irish settler. Pemberton offered his hand to Franklin who held a copy of the Assembly’s resolution, seemingly oblivious to the dead bodies of women and children scattered around him and the houses burning in the background. The verses below condemned the Quakers for maintaining trade with the Natives: “The German Bleeds and bears the furs / Of Quaker Lords and Savage Curs.”\textsuperscript{54} Claypoole’s cartoon echoed the Paxtonian argument, reiterated by Williamson, that the Quakers had traded with and appeased enemy Indians while people on the frontier were being massacred. Franklin’s royal campaign was another step in the Quakers’ scheme to continue their control of government, especially when Franklin became the first royal governor. Linking the Scotch-Irish and the Germans together in the same plight, Claypoole hoped that in the upcoming election the two groups might be able to unseat their “broad brim’d master[s].”

\textsuperscript{53} William McClenachan, \textit{A Letter, From a Clergyman in Town} (Philadelphia, 1764), 3, 8.

Claypoole followed this cartoon with “An Indian Squaw King Wampum Spies,” which pointed out Pemberton’s moral flaws, the Quakers’ hypocrisy, and Franklin’s opportunism. First, Israel Pemberton was shown in the arms of a bare-breasted Indian woman, further disseminating the rumor that Pemberton had raped a pregnant Native woman who stole his gold watch during the encounter. Pemberton was derided as “King Wampum,” a friend to the Indians and a man who would rather negotiate with Natives than raise a militia to defend the frontier. Pemberton’s sexual transgression was complimented by the adjacent scene of Quakers marching with guns out of their meetinghouse to challenge the Paxton Boys. “When dangers threaten ‘tis mere nonsense,” scoffed the pamphleteer, “to talk of such thing as conscience / To arms to arms with one accord / The Sword of Quakers and the Lord.”55 The two scenes could not have been more effective for Pennsylvanians in mid 1764, showing Quaker unwillingness to fight the Indians in exchange for carnal pleasure, yet taking up arms against British citizens who threatened their power. The third panel of the cartoon showed Franklin the scheming politician watching these two scenes from behind a curtain saying, “Fight Dog! Fight Bear! You’re all my friends / By you I shall attain my ends / For I can never be content / ‘Till I have got the government.”

Claypoole’s final cartoon, “The Quakers and Franklin,” again showed Pemberton exposing the breasts of an Indian woman, but also sitting at a table with fellows Quakers, grumbling “I’m afraid those wicked Presbyterians will get their ends accomplished.”56

55 James Claypoole, Jr., An Indian Squaw King Wampum Spies, 1764, reprinted in Richardson, “Political Caricature,” 79.

56 James Claypoole, Jr., The Quakers and Franklin, 1764, reprinted in Richardson, “Political Caricature,” 80
His friends agree, lamenting that “the Paxton spirit grows stronger and stronger” and “could we but get them then to sign the petition we’d then have them ith’ noose.” Joseph Fox, an Assemblyman and Quaker who had been read out of the Philadelphia Yearly Meeting in 1756 for violating the Quaker testimony against war, peered over their shoulders, whispering to himself that if the plan failed he must turn “Presbyterian again.” Meanwhile, Quaker merchant Abel James handed out tomahawks to a group of Indians with the promise “exercise those on the Scotch Irish and Dutch and I’ll support you while I am Abel.” Franklin surveyed the scene with a bag of “Pensilvan money” in one hand and a letter for Dr. Pringle in the other saying “I am content if I but get the government.”

On 4 September, Dickinson issued his “Reply” to Galloway’s “Speech” to repair the damage done to his reputation and to caution his readers to be jealous of the liberties they currently enjoyed. Dickinson had been ill in March when the Assembly passed the twenty-six resolutions against the proprietors, and now sought to distance himself even further from the royal campaign. Much of Dickinson’s opposition to the royal government lay in his apprehension for the future, but he based his arguments in the lessons of the recent past. “Of one thing we are sure,” he told his readers, “that we are in the utmost discredit with the king and his ministers.” Given the province’s poor performance during the French and Indian War, there was no guarantee that the Crown would not take absolute control of the province and subvert some of the liberties Pennsylvanians now enjoyed to the imperial interest. “There is not the same reason to grant, nor to wish for privileges now, that existed in the persecuting days of Charles the

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second,” he warned. No one could guarantee what would happen to Pennsylvania under a royal government. Mistakes in this venture could be costly, Dickinson cautioned, even if Franklin and Galloway considered “the privileges of Pennsylvania” to be only a “trifling loss” in their campaign. “The persons desiring a change [in government],” he warned, “know no more what will be the consequences, than they know what will be the figure of next year’s clouds.”

In September, Franklin’s faith that the public would support his change in government both waxed and waned. “I am still at war [with the Proprietary Party,’ he wrote to William Strahan, printer of the *London Chronicle*, “. . . who will ere long either demolish me or I them. If the former happens, as it possibly may, behold me a Londoner for the rest of my days.” Franklin did find some comfort in the fact that William Allen’s attempts to recall the petition for a royal government were not having “the least effect,” and that “the bugbears he would frighten us with are rather laught at.”

September also saw the Assembly censure Isaac Saunders, one of the few dissenters to the royal campaign, for his role in William Smith’s western petition drive. In August, while the Assembly was in recess, the *Pennsylvania Journal* printed a letter from “a number of the principle inhabitants of Lancaster County” praising Saunders for his opposition “to those who attempted to deliver up the invaluable immunities and charter privileges” of Pennsylvania’s constitution. Saunders was only too happy to receive such praise, and asked the petitioners to pray to God to “calm the spirit of animosity and

58 Franklin to William Strahan, 1 September 1764, PBF, 11: 332.


60 *Pennsylvania Journal*, 16 August 1764.
dissention” and “protect the good people of Pennsylvania from their domestick as well as foreign foes.” Of course, Quaker Party supporters were not amused with being called domestic foes, and when the Assembly reconvened in September it appointed a committee to justify its conduct. The committee reported on 21 September, criticizing Saunders for being “greatly deficient in his duty” as an Assemblyman by disseminating “misrepresentations and misapprehensions” of the Assembly’s actions.\footnote{The Committee Appointed to Consider the Address from . . . Isaac Saunders, 21 September 1764, Pennsylvania Archives, 7: 5639.}

In late September, on the cusp of the election, Franklin issued a broadside to the “Freemen of Pennsylvania.” Defense was the issue on most men’s lips as a flurry of newspaper and pamphlet activity sought to sway men in the campaign’s final days. The 27 September Pennsylvania Journal contained both anti and pro-Quaker essays which sought to either condemn or exonerate the Assembly’s actions. Seeking to draw back in the German voters offended by Franklin’s “Palatine boors” comment, one pro-Quaker author pointed out that “it is much to the honour of the Germans, that although they inhabited a great part of our back frontiers, . . . [not] one of them was with the [Paxton] rioters.”\footnote{27 September 1764, Pennsylvania Journal.} The anti-Quaker author of an address to Freeholders and Electors of Pennsylvania depicted the Quakers as nefarious opportunists willing to sell the Pennsylvania constitution for their own personal gain. These “few men, having been chosen your servants, now aspire to be your perpetual masters” he wrote, adding that the Quakers were “alarming [Pennsylvanians] with groundless apprehension of a militia to
promote their own purposes.”⁶³ Not to be outdone, the Quaker Party printed a plea to voters in the three eastern counties warning that if the Proprietary Party won, “all the inhabitants of the province” would be “obliged to bear arms and be subject to military discipline.”⁶⁴ On 28 September, Franklin issued a broadside explaining how Penn’s unsatisfactory amendments had caused the militia bill to fail with the onset of Pontiac’s War. Franklin claimed that Penn wanted to control the election of militia officers, and impose “ruinously high” fines on those whose disobeyed his commands.⁶⁵ Playing directly to Paxtonian fears, Franklin warned that Penn would “take away trial by jury in the common courts” for militia offenders, and replace it with a court martial. And now, it was Penn’s party that sought power, abusing the Assembly with “barefac’d falsehoods that only the most dishonest and base would dare invent, and none but the most weak and credulous can possibly believe.”

After eight long months of debate, Pennsylvanians finally cast their votes on 1 and 2 October. Men crowded the steps of the State House for the opening of the polls at nine o’clock in the morning, and the polls remained busy until midnight. One Philadelphian observed, “that at no time a person could get up in less than a quarter of an hour from his entrance at the bottom.”⁶⁶ Lutheran voters first met in a Philadelphia schoolhouse “to discuss the election” at one o’clock, then made their way “in an orderly

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⁶³ “To the Freeholders and Electors of the Province of Pennsylvania,” 27 September 1764, _Pennsylvania Journal_.

⁶⁴ _To the Freeholders and Other Electors for the City and County of Philadelphia, and Counties of Chester and Bucks_ (Philadelphia, 1764).

⁶⁵ Benjamin Franklin, _To the Freemen of Pennsylvania_, 28 September 1764, PBF, 11: 362.

⁶⁶ Charles Petit to Joseph Reed, 3 November 1764, PBF, 11: 391.
group to the court house to vote.”\textsuperscript{67} When the arrived, the State House was so packed with people that they had to wait in line for three hours. At three o’clock in the morning on 2 October, New Ticket organizers called for the polls to close, but the Old Ticket men insisted they stay open so the old and lame could vote, having been kept at bay by the large crowd. These men were carried up the steps in chairs and litters to vote until six in the morning, voting mostly for the Old Ticket. Thus, the New Side dispatched horsemen to Germantown and other areas of support to rally voters to the polls. By nine o’clock New Side voters began to flood the polls, which finally closed at three in the afternoon of 2 October. It took until the afternoon of the next day to count the almost 31 000 votes cast.\textsuperscript{68}

The Proprietary Party was able to overcome the internal divisions within its tenuous alliance to mobilize candidates and voters for the October election, but that did not guarantee unqualified success at the polls. Partisan passions had been running high since the early part of the year, resulting in a large voter turnout. The biggest upset and perhaps most symbolic victory for the Proprietary Party was in Philadelphia City, where Franklin and Galloway both lost their seats. Franklin rightly attributed his defeat to losing the German vote. The Proprietary Party “carried (would you think it!) above 1000 Dutch from me,” he lamented to Richard Jackson, “by printing part of my paper . . . where I speak of the Palatine Boors herding together.”\textsuperscript{69} Although Franklin dismissed it

\textsuperscript{67} 1 October 1764, \textit{Journals of Henry Melchior Muhlenberg}, 2: 122. Muhlenberg does not indicate how he voted, but if he was like his fellow Germans, he would have voted for the Proprietary ticket.

\textsuperscript{68} For election numbers see PBF, 11: 392.

\textsuperscript{69} Franklin to Riaches Jackson, 11 October 1764, PBF, 11: 397.
all as “quite a laughing matter,” it surely was humiliating to see his name second to last on the election results list.\textsuperscript{70} Henry Muhlenberg wondered at the unprecedented unity that made Proprietary victory in Philadelphia possible:

There was great rejoicing and great bitterness in the political circles of the city since it was reported that the German church people had gained a victory in the election by putting our trustee, Mr. Henry Kepple, into the assembly—a thing which greatly pleased the friends of the Proprietors, but greatly exasperated the Quakers and German Moravians. Never before in the history of Pennsylvania, they say, have so many people assembled for an election. The English and German Quakers, the Herrnhuters, Mennonites, and Schwencckfelders formed one party, and the English of the High Church and the Presbyterian Church, and German Reformed joined the other party and gained the upper hand—a thing heretofore unheard of.\textsuperscript{71}

Although the Quaker Party still controlled the majority of the seats in the Assembly, the symbolic victory over Franklin and Galloway was cause for great cheer among their opponents.

The first Philadelphia seat went to Thomas Willing, the outgoing mayor of Philadelphia, Anglican, and business partner with Robert Morris. Willing’s father, Charles, had been elected mayor in 1748 as a result of his captaincy in the Associated Regiment organized to defend Philadelphia against a possible French attack. Much like his son, Charles owed his rise in the political realm to a non-Quaker faction worried about adequate defense.\textsuperscript{72} Thomas Willing had attended the Albany Congress in 1754,

\textsuperscript{70} Only Plunkett Fleeson earned fewer votes than Franklin, 1884 to Franklin’s 1906. Isaac Norris and Joseph Richardson led with 3874 and 3848, with Dickinson rounding out the top three with 2030. See PBF, 11: 394.

\textsuperscript{71} 3 October 1764, Journals of Henry Melchior Muhlenberg, 2: 123. Kepple received the fifth highest number of votes in the election at 1932. See PBF, 11: 394.

\textsuperscript{72} Thomas Willing Balch, Willing Letters and Papers (Philadelphia, 1922), vi.
and with Benjamin Franklin had helped the Paxton Boys draft their grievances at Germantown. 73 He was no zealot, but rather favored a moderate approach somewhere between frontier radicalism and Quaker conservatism. Perhaps the most revealing indication of Willing’s cautious moderation is his behavior during Thomas Moore’s and William Smith’s trial in 1758. After being found guilty, Smith gave a speech to the House, condemning its behavior and asserting his rights. When he was done, about one hundred spectators burst into applause. The members of the House immediately shut the doors and spent that day and the next trying to determine who had applauded Smith. Eight men were eventually charged, and Willing, “apprehensive that he likewise should be charged went voluntarily into the House an acknowledged himself guilty and made proper concessions, upon which he was excused, as having behaved with manliness and candor.” 74

The second seat went to New Light Presbyterian merchant George Bryan, and his electoral success was the beginning of his rise as a leader of the emerging Presbyterian political faction. Pennsylvanian Presbyterians were still feeling the aftershocks of the Great Awakening in 1764, and so the amount of mobilization and coordination they were able to achieve for the election is significant. Only two years earlier the Synod had divided bickering New and Old Side ministers into First and Second Philadelphia Presbyteries respectively. Bryan made his foray into politics in 1755 with, ironically, Joseph Galloway. The two men authored a satire of governor Robert Hunter Morris for


74 Edward Shippen Jr. to Edward Shippen, 28 January 1758, Historical Society of Pennsylvania (HSP), Balch-Shippen Papers, 1: 53.
vetoing assembly defense legislation.\textsuperscript{75} Bryan was certain that Franklin’s volunteer militia bill was the best solution to the province’s defense problems. He was elected lieutenant of the Chesnut and Walnut ward’s militia, but Morris refused his commission as revenge for the pamphlet. Although Bryan initially threw his support behind the Quaker Party, their inability to effectively defend the frontier changed his mind. In September 1758, Bryan commented in his journal that “Quaker assemblymen made a bustle . . . to keep up a dust, [so] that their unfitness for government in time of war, might be less attended to.”\textsuperscript{76} Although Bryan did not condone the Paxton Boys’ violence, he noted that “necessity has no law” and that Quaker policy had driven the frontier to drastic measures. Bryan established a committee to oversee the election in his district, correspond with other Presbyterians, and coordinate opposition to the Quakers. Now, Bryan had his chance to effect change from within the Assembly.

Despite Bryan’s best intentions and the inroads the Proprietary Party made, and regardless of Franklin and Galloway’s spectacular defeat, the Quaker Party still controlled the Assembly. Isaac Norris and Joseph Richardson, who had joined Dickinson in protest of the 24 March petition, won seats in Philadelphia County along with Henry Pawling. Incumbent Proprietary supporters kept the two seats allotted to Cumberland and the two to York, and Isaac Saunders kept his seat for Lancaster. The Proprietary Party gained a seat in Northampton with the election of George Taylor, and one in Bucks with Peter Shephard’s victory. Shephard, however, was an inconsistent supporter who

\textsuperscript{75} The co-authored pamphlet was \textit{Tit for Tat} (Philadelphia, 1755).

\textsuperscript{76} Bryan’s Diary, 16 February 1758, as quoted in Joseph S. Foster, \textit{In Pursuit of Equal Liberty: George Bryan and the Revolution in Pennsylvania} (University Park, 1994), 44.
voted once with the Quaker Party before he disappeared from the session. Richardson was also a disappointment, voting more often with the Quaker Party than not, while Henry Pawling voted with the Quaker Party on every contentious issue. Occasional and long term absences (such a Joseph Wright of Lancaster County), combined with the Proprietary Party’s inability to sway Quakers to their side, meant that the Old Ticket still controlled the Assembly. At their peak of support, the Proprietary Party only controlled forty percent of the votes, certainly not enough to stop the petition for royal government or Franklin’s appointment as co-agent in London with Richard Jackson.

The election results are less baffling if we pull away the many blinders contemporary pamphleteers and strategists had tried to impose on the situation. At the core of the debate was a concern for colonial liberty, not a contest over religion or ethnicity. The Quakers had long been respected in Pennsylvania, especially among the Germans, as protectors of popular liberties against the encroachments of authoritarian power, be they proprietary or royal. William Allen blamed the poor results on a Quaker ploy “to delude the Dutch by false stories . . . and made to believe that, if they changed the Assembly, the government would be changed.” Whether Allen meant that the Quakers were placing the blame for the royal campaign on the Proprietary Party, or whether he was playing on the Germans’ insecurities over what would happen under a Proprietary-dominated government, does not overshadow the fact that despite the controversy many Quakers had been able to hold onto power.

77 For election breakdown, see PBF, 11: 392-4.
In the wake of the 1764 election campaign came a considerable number of political cartoons, each one trying to outdo the other in spreading gossip and lies about Quaker and Proprietary Party personalities. Old Party supporters issued the first broadside, “A New Song Suitable to the Season,” celebrating their electoral victory. “Old Ticket for ever,” bellows one reveler, while his companion chimes in with “Huzza Old Ticket.” The devil is seen scampering out the door saying, “These fellows are too honest for me. I want McMurder,” an obvious jab at the Scotch-Irish Paxton Boys. Below were printed a variety of campaign songs which mostly celebrated Quaker rule and discredited the Presbyterians as political leaders. “Of good honest souls our songs let’s raise, we’ve right at our free elections,” the verses began, “to vote for all those that us do please, nor value New Ticket objections.” 79 These New Ticket objections were more than just short term threats, for as long as the radicals stayed out of power, the author argued, “then safe is our constitution.” The songs disparaged the western Presbyterian ministers who supported the New Ticket as “Scripture thieves” educated “in woods and thickets” who conceived a “box of bastard tickets.”

David James Dove had so enraged Quaker supporters during the Paxton Riots that he emerged again as the recipient of partisan anger in a cartoon titled “The Election A Medley, Humbly Inscribed to Squire Lilliput, Professor of Scurrility.” The engraving showed the crowded steps of the State House with a minister offering “saving grace for a vote,” and a German fretting “I’ve not naturalized.” 80 The attached verses reflected the

79 *A New song suitable to the season* (Philadelphia, 1765).

80 Smith organized a campaign to pay German settlers’ naturalization fees so they could vote in the election.
confusion which Dove and his Presbyterian friends had forced on Philadelphia. First
appealing to “Pennsylvania’s peaceful days” when Quakers ruled without opposition, the
poet claimed that now “the scene is altered quite, and things seem confused; then let’s get
Presbyterian light, lest we should be abused.” The stanzas of the poem reflect the many
opinions that had sprung up in the wake of the riots. While one voter lamented being
“chained by Presbyterian rebels,” another claimed “I don’t care which Party sways, so I
enjoy my quiet; my posts, my profits, and my ease, I’d join in Paxton Riot.”
Presbyterians were depicted as savage heathens, not unlike the Indians they had sought
protection from. “Hang Presbyterians and their tribe,” the poet stated, also asking that
they be kicked out of Heaven with “Calvin’s reprobation” because they “murder
scripture” and “tell ten thousand lies.” Later the poet called Presbyterians
“uncircumcised Philistines” and more “like devils . . . than Christians.”

Dove did not miss the opportunity to take a jab at Franklin in his “Counter
Medley” which showed Franklin front and center saying to two other men, “see how the
Palatine Boors herd together.” The devil leans over his shoulder reassuring him “thee
shall be agent Ben for all my realms.” In a parody of “The Election,” Dove showed the
same crowded court house steps, with the assembled Germans saying “who dares defame
the German name” and “none call us boors but sons of whores.” A mounted
Proprietary supporter declares “march on brave Germantonians” while above an angel
trumpets “The Germans are victorious,” rubbing the election loss in Franklin’s face. The
verses below condemned the Quakers as lying and depraved men and celebrated the

81 The Election, A Medley (Philadelphia, 1764).
Germans’ hand in the election victory: “Drink a health to the Boors / Who turn’d BEN out of doors / And like heroes erected their banners / For he said they were swine / Who did Herd and combine / To spread both their language and manners.”

Dove bore the brunt of much of the post-election vituperation, condemned as an “old abandoned sinner” who would “vote for boar or sow with pig; to gain thereby a dinner.” Isaac Hunt penned nine pamphlets about Dove, and a popular broadside circulated the city picturing Dove kneeling before the devil asking for assistance in his undertakings. The attached text, a phony epitaph, degraded Dove to the lowest level possible to reinforce the idea that he was the “most abandoned of all scoundrels that God ever gave life to.” As such a depraved individual Dove did not deserve a place of power in the civil sphere, nor did the people he represented. Besides being accused of such things as misogyny, whoring, and perjury, Dove was twice accused of having sex with black women. First, the author asserted that Dove sought the “charcoal charms” of Squire H-----’s “Negroe wench. Then, Dove was accused of “glorying with joy ineffable, in every shocking crime: (black fornication in particular).” Isaac Hunt even suggested that Dove had “pox’d” H-----’s slave and was responsible for her untimely death.

Post election slander and vituperation gave way to the reality that the Proprietary faction was in no position to stop the Quakers in the Assembly. The new Assembly convened on 15 October and, true to Galloway’s earlier prediction, elected Isaac Norris as speaker. When the issue of royal government came to the fore on the 20th,

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83 The Election, A Medley (Philadelphia, 1764).

84 A Conference Between the Devil, and Doctor Dove (Philadelphia, Steuart, 1764).
considerable debate ensued. Although Franklin and Galloway were not present during
this and other debates, they were heavily involved. As Benjamin Chew wrote, “Franklin
and Galloway and others tho excluded have had the entire direction of matters within
doors. The measure and plan of each days proceedings being settled by them every
evening at private meetings and cabals held with their Friends in the house.”

Isaac Norris, ever the moderate, suggested that the House order Jackson to wait until they gave
express orders to present the petitions for a royal government before the King. The
motion was easily defeated, and the Assembly decided to instruct Jackson to proceed
with caution to ensure that none of the privileges Pennsylvanians currently enjoyed
would be lost. Norris stepped down as speaker once again and was replaced by the
moderate Joseph Fox over Franklin’s suggestion of George Ashbridge. As feared, the
Assembly quickly moved to appoint a second agent to aid Jackson, a job everyone knew
was created just for Franklin. The Quakers easily won the vote, leaving the likes of
Dickinson and Bryan with a remonstrance as their only recourse.

Echoing Dickinson’s earlier fear of the future, the Remonstrance, read to the
Assembly on 26 October, expressed concern over “the uncertain state of our inestimable
privileges, civil and religious.”

Dickinson also submitted a “Protest” to the
Pennsylvania Journal, which appeared in the 1 November edition, asking the Assembly
to appoint another “gentleman of integrity, abilities, and knowledge” to help “avert the

85 Chew to Thomas Penn, 5 November 1764, as quoted in PBF, 11: 402, n6.

86 Inhabitants of Philadelphia: Remonstrance Against the Appointment of Benjamin Franklin as Agent, 26
October 1764, PBF, 11: 405.
mischiefs apprehended from the intended appointment."  

Franklin was quick to respond to Dickinson’s “Protest,” taking the unusual step of using the first person singular and signing his name to the pamphlet before boarding a ship to England on 7 November. Franklin scolded his opponents for playing his election defeat as a mandate from the people, arguing that “among near four thousand voters” none of his opponents “had scarcely a score more” votes than he had. "It seems then,” he chided, “that your elections were very near being rejections.” In his final address to the people of Pennsylvania, and in a farewell to a country he thought he might never see again, Franklin closed with these words: “I wish every kind of prosperity to my friends, and I forgive my enemies.” He would return ten and a half years later to a revolution.

The election of 1764 marked a significant turning point in Pennsylvania’s politics. Although ultimately defeated by the Old Ticket, the emerging Presbyterian Party (still grafted onto the Proprietary Party) had made inroads. Able to overcome internal divisions wrought by the theological earthquake that was the Great Awakening, Old and New Lights found some sense of unity against the Old Ticket. Also, for the first time Germans had voted against the Quaker Party in Philadelphia, leading to the defeat of two of the Old Ticket’s most prominent figures. It was no mistake that these inroads were made in the months directly after the Paxton Riots. While most leaders in the west condemned the means by which the Paxton Boys hoped to create change, they had no qualms about the call for equitable representation in the Assembly and adequate defense.

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87 John Dickinson and Others: Protest Against the Appointment of Benjamin Franklin as Agent, 26 October 1764, PBF, 11: 412.

88 Benjamin Franklin, Remarks on a Late Protest (Philadelphia, 1764), 3.
on the frontier. Indeed, the Paxton Boys’ view of civil society, which placed a premium on participation in the common defense, provided a common ideology that unified the anti-Quaker coalition. And, it was this same ideology that would provide the basis for Pennsylvania’s road to the Revolution.
CHAPTER 6

“FALLING UNDER THE DOMINATION TOTALLY OF PRESBYTERIANS:”
THE STAMP ACT AND TOWNSHEND DUTIES

The Quakers in England, wrote Benjamin Franklin, “dread nothing more than what they see as otherwise inevitable, their Friends in Pennsylvania falling under the domination totally of Presbyterians.”

Looking at the election results for the Pennsylvania Assembly, it is hard to see why the Quakers held such fears. However, if we shift our focus to the streets and to popular leaders, most of whom never set foot in the Assembly, their apprehension is much more understandable. In the wake of the Paxton Riots of early 1764, popular Presbyterian leaders rose to prominence. Grafting themselves onto the Quaker Party’s arch nemesis, the Proprietary Party, these men led Pennsylvania’s opposition to both the Stamp Act and the Townshend Duties. Proprietary Party supporters saw their chance to undermine the Quakers and their conservative stance towards these new taxes by letting their Presbyterian allies do most of the dirty work.

“Since the Pextang Riots,” wrote Quaker James Pemberton of the Presbyterians, the Proprietary Party has “remarkably caressed these people.” Although the events of the next few years would shatter the Proprietary-Presbyterian alliance, they would also serve

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the bring coherence to the Presbyterian Party’s nascent Whig ideology. In many ways, the local battle with the Quakers to change the configuration of authority within civil society mirrored the burgeoning struggle with Britain to protect colonial rights. From the foundation of the Paxton Boys, who called for the protection of the rights of all British citizens and demanded equal representation, the Presbyterian Party formulated a language of rights that shunned arbitrary power and jealously guarded colonial liberty.²

By the end of 1764, the tensions engendered by the October election were still running high. On 7 December, William Bradford published An Answer to Mr. Franklin’s Remarks, William Smith’s anonymous reply to Franklin’s farewell pamphlet. By then, it was too late to oppose Franklin’s appointment as Pennsylvania’s agent in London, but not too late for Smith to vent his frustration about the Proprietary Party’s inability to challenge the Quakers in the Assembly. Playing into Paxtonian sympathies, Smith praised the Presbyterians “(who have even been among the foremost in defending their country)” while condemning the Quakers for “permitting us to spill our own blood, and spend our own money, in the public cause.”³ Sensible to the political alliances that had helped the Proprietary Party in the 1764 election, he also celebrated “the industrious Germans, to whom this province is so much indebted for its flourishing state,” writing

² The role of the Presbyterian Party and its most prominent leader, John Dickinson, during the crises of the mid to late 1760s is nothing new to the historiography. No study, however, links Paxtonian rhetoric and ideology with the response to the Stamp Act and Townshend Duties, preferring to separate imperial and local issues. As John Paul Selsam argues in The Pennsylvania Constitution of 1776 (New York, 1936), the factions of 1764 “momentarily lost sight of their former grievances” to unite against the Stamp Act. See p. 43. While there was some unanimity in opposition to the Stamp Act and Townshend Acts, Selsam does not trace any continuity from the Paxton Riots into the later 1760s. Indeed, the Presbyterian Party responded to the imperial crisis with a local ideology.

³ William Smith, Answer to Mr. Franklin’s Remarks, on a Late Protest (Philadelphia, Bradford, 1764), reprinted in PBF, 11: 505.
that these men were “entitled to the privileges of Englishmen.” Pennsylvanians had already caught word of the proposed Stamp Act, and although it had been a non-issue for the 1764 election, Smith now brought it to the fore. Praising Chief Justice William Allen for speaking out against Parliament’s right to pass internal taxes for the colonies, he criticized Franklin for “[putting] off the noisy demagogue” while in London and “[truckling] for preferment for himself and family.” Ever the political opportunist, Smith was not particularly interested in opposing the Stamp Act but in gaining the support of Franklin’s enemies.

Unlike Dickinson and other minority dissenters to the Quaker’s petition for royal government, Smith did not sign his pamphlet. Franklin’s supporters sought recourse from Bradford, demanding that he reveal the name the “dirty infamous scribbler, who, having no reputation to lose, with readiness undertakes to pour forth a torrent of scurrility and abuse against an absent gentleman.” Quaker Party supporters speculated that a coalition of Francis Alison and John Ewing, both Presbyterian ministers, and Edward Shippen Jr., and William Smith, both Anglicans, were the “club of geniuses” behind the “Answer.” Although Assembly member for Philadelphia County, John Hughes, publicly offered to pay ten pounds to the Hospital for every assertion the anonymous author could prove to the public, Smith never owned up to his authorship. Sure that some Presbyterian was behind the pamphlet, Hughes dubbed the author a “Brave . . . Indian

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4 10 January 1765, Pennsylvania Journal.

5 Samuel Wharton to Franklin, 19 December 1764, PBF, 11: 526.

6 20 December 1764, Pennsylvania Gazette.
like” who “keeps himself concealed behind the bush.”

Philadelphia physician Cadwalader Evans agreed, writing to Franklin that the pamphlet’s authors attacked “in their own way, with tomahawk, scalping knife, chewed bullets, or any other barbarous weapons they should use.”

In the end, Smith’s pamphlet amounted to little more than a denouement to the 1764 election. The already fragile Proprietary alliance that had ousted Franklin from his seat in the Assembly was beginning to crack. John Dickinson was reportedly “in a penitent mood” and claiming that “he would not serve as a member of the Assembly, any longer, then this year.”

Isaac Norris was said to be “retired pretty clear of public clamor” while the unstable Israel Pemberton had “lost his interest with both Quakers and others.” William Allen was described as “tolerable quiet, . . . confining himself almost entirely to his castle, not dining with the court or going out to the coffee house as usual.” Further solidifying the demise of the Proprietary Party’s coalition was news that hostilities with the Indians were finally drawing to a conclusive end. Pennsylvania men were returning home “to be paid off and disbanded,” and violence along the frontier

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7 3 January 1765, *Pennsylvania Gazette*.

8 Cadwalader Evans to Franklin, 15 March 1765, PBF, 12: 83.

9 Of course, the Proprietary Party did not have a monopoly on vindictive pamphlet writing. Quaker Party supporter Isaac Hunt struck back at Smith’s “Address” with seven impetuous installments of *Exercises at Scurrility Hall*, aimed at his arch nemesis, David James Dove. Hunt also issued *A Humble Attempt at Scurrility*, a vicious personal attack against Chief Justice William Allen for signing Dickinson’s “Protest” of Franklin’s appointment as provincial agent.

10 Samuel Wharton to Franklin, 19 December 1764, PBF, 11: 527.

11 Cadwalader Evans to Franklin, 15 March 1765, PBF, 12: 82.
had all but stopped.\textsuperscript{12} Frontier violence and issues of defense had dominated public
debate since the outbreak of Pontiac’s War and had galvanized Germans and
Presbyterians into the Proprietary Party for the 1764 election. Without a clear defense
issue, the various factions opposed to the Quakers had little common ground.

For those outside the Philadelphia political scene, the end of the Pontiac’s War in
early 1764 was not the end of all resentment towards the Assembly. As violence abated,
trade with the Indians moved to the forefront of people’s concerns. Under the 22 October
1763 Indian Trade Act, all trade of arms and ammunition was illegal unless the merchant
had a license from the governor or a British military commander. George Croghan had
one such license under the pretense of shipping Crown goods to the frontier, but was
actually using it to move goods for the Philadelphia firm of Baynton, Wharton, and
Morgan, of which he personally owned twenty five percent. When it was discovered that
a consignment of goods under Robert Callendar contained scalping knives, some
residents of Cumberland County rose up under James Smith’s leadership and destroyed
the pack train to the tune of £3000 damage. The firm maintained that “no other than the
common cutteau knives were sent; which knives are well known in England, and used by
most farmers in this province.”\textsuperscript{13}

The attack on Callendar’s pack train was not an isolated instance, but rather the
product of years of frontier violence, as seen in the personal experiences of the rioters’
leader, James Smith. A man of moderate education, Smith had been captured by a
Conestoga and two Delaware Indians in 1755 while on an expedition to cut a road near

\textsuperscript{12} Samuel Wharton to Franklin, 19 December 1764, PBF, 11: 529.

\textsuperscript{13} Thomas Wharton to Franklin, 25 March 1765, PBF, 12: 95.
Fort Loudon. Adopted into an Indian family, Smith found himself hunting north of Montreal in 1759 when he heard of a French ship carrying English prisoners destined for France to be exchanged in treaty negotiations. Smith smuggled himself on board, but since General Wolfe had blockaded the St. Lawrence River, Smith and his new shipmates were sent to a prison in Montreal where they stayed for four months. Smith was then exchanged for French prisoners at Crown Point in November, and by early 1760 returned to his home in the Conococheague Valley. During Pontiac’s War, Smith was appointed to command a company of rangers called the “black boys” to defend the frontier that was funded by collections and subscriptions. Smith was galled at the lack of a militia law and placed the blame from frontier violence squarely on the shoulders of the Quakers. “From the first of [the war],” he later wrote, “the frontiers received no assistance from the state.”

In 1764, Smith received a lieutenant’s commission and served during General Bouquet’s expedition against the Indians on the Muskingum. Happy to hear the news of peace with the Indians, Smith was suspicious of the eastern Quaker trade with western Indians, a fear confirmed by the report of scalping knives in Callendar’s pack train. Alarmed that these goods would supply enemy Indians and revive frontier warfare, Smith gathered up ten of his old “black boys” and ambushed the expedition on 5 March. They gathered up the goods, consisting of blankets, shirts, vermilion, lead, beads, wampum, tomahawks, and scalping knives and destroyed what they could in a fire. When the traders retaliated by raising a party of Highland soldiers from nearby Fort Loudon and

taking some frontier residents hostages, Smith raised three hundred riflemen and attacked the fort. The commanding officer, Captain Grant, soon surrendered and returned all prisoners taken during the battle. However, he refused to relinquish the guns he had confiscated from nearby residents until Smith took him captive and forced their return. By this time, Smith wrote, “the king’s troops, and our party, had now gotten entirely out of the channel of the civil law, and many unjustifiable things were done by both parties. This convinced me more than ever I had been before, of the absolute necessity of the civil law, in order to govern mankind.”

Smith and his men were memorialized in song by George Campbell, a local Irishman. In seven stanzas Campbell lauded Smith’s illegal actions and painted the traders as treasonous enemies not unlike the Indians. “Let mankind censure or commend./ This rash performance in the end,/ Then both sides will find their account,” he wrote, “‘Tis true no law can justify,/ To burn our neighbors property,/ But when this property is design’d, / To serve the enemies of mankind, / It’s high treason in the amount.” Both Smith and Campbell’s words echoed the sentiments of the Paxton Boys. Angry that the government would protect Indians but not its own citizens, the Paxton Boys sought to reestablish the line between civil and savage and sever all ties with Indians in times of war. Likewise, Smith and Campbell saw the Indian trade as treasonous since it conflicted with the safety of the frontier, and thus saw fit to steal and destroy others’ property for the sake of the common defense. Fearful of another string of Conestoga murders, reports from Philadelphia speculated that the “lawless inhabitants of


Cumberland county will massacre all Indians who enter the interior parts of it.”

Benjamin Franklin placed the blame for Smith’s actions on the laxity of the Proprietary government, certain that “impunity for former riots had emboldened them.”

Much to Thomas Wharton’s chagrin, Smith and his “black boys” were only charged with riot and unlawful assembly, “two of the lowest charges.” Wharton was sure this was a “scheme the [Proprietary] Party had formed . . . only to save appearances.” His cousin, Samuel, agreed, writing to Franklin of

the strange conduct of our Governor and Attorney General who just went to Carlisle, saw Colonel [John] Armstrong and a few other of the proprietary minions—sent three Presbyterian Parsons and the sheriff of Conogocheague, with a design, as they say, to apprehend the robbers (who returned, as every impartial person would previously determine, without doing anything) and then, without so much as issuing a proclamation, or offering a reward, for the taking them, they returned to Philadelphia. The consequence of all which was, that when the Cumberland grand jury met, they dared to violate the oaths they had taken and did not find a bill of indictment . . . . As soon as the court broke up, all was jollity and uproar and they returned huzzaing to the upper parts of the county, rejoicing at their fresh victory over conscience and the laws of their country.

Thomas Wharton worried about the “licentious disposition that these people are got into,” certain that “if we have not a change of government, there will be but little peace for us.” Wharton feared that the petition for royal government was all but dead, which thus emboldened the Proprietary Party and its allies to persecute the Quakers. How else could

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17 Samuel Wharton to Benjamin Franklin, 27 May 1765, PBF, 12: 142.
18 Franklin to John Ross, 8 June 1765, PBF, 12: 173.
19 Thomas Wharton to Franklin, 27 April 1765, PBF, 12: 114-115.
20 Samuel Wharton to Franklin, 27 May 1765, PBF, 12: 143.
21 Thomas Wharton to Franklin, 27 April 1765, PBF, 12: 115.
Smith’s lenient treatment be explained? William Allen had recently received a letter from Thomas Penn which, rumor had it, claimed he would not “part with government as long as he lives” though he would “oblige his tenants to behave more circumspectly in the future.” Wharton refused to believe that the King had completely rejected the Quaker petition, or that there was much truth to such rumors, but noted that “they certainly have added new spirits to their Party.” Franklin gave his Quaker supporters reason for hope, writing that “our petition, which has been becalm’d for some time, is now getting underway again, and all appearances are for us.”

By spring 1765, tempers enflamed by the royal campaign and the election of October 1764 began to cool. With Benjamin Franklin now in London, the Quaker Party was not pushing as hard at home for a change of government. From across the Atlantic Franklin reported that “as to the politics of this country, there has lately been a dead calm, the heart of the minority seems to be broke,” adding that it was “unlikely” that “anything will revive the opposition.” In Pennsylvania, Joseph Fox sat as the Assembly’s speaker after defeating Franklin’s choice, George Ashbridge, with support from rural Quakers who wanted to keep the proprietary government. Using the petition and Franklin’s appointment as agent as leverage, the Assembly hoped to force reforms from the proprietor. John Dickinson tried to expose these political machinations in his 26 October “Protest” in which he argued that the entire royal campaign was “designed . . . to obtain a

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22 Franklin to John Ross, 8 June 1765, PBF, 12: 173.

23 Franklin to David Hall, 12 January 1765, PBF, 12: 19.
compliance with some equitable demands.”  

William Allen conveyed the same message to Penn: “they never intended the petition should be presented, but only kept as a rod to hang over you to bring you to agree to their measures.”  

The Proprietary Party, sure that the Quakers’ royal campaign was a bluff, were “in high spirits, as they give out . . . that there is not the least fear of a change of government.”  

This is not to say that the Quakers had abandoned their attempt to unseat the Proprietor, and Galloway was convinced “the people are every day growing more unanimous” with the Assembly’s “desires to get rid of a proprietary government.”  

After a year of intense political debate and furious pamphlet writing, street politicians, pamphleteers, and newspapers essayists seemed to welcome a moment of peace. “Behold how good and how pleasant it is for brethren to dwell together in unity,” wrote one essayist in Bradford’s usually inflammatory Pennsylvania Journal, quoting the 133rd Psalm.  

Using Locke’s 1685 Letter Concerning Toleration as his authority, the writer warned of “the fatal effects of a narrow party spirit” and exhorted those who had “escaped the infection of party-madness” to promote unity in Pennsylvania.  

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24 John Dickinson and Others: Protest Against the Appointment of Benjamin Franklin as Agent, 26 October 1764, PBF, 11: 409.  


26 Samuel Wharton to Franklin, 19 December 1774, PBF, 11: 529.  


28 Pennsylvania Journal, 7 March 1765.  

29 Locke’s essay, which argued that civil unrest could be prevented by allowing various denominations to flourish, would certainly have held some currency in Pennsylvania in 1764. The author specifically quoted the following passage from the preface: “This narrowness of spirit on all sides has undoubtedly been the principal occasion of our miseries and confusions. But whatever have been the occasions, it is now high time to seek for a thorough cure. We have need of more generous remedies than what have yet been made
Franklin’s friends were certain that the Proprietary Party’s “flame is expired, and nor more than a feeble offensive smoke remains.”\footnote{Hugh Roberts to Franklin, 20 May 1765, PBF, 12: 136.} Confident that Isaac Hunt’s pamphlets had found their mark against David James Dove, John Ewing, William Smith, Francis Alison, and William Allen, they reported that “the false names of the DOVE and EWE-in every appearance now show the VULTURE and the WOLF—the Notes of the black Smith and ALL-IN-SONg united, are become feeble, and their countenance fallen, as if they had no other prospect than to be ALL-ENtered with their really dejected patron.”

This is not to say that the province was in any way now united under Quaker rule. John Ross wrote to Franklin in late May that “we seem at present to have two kinds of government on the east and west side of the province, that to the west is absolutely republic . . . : the Conococheague settlement on the frontiers are all the governor’s, and claim a superintendancy over the whole.”\footnote{John Ross to Franklin, 20 May 1765, PBF, 12: 138-139.} As for Philadelphia, it was “now agreeably divided between two parties. The one rejoicing at the appointment of [John Hughes] . . . to the office of Stamp Commissioner—whilst the other speak of their chagrin and distress in their very looks.”\footnote{Samuel Wharton to Franklin, 27 May 1765, PBF, 12: 145, 142.} Some hoped that western violence would prompt the king to reconsider the petition for a change of government, worried that “if his Majesty will
not accept and take care of this flourishing province, it’s hard to determine how such proceedings of a lawless mob will end.” Until a royal government was instated, Samuel Wharton wrote to Franklin, “neither our persons, rights, or properties will be safe, a spirit of riot and licentiousness prevailing thro’ our province and particularly in our frontier counties.”

Thomas Penn began to publicly strike back at Franklin, publishing his instructions to governor John Penn to accept the assessment of his vacant lands in Pennsylvania. William Allen used news of these instructions to try and block Franklin’s appointment, but the Quakers were more concerned with the inflexibility of proprietary instructions than with taxing vacant lands, and felt Franklin to be the best man to exact such reforms from the proprietor. By February 1765, talks were underway between provincial agent, Richard Jackson, and Franklin’s physician, Dr. John Fothergill, enlisted to forward the Assembly’s cause. At these meetings, Jackson presented the Assembly’s five Articles of Complaint that outlined their vision for Pennsylvania. The first four articles requested that the number of “publick houses and dram shops” be reduced; that judges be appointed “for the mutual good of the Proprietarys and the people; that there be only one mode of taxation for the people and the Proprietaries; and that the governor not be “restrained by private instruction under a penal bond.” These issues had been troubling the Assembly since the 1740s and 50s, and had been part of the House’s twenty six resolves of 24 March 1764 that had launched the royal campaign. The final article was a response to the Paxton Boys, asserting that “a proper inquiry has not been made after the authors of the

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33 “Articles of Complaint,” reprinted in Hutson, Pennsylvania Politics, 184-5. Under the current system, a governor could be fined if he refused to follow proprietary instructions. This made compromise with the Assembly a near impossibility.
massacre of the Indians, and riots, and just punishment inflicted on the delinquents and their abettors.”

Although the Paxton Boys had been sent home from Germantown over a year ago, their actions and petitions were still causing ripples through Pennsylvania. Quakers were aghast to find that the newly printed Assembly minutes from 1764 contained the Paxton Boys’ “Declaration” and “Remonstrance.” Not knowing that these documents “would become a matter of public record,” the Quakers submitted their 25 February 1764 Address to the Governor to the Assembly in order to make their refutation of the Paxton Boys’ “charges and insinuations” against them public record as well.34 The Quakers wanted to be sure that the Paxtonians did not control public memory of the riots, and that their arguments against the Assembly did not gain any legitimacy. Thus, they asked Penn to ensure that the Paxton Boys were identified and punished as transgressors of civil law and decency.

Penn was amenable to reach a compromise on all of the Assembly’s complaints except the restrictions on proprietary instructions. The Assembly felt that unwavering dedication to proprietary instructions had thwarted defense legislation and was the root of most of the disputes with the governor. As such, they refused to budge on this issue. Penn, who felt that such instructions were the key to his control over Pennsylvania by keeping the Assembly in check, also refused to give any latitude. Therefore, talks broke off by the end of July. The Quaker Party, however, had larger problems to deal with as threats of a stamp tax became reality.

The impending Stamp Act put the Quakers in a particular conundrum. If the plan for royal government was to succeed, they needed to prove to the Crown that they could effectively replace the Penns as leaders of the province. Thus, obeying ministerial policies and enforcing all laws was paramount in currying royal favor. Joseph Galloway insisted that those who opposed the Stamp Act had “already forfeited all favor that might be expected from a new government.” The problem was that most Quaker leaders despised the Act as an infringement on colonial liberties. Pennsylvania’s initial response to news of the Stamp Act was negative, though moderate. On 6 February 1765, Jackson stood before the House of Commons and argued against the stamp duties. He believed that although there was an undeniable “constitutional authority of Parliament to impose taxes of every sort on every part of the British Dominions,” Parliament should not “impose internal taxes on America” until they called “members from America.”

Grenville presented his budget to the House of Commons on 6 February, over the objections of many colonial agents and some Members of Parliament such as Isaac Barré, who made a speech on behalf of the “sons of liberty” in the colonies. A minority resolution to adjourn was soundly defeated 245 to 49, an indication of the weakness of the opposition to Grenville. “The Stamp Act,” Franklin lamented to David Hall, “notwithstanding all the opposition that could be given it by the American interest, will pass.” During the ensuing Parliamentary debates over the Stamp Bill, the House

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35 Franklin to Galloway, 13 June 1767, PBF, 14: 193.

36 Richard Jackson, “Opinion of Parliamentary Power Over the Colonies,” (undated document), PBF, 12: 40. Franklin proposed an alternative to the Stamp Act, a scheme for supplying the colonies with paper currency, but Grenville ultimately rejected it. See PBF, 12: 47-60.

37 Franklin to David Hall, 14 February 1765, PBF, 12: 65.
refused to receive any petitions against it, or allow their authority to tax the colonies to be called into question. The House passed the bill on 21 February, the House of Lords followed suit on 8 March, and the King gave his royal consent on 22 March. Philadelphia printers received and printed copies of the act for sale by 20 June.

During the summer of 1765 one man rose to prominence in Philadelphia through his opposition to the Stamp Act: Charles Thomson. An Irish orphan who had studied under Francis Alison at his school in New London, Thomson was an acquaintance of both Franklin and Joseph Galloway, having been appointed to take down the minutes of a November 1756 conference with the Delawares at Easton. Although an Old Side Presbyterian, Thomson gained influence with both prominent Quakers and provincial commissioners. Thomson established himself as a merchant in Philadelphia in the 1760s and withdrew from the political sphere for a time. With the recession that followed the end of the French and Indian War, however, Thomson set his sights on the Stamp Act, to the detriment of some of his old friendships.

Thomson sent a letter to Franklin decrying the Stamp Act, which Franklin later printed in 17 August edition of the London Chronicle to reveal to London readers the colonial attitude about this unprecedented taxation. Thomson reassured Franklin that “it is not the bearing a part in the general defense that gives the alarm,” but rather the deprivation of “being governed by laws of [the colonists’] own making.” This argument is familiar to anyone who has taken even the most cursory look at the


historiography of the Stamp Act. What is less familiar is the argument that the frontier was too unstable for the Stamp Act to be enacted. This was no small part of Thomson’s argument, comprising about one-third of his letter. “Our frontiers are still in confusion,” he wrote, and the people living there are “determined to admit no intercourse with the Indians.” Relating the story of Smith’s raid on Indian traders and the showdown at Fort Loudon, Thomson concluded that “those who before would have heartily joined to have composed the confusions on the frontier now dissatisfied with the measures pursued in Great Britain, look on them with less concern.” In other words, Pennsylvanians who might once have tried to appease the rioters of the west were now too concerned with imperial policy and their own maltreatment by the crown. The only result could be chaos.

In his reply, published in the 14 November London Chronicle, Franklin used Thomson’s fears as a setup to promote his plan for a royal government. “The outrages continually committed by those misguided people,” he wrote, “will doubtless tend to convince all the considerate on your side of the water of the weakness of our present government and the necessity of a change.”40 He assured Thomson that he took “every step in [his] power to prevent the passing of the Stamp Act,” but that in the end he “might as well have hinder’d the sun’s setting.” Franklin urged caution and moderation when opposing the Stamp Act, but Thomson saw the situation as much more dire. “The Sun of Liberty is indeed fast setting, if not down already, in the American colonies,” he told

40 Franklin to Charles Thomson, 11 July 1765, PBF, 12: 206.
Franklin. For Thomson, the frontier experience entitled Americans to be treated with respect. The colonies “cannot bring themselves to believe . . . that they should have encountered the horrors of a desert, borne the attacks of barbarous savages, and, at the expense of their blood and treasure, settled this country . . . and after all quietly submit to be deprived of everything an Englishman has been taught to hold dear.” Like Thomson, John Dickinson also appealed to the frontier experience of the colonists in his arguments against the Stamp Act. The colonists, he wrote, “are so closely employed in subduing a wild country for their subsistence, . . . that they have not the time nor any temptation to apply themselves to manufactures.” Since Britain relied so heavily on the resources of the colonies for their own manufactures, it would be folly to upset the economic relations already in place with an unconstitutional tax.

More worried about internal trade than exports to Britain, Cumberland County residents were determined to stop eastern merchants from selling their goods to western Indians. As the Paxton Boys had written in 1763, Pennsylvania could not declare war on part of a nation and not with the whole. Thus, merchants could not trade with the enemy to the detriment of the safety of the British subjects on the frontier. “Our Cumberland county inhabitants are determin’d to hinder every supply going out to Pittsburgh,” Thomas Wharton wrote angrily, “and thereby as much as possible to bring on another war with the Indians.” On 7 June, westerners seized another pack train carrying about £500 worth of goods, burning all the cargo.

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41 Thomson to Franklin, 24 September 1765, PBF, 12: 279.


43 Thomas Wharton to Franklin, 16 July 1765, PBF, 12: 215.
While western raiders sought to protect the line between themselves and the Indian frontier, easterners sought to protect themselves from the Stamp Act. By the summer of 1765, David Hall reported that “the Stamp Act is a thing the people here in general dislike prodigiously.” No stamped paper had yet arrived in Philadelphia, and Hall fretted about the impact the Act would have on business once subscribers had to pay extra for a stamped newspaper. “Nothing talked of but the Stamp Act,” he reported to Franklin, “and as to our subscription for the Gazette after the first of November, I don’t believe, from the present disposition of our customers, that we shall have half enough to pay the expense of working it.” The Proprietary Party did not miss a beat to undermine the Quaker Party by trying to substantiate the rumor that Franklin had done little to oppose the Stamp Act. Pointing to the fact that Franklin secured the Stamp Distributor office for John Hughes, and that he was still trying to appease the Crown to get his royal petition approved, the Proprietary Party saw great political gain in opposing the Stamp Act. Hoping to quell all dissent to boost the Quaker Party’s reputation in London, Joseph Galloway complained of the “indefatigable industry” with which the party prevailed “on the people to give every kind of opposition to the execution of this law.” In a private letter to Franklin, Galloway framed his justification for the Stamp Act in the language of safety:

The necessity there is, as well for our own as, the safety of the Mother Country, that the Crown (in whose hands is constitutionally lodged the powers of war and peace, and of the protection of the people) should have

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44 David Hall to Franklin, 20 June 1765, PBF, 12: 188.

45 David Hall to Franklin, 22 June 1765, PBF, 12: 190.

46 Joseph Galloway to Franklin, 18 July 1765, PBF, 12: 218.
some certainty of receiving supplies when necessary—That if we are aggrieved the imprudence and folly of pursuing the present rash and wicked measures for obtaining a redress—and the fatal consequences which must attend them.

In August, Galloway organized these ideas into a moderate essay supporting the Stamp Act, and submitted it to the *Pennsylvania Journal* under the pen name “Americanus,” hoping to convince Pennsylvanians of the “imprudence and folly” of open resistance to the Crown.\(^{47}\)

Galloway and the Quaker Party had good reason to be concerned with safety. Besides the ongoing trade disputes and violence in Cumberland County, the summer also saw those “wretched frontier inhabitants” kill an Indian boy. Under the threat of “entering into another war,” the Delaware asked for satisfaction for the murder, also demanding that the Pennsylvanians cease the trade of “bad liquors.”\(^{48}\) It seemed as though Pontiac’s War might break out all over again, especially when a party of Kickapoo attacked George Croghan along the Ohio River. As Croghan later joked, “I got the stroke of a hatchet on the head, but my skull being pretty thick the hatchet wou’d not enter, so you may see a thick skull is of service on some occasions.”\(^{49}\) Croghan’s nephew and three Shawnee chiefs in his party were also wounded, but as soon as the attackers realized who they had injured, they “express’d great concern” and promised “no further obstruction in his passage.”

\(^{47}\) *Pennsylvania Journal*, 29 August 1765.

\(^{48}\) Thomas Wharton to Franklin, 14 August 1765, PBF, 12: 239.

\(^{49}\) George Croghan to William Murray, 12 July 1765, as quoted in PBF, 12: 399, n5.
As soon as the outgoing 1764-65 Assembly returned on 10 September from its summer adjournment, it considered a letter from the Massachusetts General Court asking Pennsylvania to participate in a congress in New York to discuss “the present circumstances of the colonies, and the difficulties to which they are and must be reduced” under the Stamp Act.\footnote{Minutes of the Assembly, 10 September 1765, \textit{Pennsylvania Archives}, 7: 5765, 5767.} A divided Assembly voted fifteen to fourteen that “in duty to their constituents,” they ought to remonstrate to the Crown against the Stamp Act and send at least three representatives to the October Congress in New York. John Hughes noted that “this scheme or plan of union . . . is indefatigably pushed forward by the Presbyterians principally.”\footnote{John Hughes to Franklin, 10 September 1765, PBF, 12: 265.} The following day the House appointed Dickinson and George Bryan, both critics of the Stamp Act, as well as Speaker Joseph Fox and John Morton, to represent Pennsylvania. The Assembly tread carefully, instructing the representatives to ask for a repeal of the Stamp Act, but only “in the most decent and respectful terms.”\footnote{Instruction to the Committee Appointed to meet the Committees of the Other British Continental Colonies at New York, 11 September 1765, \textit{Pennsylvania Archives}, 7: 5769.} On 21 September, the Assembly issued ten resolves against the Stamp Act, arguing that they had “contributed their full proportion of men and money” to the “defense of America,” and that it was the “inherent birth-right and indubitable privilege of every \textit{British} subject to be taxed only by his own consent.”\footnote{Resolves of the Assembly, 21 September 1765, \textit{Pennsylvania Archives}, 7: 5779-80.}

Public protest over the Stamp Act exploded in Pennsylvania in September 1765, just in time for the October election. Again, Presbyterians and Germans sided with the
Proprietary Party. Quakers tried to steer a moderate course of action with regards to the Stamp Act, and their apparent indecision provided the Proprietary Party with an opportunity to gain some political capital. Unfortunately for them, much had changed since the 1764 election, and the fragility of last year’s alliances became more prominent. First, Pontiac’s War had drawn to a close and the issue of frontier defense was less pressing. Although Presbyterians and Germans both opposed the Stamp Act, peace on the frontier meant an electorate less galvanized against the Quakers. Also, since negotiations with the Proprietor were advancing and the petition for royal government seemed all but dead, the Proprietary Party did not actively court the west as they did in 1764. This is not to say that both sides did not try to revive the partisan fires to mobilize voters. Since the Germans had been so key in the eastern vote, Proprietary Party organizers tried to blame Franklin for the passage of the Stamp Act. “It is my opinion,” Franklin wrote in his defense, “that if I had actually prevented the Stamp Act, . . . neither the malice of the interested abettors of Indian murder, nor the malice of the interested abettors of Proprietary injustice would have in the least abated towards me.” Rumor circulated among the Quaker camp that Lutheran ministers were reading a letter in their churches, supposedly from the royal Lutheran chaplain at St. James’s, which explained that as revenge for the 1764 election Franklin had been personally responsible for the double stamp duties levied on non-English papers. The claim was false, and the letter no doubt a forgery, but the Quaker Party redoubled its campaign efforts to regain what they had lost a year before.

54 Franklin to David Hall, 14 September 1765, PBF, 12: 267.

55 Thomas Wharton to Franklin, 14 August 1765, PBF, 12: 240.
The Proprietary Party tried to revive its 1764 arguments that the Quakers were the enemies of colonial rights who had tried to abolish the sacred freedoms of the 1701 Charter of Rights and Privileges. Complicit in this plot to undermine British liberty was Benjamin Franklin, whose *Pennsylvania Gazette* refused to print reports of Stamp Act protests, and who had secured the office of Stamp Agent for Quaker Party chief, John Hughes. Many Philadelphians boycotted the *Gazette*, much to David Hall’s distress, who reported to Franklin that “our numbers of newspapers decreases prodigiously.” Since the *Gazette* had a wide readership on both sides of the Atlantic, many accused Hall of hurting the American cause against the Stamp Act by giving little indication of the rising tide of public opinion against the Stamp Act. “I am really at a loss,” he confided to Franklin, “but believe it will be best to humor them in some publications, as they seem to insist so much upon it.” Franklin walked a fine line in London, opposing the Stamp Act but also expressing a willingness to compromise and enforce any new laws. Proprietary Party supporters wasted no time in declaring that Franklin himself had engineered the Stamp Act. While Quakers in Pennsylvania were trying to carefully navigate through the increasingly choppy imperial waters, many of Proprietary Party openly opposed the Stamp Act. When reports reached Philadelphia in August of riots and protests in the other colonies, more men rallied to the party’s banner to oppose the legislation and demand that John Hughes resign. “If John Hughes, don’t the Stamp refuse,” a local poet

56 David Hall to Franklin, 6 September 1765, PBF, 12: 256.

57 James Biddle, *To the Freeholders and Electors of the Province of Pennsylvania* (Philadelphia, 1765). The Quaker Party quickly counteracted Biddle’s claim with their own broadside, arguing that “the direct contrary is the truth.” See *To the Freeholders and other Electors of Assembly-men, for Pennsylvania* (Philadelphia, 1765).
threatened, “I wish he may be thus abused. / Grant heaven that he may never go without, / The rheumatism, the pox or gout.”

The news of Grenville’s defeat emboldened some men in the city to take to the streets on 16 September. As John Hughes rightly feared, he was not able to “escape the storm of Presbyterian rage.” Men gathered at the London Coffee House, owned by Presbyterian printer, William Bradford, where they hatched plans to level Franklin, Hughes, and Galloway’s homes. Deborah Franklin “made one room [of her house] into a magazine,” prepared to “show a proper resentment” to anyone who dared threaten her. Edward Burd reported, “We have had advice lately of a joyful change in the ministry, for which . . . the mob made a bon-fire and burnt an effigy for our stamper, and surrounded his house, whooping and hallooing, which caused him to load his arms.” Burd was optimistic that the Stamp Act would galvanize the same alliances as 1764, predicting that “the Quakers will leave out [John] Hughes and [Joseph] Galloway this time” noting that “the Dutch express a great detestation to Hughes’ party.” Burd was half right: Hughes’s

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58 The Lamentation, of Pennsylvania, on Account of the Stamp Act (Philadelphia, 1765).
59 Grenville’s ministry fell on 10 July 1765.
60 John Hughes to Franklin, 8 September 1765, PBF, 12: 264.
61 Deborah Franklin to Franklin, 22 September 1765, PBF, 12: 271.
62 Edward Burd to James Burd, 18 September 1765, in the Lewis Burd Walker, ed., The Burd Papers (Pottsville, 1899), 3: 8. Edward Burd was the son of Colonel James Burd and nephew of Chief Justice Edward Shippen under whom he studied law and whose daughter, Elizabeth, he married in 1778 at the age of twenty six. Burd was only fourteen years old when the Paxton Boys marched on the city and fifteen when the election of 1764 shook the province’s political structure but his letters to his father show remarkable insight into the major currents shaping Pennsylvania in the 1760s and into the Revolution. Hughes spent the evening with his guns, taking what little respite there was from the threat of the mob to write a few lines to Franklin. “I for my part am well-arm’d with fire arms and am determin’d to stand a seige,” he wrote around eight o’clock in the evening. “If I live till tomorrow morning I shall give you a further account.” John Hughes to Franklin, 16 September 1765, PBF, 12: 266.
public support of the Stamp Act made him a political liability, and so the Quaker Party removed him from the October ticket, keeping the publicly moderate Galloway. Such a scene of potential violence was rare in Philadelphia since the majority of the city’s mechanics were devoted to Franklin and saw to it that no rioters damaged Quaker property. Joseph Galloway boasted that he could muster ten mechanics for every one protester, and so the city enjoyed relative peace while Boston succumbed to mob rule. Indeed, the mob that September night was fairly quickly dispersed when the Quakers organized about 800 mechanics to defend their homes. John Hughes remained in office as the Quaker Party prepared for the election.

Although the Stamp Act took precedence in the election debates, the Paxton Boys were not far from mind. Indeed, frontier violence and defense were salient issues of public debate. In August, the London Chronicle published “A Letter from Pennsylvania,” supposedly written by Francis Alison and John Ewing justifying the Paxton murders at Lancaster. “In all our troubles,” the letter stated, “... a Quaker faction have secretly supported the Indians, held treaties and correspondence with them in our wars, and bestowed on them arms and ammunition, and tomahawks, even when they were murdering our frontier inhabitants.” None of this would have happened, the authors charged, if the western counties had equal representation with the east. Suffering under Indian attack and getting no relief from the government, the Paxton Boys had no choice but to assault those who had attacked them in the past. Indeed, what the Quakers called “a massacre and a most horrid murder” was “no more but what our people suffered

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63 An Address to the Rev. Francis Alison, (Philadelphia, 1765), i, iii, 47.
in all occasions.” In response, the Quakers issued “An Address” to the Pennsylvania public, denying that they had ever supplied the Indians with arms and accusing Presbyterians of propagating lies for political reasons. “You have left the paths of virtue, and become promoters of vice” the author chided, “you have exchanged true religion for deceitful politics.”

The Quaker Party built its election platform on the five Articles of Complaint to Penn, hoping to reestablish their status as defenders of colonial rights. Having learned the lessons of 1764, the party ran German merchant Michael Hillegas on their county ticket, and paid for the naturalization fees of many German immigrants to secure their vote. “Come let us prepare, to the courthouse without fear, / Tho’ Hibernia does bellow in their season,” sang Quaker supporters on their way to the polls, “They swear they’ll have the Dutch, tho’ it cost them near so much, / For to vo—o—o—te, for to vote without judgment or reason.” While the Proprietary Party relied on libelous jabs at their opponents, the Quakers put an impressive political machine in motion. Rhetoric had worked very well against Franklin in 1764, and so the Proprietary Party “industiously sounded the alarm of danger and pleased themselves with the hope that the Stamp Act might give birth to as much prejudice, among the ignorant, against [Franklin] as the harmless word ‘boor’ had done last year.” Wealthy merchants looking to protect their businesses were swayed to vote Quaker because of the Assembly’s moderation, but

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64 *The Whiteoak Anthum*, (Philadelphia, 1765).

65 Samuel Wharton to Franklin, 14 October 1765, PBF, 12: 317.
others were swayed by a stiff drink and strong arm to guide them to the polls.\(^{66}\) The White Oaks, a mechanics organization, rounded up voters for the three days the polls were open, and made sure they voted right. The result was a resounding victory for the Quakers. The Party captured all eight seat in Philadelphia county, and in the city, Galloway regained his seat, sharing the representation of Philadelphia with Thomas Willing. One Philadelphian lamented that the Quakers “have entirely gained the election. And what is more cutting, the votes for burgesses are balanced.”\(^{67}\) The election also saw two important Proprietary men lose their seats in the Assembly: John Dickinson and George Bryan who had been away in New York at the Stamp Act Congress. Bryan was able to secure 902 votes, the same number as James Pemberton. In a special 23 October election, Pemberton soundly defeated Bryan by 171 votes despite the Presbyterian faction’s best efforts. Ironically, it was poor German voter turnout that led to his defeat.\(^{68}\)

Two days after the polls closed a ship arrived in Philadelphia bearing stamped papers. “This 5\(^{th}\) day of October will be as memorable as the fifth day of November is in England,” one Philadelphian wrote, “for from hence we may date our slavery.”\(^{69}\) Again, a mob of several thousand rose up, demanding Hughes resign or his face the destruction of his house and property. Still defiant, Hughes cursed the “Presbyterians and proprietary

\(^{66}\) Galloway supposedly hired a man to frequent the local taverns and buy drinks for any man who promised to vote for the Quaker Party. See Benjamin H. Newcomb, “Effects of the Stamp Act on Colonial Pennsylvania Politics,” *William and Mary Quarterly* 23 (1966), 266.


\(^{68}\) Foster, *In Pursuit of Equal Liberty*, 55.

\(^{69}\) Edward Burd to Sarah Burd, 5 October 1765. Most likely a reference to the foiled Gunpowder Plot of 1605 to kill James I by blowing up the House of Parliament during the state opening.
emissaries” for “animating and encouraging the lower class.” 70  The mechanics arrived once again to defend Hughes, and with Galloway convinced him to not enforce the Stamp Act “until his Majesty’s further pleasure was known, or until the act should be put into execution in the neighbouring provinces.” 71  A delegation from the mob, headed by Bradford and recently appointed provincial land secretary, James Tilghman, accepted the concession and dispersed the men back to their homes.  Despite Bradford’s best intentions, he was unable to force Hughes’s resignation, making Pennsylvania the only colony whose Stamp Distributor stayed in power until the act was rescinded. 72

Hughes viewed the uprising against him in terms of the 1764 election, essentially as a New Ticket scheme to oust an Old Ticket supporter from power.  What he failed to realize was that the Stamp Act had galvanized and mobilized men who never sat on the Assembly. Only Charles Thomson had any sort of political experience, and that was for the Quaker Party.  Those who opposed the Stamp Act and would later sign the non-importation agreement to show their opposition to the tax did not fit into the divisions of Assembly politics.  Prominent merchants, lawyers, and clergymen, Anglican, and Presbyterian signed, as did Old Ticket followers. Although many Quaker Party supporters opposed the Stamp Act, that did not mean they relinquished their ties to the Quaker Party. Often, local political tensions overshadowed imperial problems, and Philadelphians often battled one another rather than joining in consensus against the

70 John Hughes to Franklin, 12 October 1764, PBF, 12: 301.

71 John Hughes to the Stamp Office Commissioners, 2 November 1765, as quoted in Hutson, Pennsylvania Politics, 196.

72 Hutson, Pennsylvania Politics, 199.
Stamp Act. As one Philadelphian noted that, “the fermentation [against the Stamp Act] is almost general to the eastward nor does it seem much less to the westward: tho’ in Philadelphia considering the parties there, there are less than in other places.”

But what was more important than Quaker victory in the Assembly was the emergence of popular political leaders outside the traditional political sphere of the Assembly. While men such as Joseph Galloway began to wane in importance due to his support of the Stamp Act, men such as Thomson gained the support of mechanics, artisans, and small shopkeepers. Quaker victory was the cause of much relief for Old Ticket supporters nervous of the New Ticket challenges wrought by the Paxton Riots. Many were certain that, if successful in the elections, the Proprietary Party would immediately recall Franklin, “revoke the petition for a change, and . . . give the back countries more members.”

Now, Quaker supporters could breathe a sigh of relief and “thank God their design [was] defeated.”

Quaker victory also cheered Franklin, who had been at a loss on how to proceed with the petition for royal government since the end of the talks with the Proprietors in July. Galloway assured him that public opinion was shifting, pointing to the recent election in which five of the ten men who signed Dickinson’s 26 October 1764 petition were defeated. “I think we have now in the House 28 members out of 36 for the change [of government],” he told Franklin. Confident that Pennsylvanians now approved of his

33 James Parker to Franklin, 22 September 1765, PBF, 12: 277.

34 Nicholas Waln to Franklin, 11 October 1765, PBF, 12: 311.

35 When Bryan lost in the special election, Hugh Roberts wrote to Franklin that “6 of the late 10 calumniating protesters have now no right to sit in the House.” Hugh Roberts to Franklin, 12 October 1765, PBF, 12: 313.
royal campaign, Franklin presented the petition before the Privy Council on 4 November. Although he was certain that he would meet with success, it took the council a mere eighteen days to dismiss what had been almost two years in the making. Franklin had mistaken a general anti-proprietary sentiment in England for a coherent policy to remove all such governments from the colonies. Galloway was stunned: “I am not a little alarmed . . . for you know the Assembly Party are the only loyal part of the people here, and are those very persons who have preserved the peace and good order of the province, not only against the Paxton rioters and murderers, but also in these times of general tumult and distraction.”

Undaunted, the Quaker Party refused to give up the cause, arguing that a royal government was beneficial and could one day be obtained. Meanwhile, the Proprietary Party engaged in a healthy dose of self congratulation, printing Thomas Penn’s letter to John Penn announcing the petition’s demise, and sending copies throughout the province. Ironically, the failure of the royal petition also meant the failure of the Proprietary/Presbyterian/German alliance. Without a common cause in opposing the petition, the already tenuous faction split apart into its requisite groups.

Not surprisingly, the initial fracture of the Proprietary alliance arose over William Smith. Presbyterians had always suspected that Smith wanted to be America’s first bishop, and had kept a careful eye on his political maneuvering throughout the royal

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Galloway to Franklin, 27 February 1766, PBF, 13: 180. Thomas Wharton echoed Galloway’s sentiments, writing to Franklin that “when it is considered that the people who have been for a royal government are those, who in those tumultuous times have kept the peace, or at least obliged the other Party to be more moderate, it would seem extremely hard that they should be denied that security in their persons and property which they hop’d for from this change.” Wharton to Franklin, 2 March 1766, PBF, 13: 190.
Once the threat of a royal government was over, Presbyterian Samuel Purviance accused Smith of secretly promising Anglican support for the royal petition in exchange for Quaker support of a colonial bishopric. Smith has “betray’d our cause,” he wrote, by making “overtures to Governor Franklin, that on condition the Quakers could be engaged not to oppose their views of a bishop, the Churchmen should no longer oppose his Father in the scheme of changing the government.” The Presbyterian-Anglican split was complicated by the fact that some prominent Presbyterians, Purviance included, were also proprietary officeholders and clients who tried to negotiate between their Presbyterian conscience and Proprietary opportunity. As such, their opponents appropriately dubbed them the “Half and Halfs.” These men were joined by a hoi polloi of proprietary friends and relatives, and those under William Smith’s influence, to make up the Proprietary Party. The Quakers drew their support from the rural sections of the eastern counties of Chester, Philadelphia, and Bucks, as well as from the mechanics and merchants in Philadelphia.

The Quakers still tread carefully in hopes of reviving the royal petition, while the Proprietary Party, no longer forced to oppose the Stamp Act to thwart the change in government, curried royal favor to further its own interests. With both established parties supporting the Crown’s latest imperial dictates, dissenters formed an opposing Whig Party, dubbed the “Presbyterian Party” by its opponents. The “party” was not, of course,

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77 John Read wrote to Franklin that “Doctor Smith has said something in religious politics that has greatly irritated the Presbyterian clergy. The Synod at New York have nominated some wits of the laity to handle him. It relates to the having of an American bishop of which Smith has great hopes of the appointment.” John Read to Franklin, 17 June 1766, PBF, 13:320.

78 Samuel Purviance to Ezra Stiles, 1 November 1766, as quoted in Pennsylvania Politics, 209.
made up solely of Presbyterians, though most of its leaders belonged to that denomination. The major exception was John Dickinson who joined because of his resistance to British imperial policy and his personal dislike for the leaders of both the Proprietary and Quaker parties. Those who opposed the Stamp Act were more likely to side with the Presbyterian faction since the other two parties had become too royalist in their policy. Thus, the emerging Presbyterian party found its greatest support among the non-elite of the Scotch-Irish western frontier, and among the workingmen of the city. As Galloway confided in Franklin,

A certain sort of people, if I may judge from all their late conduct, seem to look on this as a favorable opportunity of establishing their Republican Principles and throwing off all connection with their Mother Country,” Galloway confided in Franklin. Many of their publications justify the thought. Besides I have other reasons to think, that they are not only forming a private union among themselves from one end of the continent to the other, but endeavouring also to bring into their union Quakers and all other dissenters if possible. But I hope this will be impossible. In Pennsylvania, I am confident it will.”

German sectarians slowly reattached themselves to the Quaker Party after 1766 once the royal threat dissipated, while church Germans, who had joined forces with the Presbyterians in 1764, generally supported the Presbyterian Party. Indeed, the very Germans who had upset Franklin and Galloway in the 1764 election were too divided to make such an impact in 1765.

The Quakers’ support of the Stamp Act, what James Hutson calls the “politics of ingratiating,” marked a decided shift in Pennsylvania politics. The Quaker Party had always achieved remarkable electoral success as the champion of individual rights and as

79 Joseph Galloway to Franklin, 13 January 1766, PBF, 13:37.
80 Hutson, Pennsylvania Politics, 194.
a foil to executive power. Now, as apologists for the Stamp Act, that reputation was tarnished. But, as much as Proprietary Party members wanted to openly oppose the Stamp Act to politically crush the Quaker Party, they too had to tread carefully lest the crown dissolve the proprietorship for insubordination. Now that the election was over, Proprietary and Quaker factions began to move into a more cooperative relationship. Indeed, all factions in Pennsylvania were able to find common ground in non-importation. Most agreed that the Stamp Act was unconstitutional, but disagreed on a proper course of action. The Stamp Act went into effect on 1 November 1765 with the ringing of muffled bells and other peaceful demonstrations, but no violence. “The dreadful first of November is over,” Franklin’s wife wrote, “and not so much disorder as was dreaded.”

Instead of riot, city merchants turned to economic coercion to oppose the Stamp Act, forming a non-importation association on the seventh. A “very great number of the merchants” signed their names immediately, and supporters had no doubt that the non-importation articles would “be subscribed by all.”

The meeting brought together an odd coalition of political enemies, with Presbyterians like George Bryan and conservative Quakers like Thomas Wharton working in agreement.

Pennsylvanians were able to successfully boycott British goods under the terms of the non-importation agreement while also refusing any stamped papers to be sold. Newspapers were printed on unstamped paper, and courts refused to print their decrees

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81 Deborah Franklin to Franklin, 3 November 1765, PBF, 12: 350.
82 Thomas Wharton to Franklin, 7 November 1765, PBF, 12: 357.
83 The resolutions were printed by David Hall as Remarkable Occurrences (Philadelphia, 1765) and in The Merchant Traders of the City (Philadelphia, 1765).
and pronouncements on the requisite paper. Pennsylvanians were urged to “proceed in all business as usual, without taking the least notice of the Stamp Act,” and thereby convince Parliament that “the Stamp Act will never be carried into execution but by force of arms.”

City merchants sent a memorial to British merchants and manufacturers, asking them to aid in the repeal of the Stamp Act so that the “beneficial intercourse, which has subsisted between Great Britain and this province” could continue. The winter of 1765-66 was relatively calm. As one Philadelphian noted, “the outrages and violences to the eastward are monstrous, [while] those among us have been trifling, and no injury done to persons or property.”

News of the Stamp Act’s repeal in the spring brought feelings of great joy and vindication. It also brought a new age for Pennsylvania politics. With the Act’s repeal in March, the Quaker Party found new life. No longer could the Act compromise its reputation as the champion of popular rights. The Quaker’s acquiescence to imperial taxation had not gone unnoticed, and one author had implored them to “SHAKE off all prejudices” and “exert your usual PUBLIC SPIRIT, and the GOOD SENSE for which you are remarkable.” Still seeking to please London, the Quakers discouraged public demonstrations celebrating the Act’s repeal by patrolling the streets “to prevent any

84 Rumor spread around the city that Galloway had opposed the courts’ refusal to use stamped paper, so he issued a broadside in December “to put a stop to the further progress of this calumny.” Joseph Galloway, Advertisement (Philadelphia, 1765)

85 Friends and Countrymen (Philadelphia, 1765).

86 To the Merchants and Manufacturers of Great Britain (Philadelphia, 1765).

87 John Ross to Franklin, November 1765, PBF, 12: 390-1.

88 Friends, Brethren, and Countrymen (Philadelphia, 1765).
indecent marks of triumph and exultation.”\textsuperscript{89} Although Philadelphia was “illuminated by the Proprietary Party,” Quakers were careful to present a loyal and obedient image to a watchful Britain. Only those celebrations which emphasized loyalty and unity were permitted, such as the celebration of the King’s birthday in Philadelphia in June, an event crafted by Galloway and the White Oaks. In their instructions to colonial agents Franklin and Jackson, the Assembly asked that the men thank the King for his “wisdom and clemency, and the justice of his Parliament, in relieving the colonies” from the Stamp Act. For many, the repeal of the Stamp Act reaffirmed their loyalty to the Crown, and talk of independence was scarce. “No Stamps at all? You Britons sing, / And drink a health to GEORGE our KING,” rhymed one Philadelphia poet upon news of the Stamp Act’s repeal.\textsuperscript{90}

Both the Quaker and Proprietary parties tried to use the event for their own political gain. In their official correspondence, the two factions seemed to be in harmony when in reality they were plotting the other’s demise. In a 3 June 1766 message to the Assembly, John Penn asked the members to remember the King’s “paternal regard” in repealing the Stamp Act. Though it must have galled them since the Proprietary Party had whipped up resistance to the Stamp Act, the Assembly’s reply thanked Penn for mentioning the “moderation and decency with which [Pensylvanians] have behaved . . .

\textsuperscript{89} Galloway to Franklin, 23 May 1766, PBF, 13: 285.

on account of the Stamp Act” to the King and his ministers.\textsuperscript{91} The issue of proper
defense was still salient, and both sides were hoping to use their professed allegiance to
the Crown to ease Paxtonian tensions. In an attempt to further their petition for a royal
government, the Assembly drafted an address to the King on 6 June thanking him for
repealing the Stamp Act and guaranteeing that Pennsylvania would grant “aids to his
Majesty, as the safety of the colonies requires . . . unless the Proprietaries instructions to
their deputy governors respecting Proprietary private interest, shall continue to
interfere.”\textsuperscript{92} William Allen strongly resisted the resolve, arguing that no assurances for
defense should be given to the Crown because the Assembly alone should be the judge of
when aid was needed.\textsuperscript{93} “The power of defense [is] lodged in the Crown,” Galloway
replied, “and therefore it [is] the province of its ministers to determine when aids are
necessary.”\textsuperscript{94} So vehement was the minority opposition to the defense clause of the
Address that it was omitted and passed as a separate resolution by a vote of twenty-four
to six.

While the two parties were at loggerheads in preparation for the upcoming fall
election, violence in the western frontier raged on. William Johnson confided in Franklin

\textsuperscript{91} Assembly to Governor Penn, 3 June 1766, \textit{Pennsylvania Archives}, 7: 5877, 5881. Galloway wrote to
Franklin that Penn no doubt told Britain that he had been instrumental in preserving the peace during the

\textsuperscript{92} Minutes of the Assembly, 6 June 1766, \textit{Pennsylvania Archives}, 7: 5885.

\textsuperscript{93} Allen also publicly asserted in the Assembly that Franklin had opposed the Stamp Act’s repeal.
Galloway hoped that Allen would be expelled for his behavior, but no action was ever taken. “This
infamous and groundless charge,” he wrote, “has filled the Members as well as the people out of doors with
so much resentment, that they all cry our, ‘it is time his calumnies had met with the censure they deserve.'”

\textsuperscript{94} Joseph Galloway to Franklin, 7 June 1766, PBF, 13: 293.
that “I daily dread a rupture with the Indians occasioned by the licentious conduct of the frontier inhabitants who continue to rob and murder them.” In a July treating signing at Fort Pitt, the Iroquois, Shawnee, and Delaware balked at signing a peace treaty “unless some speedy and effectual measures were made use of to restrain our frontier people.”

Like the Paxton Boys who had sought to establish a firm boundary between civil and savage, the Indians asked for a permanent boundary between themselves and the settlers “over which no white man should be suffered to hunt.” Merchants Baynton, Wharton & Morgan, already the victims of attacks on their supply trains on the frontier, feared that unless a boundary was established, Indians would soon forget the “partial provocation” from frontier settlers, and “quickly involve all white men in one general predicament.” Violence on the frontier would continue into 1768, forcing some settlers to abandon their homes “under an apprehension of a speedy Indian War.” In their instructions to Franklin and Jackson, the Pennsylvania Assembly warned of the “present critical and alarming situation of Indian affairs” and of the “prospect of an immediate rupture with the Natives.” The root of the Indians’ discontent, they claimed, was “the late horrid and cruel massacre of the Indians at Conestogoe and Lancaster.” The Assembly asked the men to do what they could to see the establishment of a border between the Indians and

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95 Sir William Johnson to Franklin, 10 July 1766, PBF, 13: 330.

96 Baynton, Wharton & Morgan to Franklin, 28 August 1766, PBF, 13: 397.

97 Pennsylvania Chronicle, 8 February 1768.

98 Pennsylvania Assembly Committee of Correspondence to Richard Jackson and Benjamin Franklin, 19 January 1768, PBF, 15: 21.
the colonies (negotiated by William Johnson three years ago but never finalized) brought to fruition.

Defense and stamps dominated the October election of 1766 which saw a fairly complete Quaker victory. Even with their attempt to pass a bill complying with the Quartering Act in September 1766, the Quaker Party saw all of its candidates elected in Philadelphia city and county. Dickinson, running on the Presbyterian ticket, was soundly defeated, and his enemies mocked him as “Luckless Johnny, Johnny Vain.”99 This is not to say that the Proprietary Party did not go down without a fight, but rather that the coalition of 1764 was now even more obsolete than during the Stamp Act crisis. Hugh Williamson, a Proprietary writer whose “Plain Dealer” pamphlets had stirred up no small amount of partisan resentment in the 1764 elections, was now in England where he uncovered Galloway’s letter to Franklin that revealed himself to be “Americanus.” The Proprietary Party focused its attention on Galloway, who they deemed to be “the most detestable ADVOCATE FOR AMERICAN SLAVERY.”100 One Proprietary writer offered the public six reasons not to vote for Galloway, mostly centered around his support of the Stamp Act and his friendship with John Hughes, but also because he was “noisy, quarrelsome, and overbearing.”101 Isaac Hunt struck back for the Quakers, publishing a satirical advertisement proclaiming that, if enough readers were interested, he would publish “A General History of the Lies Raised and Propagated by the


100 Friends, Brethren, and Countrymen (Philadelphia, 1765).

Proprietary Faction, since the Year 1753.” Clearly still rankled by the divisions of the 1764 election, Hunt promised to offer all that had been said by the “Bishop of Germantown” (William Smith), the “Quaker Presbyterian Indian Colonel” (Israel Pemberton), and the “Pedantic Indian Secretary” (Charles Thomson).  

The Quaker Party was even more successful in 1766 than the year before, suggesting that the Stamp Act was now a non-issue and Proprietary attempts to brand Galloway a traitor were futile. More importantly, Quaker success is indicative of the fracturing 1764 alliances and the ability of the Quakers to restore their reputation as representatives of the people. A relative calm settled over provincial politics, and by the new year one Philadelphian reported “nothing material has happened between the two branches of the legislature.”  

By the election of October 1767, the Quakers were confident that they had quelled any Proprietary/Presbyterian resistance to their rule. “Our election is near at hand,” wrote one Quaker Party supporter, “and we have little reason to fear a change in our ticket.” This relative quiet in the wake of the Stamp Act’s repeal continued until news of the passage of the Townshend Duties on 2 July reached Philadelphia by the fall. As predicted, the election was yet another Quaker victory.

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102 Isaac Hunt, Advertisement (Philadelphia, 1766).
103 Thomas Wharton to Franklin, 14 January 1767, PBF, 14: 8.
104 Thomas Wharton to Franklin, 21 September 1767, PBF, 14: 257.
105 In a 9 October letter to Franklin, Joseph Galloway noted that “our election is now over and all the Old Members (save a few that resigned) again are returned as Representatives in Assembly: and in the stead of those who are left out, such are come in as are warm for the change of our government.” PBF, 14: 276.
Quaker Party leaders still believed in 1767 that they could persuade the Crown to establish a royal government.\(^{106}\) Thus, local opposition to the Townshend Duties furthered the tensions between the Quaker and Presbyterian Parties. Galloway took the position that the duties would be of no consequence. “I don’t well see,” he wrote to Franklin on 9 October 1767, “how the public weal of the Province can be affected by it.”\(^{107}\) In his view, Pennsylvania only stood to benefit from the revenues generated by the duties, since the King would use the money to appoint and pay officials in the province. Sensible that few Pennsylvanians would see his point of view, he instructed Franklin and Jackson to protest the Townshend Act only if the agents from the colonies first took the initiative. The Quaker Party’s “protest” stopped there, and they tried to prevent public displays against the Acts and discouraged merchants from signing a non-importation act. Some Quaker Party supporters were sure that the Townshend Duties would not create as much furor in Philadelphia as the Stamp Act did. “We seem at present very quiet here,” wrote one Philadelphian in November 1767, and I am satisfied that the watchword among the Presbyterians is *moderation.*\(^{108}\) The Proprietary Party was no less conservative, preferring to send petitions to the Crown rather than organize overt opposition in the streets. Resistance then fell to the Presbyterian Party and John Dickinson.

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\(^{106}\) In their instructions to provincial agents Franklin and Jackson, the new Assembly revived the instructions of the previous four assemblies to petition for a change in government “with all convenient speed.” Pennsylvania Assembly Committee of Correspondence to Richard Jackson and Benjamin Franklin, 17 October 1767, PBF, 14: 286.

\(^{107}\) Joseph Galloway to Franklin, 9 October 1767, PBF, 14: 277.

\(^{108}\) Thomas Wharton to Franklin, 17 November 1767, PBF, 14: 307.
Opposition to the Townshend Duties solidified John Dickinson’s status as a patriot and defender of colonial liberties against royal excess, though his initial impact was greater outside of Pennsylvania than within. Parliament repealed the Stamp Act in March of 1766, but not without passing the equally obnoxious Declaratory Act that asserted Parliament’s right to legislate for the colonies. Fifteen months later, the Townshend ministry passed a series of duties on American imports while reorganizing the colonial customs system. Such definitive actions and assertion of absolute power over the colonies rankled Dickinson, who had resisted imperial establishment in the colonies since Franklin’s royal petition in 1764. The Townshend duties were small and easily collected, and thus not as obvious as the Stamp Act. Undeterred, Dickinson led the way in Pennsylvania and the colonies, detailing the rights to which all colonists were entitled in his incredibly popular “Letters from a Farmer in Pennsylvania.” Dickinson’s “Letters” reflected an understanding of colonial rights shaped by the contours of local events in Pennsylvania. Indeed, as the voice of the Presbyterian/Proprietary faction, they exhibited the concerns of a post-Paxton Pennsylvania.

To challenge imperial policy, Dickinson took on the persona of a Pennsylvanian farmer, a man of “liberal education” who had been “taught to love humanity and liberty.” Rooted in local concerns, Dickinson’s essays still spoke to a larger Atlantic audience, and in many ways their popularity made him the spokesman for the colonies.


110 Dickinson’s letters were printed in nearly every paper in the colonies. See Carol Lynn H. Knight, The American Colonial Press and the Townshend Crisis, 1766-1770 (Lewiston, 1990), 94.
As such, it is no surprise that one of his foremost argument was that consent was essential if taxes were to be levied in a constitutional manner. “Indeed, the Stamp Act and the new Townshend Duties were “universally detested . . . as slavery itself” because they were passed without the consent of the colonies.¹¹¹ Proper representation in British Parliament was an almost universal cry among American patriots in the wake of the Stamp Act, but such an ideal would have struck a particularly resonant chord with Pennsylvania’s western readers, especially those who had agreed with the Paxton Boy’s call for equal representation in 1764. Dickinson also warned of the usurpation of rights, which “acquire strength by continuance and thus become irresistible.”¹¹² History had proven that excises and a standing army went hand in hand to the detriment of the people’s liberty. “A standing army and excise have not yet happened,” Dickinson warned, “but it does not follow from this that they will not happen.”¹¹³ As with his opposition to the plan for royal government, Dickinson expressed fear of what might happen to colonial liberties should the Townshend Acts go unopposed.¹¹⁴ “Let us take care of our rights,”

¹¹¹ John Dickinson, “Letter II,” Empire and Liberty, 12. In his fourth installment, Dickinson quoted New York’s resolves against the Townshend Duties which stated in the third clause that “it is inseparable essential to the freedom of a people, and the undoubted right of Englishmen, that NO TAX be imposed on them, except with their own consent.” “Letter IV,” Empire and Liberty, 23.

¹¹² John Dickinson, “Letter III,” Empire and Liberty, 16. In his seventh installment, Dickinson argued that allowing the duties to pass because they were small and insignificant was “a fatal error” because it would “establish a precedent for future use.” “Letter VII,” Empire and Liberty, 43.


¹¹⁴ Dickinson would use the same fear of futurity in his opposition to the proposal for a colonial bishopric in 1768.
Dickinson urged his readers in his final installment, for “SLAVERY IS EVER PRECEDED BY SLEEP.”\(^{115}\)

Upon the publication of Dickinson’s final essay on 15 February 1768, a meeting of freeholders in Philadelphia issued a letter to the local papers saluting the “FARMER as the Friend of Americans, and the common benefactor of mankind.”\(^{116}\) Such letters were the prevailing form of resistance in Pennsylvania, which stayed relatively calm and free of riot. Galloway and the Quaker Party were fairly successful in keeping opposition to the Townshend Duties to a minimum. The city was kept calm by the mechanics, taking their cue from Galloway as during the Stamp Act, who refused to sign any nonimportation agreement. But the tide turned in April when Secretary of State for the Colonies, Lord Hillsborough, issued a letter ordering colonial governors to keep their Assemblies in line and disregard Massachusetts’s 11 February circular letter or face the dissolution of their governments. Incensed, the Presbyterian Party began to organize a public protest, and Galloway and the Quakers were stupefied and offended by such harsh words from London. A nervous John Penn wrote to his uncle that “those persons who were the most moderate are now set in a flame and have joined the general cry of liberty.”\(^{117}\)

Presbyterians publicly protested the letter on 30 July while Quakers watched their hopes of a royal government slip through their fingers. How could they promise freedom from proprietary slavery when the Crown was threatening to dissolve the Assembly?


\(^{117}\) John Penn to Thomas Penn, as quoted in *Pennsylvania Politics*, 225.
Galloway was unsure of the what the future would bring, disappointed that the Crown would neglect “a people who wish well to the Mother Country,” and certain that “the greatest confusion . . . will assuredly ensue.” The Assembly, although affronted by Hillsborough’s words, still refused to join Massachusetts’ call for intercolonial cooperation. With Galloway at the helm, still holding onto hope that the plan for royal government would succeed, the Assembly sent a petition to the King asking for his “paternal care and regard” in protecting British liberties in the colonies. In similar petitions to the House of Lords and House of Commons, the Assembly asserted that they alone had the constitutional power to tax Pennsylvania, and asked both bodies to remember “the rights of his Majesty’s faithful American subjects.” But Galloway’s hopes were crushed when Franklin’s 20 August letter to him arrived in Philadelphia in late October. Franklin had met with Lord Hillsborough to discuss the royal petition, but they “parted without agreeing on anything.” To Galloway’s shock, Franklin decided he would no longer press for a royal government “during the administration of a minister that appears to have a stronger partiality for Mr. Penn than any of his predecessors.” The petition for a royal government was dead, and with it Franklin and Galloway’s friendship. No longer able to offer the hope for a royal government to their supporters, the Quaker Party began to lose power over its coalition. Once able to control both merchants and mechanics against Presbyterian efforts to impose a nonimportation agreement, the Party

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118 Joseph Galloway to Franklin, 17 October 1768, in PBF, 14: 231.


120 Franklin to Joseph Galloway, 20 August 1768, in PBF, 14: 189.
now was lax in promoting unity. The Presbyterian Party did not miss a beat in recruiting Philadelphia’s mechanics and merchants to their cause. Finally, in March 1769, Philadelphia merchants finally signed a non-importation agreement.

The Stamp Act and the Townshend Duties galvanized the emergence of an increasingly viable Presbyterian Party. Although it had yet to achieve much electoral success, as the voice of colonial liberty in times of imperial crisis, the Presbyterian Party was able to develop the local ideologies of the Paxton Riots into coherent responses to unprecedented taxation. Thus, issues of defense and representation framed most of Pennsylvania’s response to the crisis. Even Joseph Galloway, who had rejected the notion that the Assembly had neglected frontier defense, felt obligated to justify his position in the language of safety. The rise of leaders like Charles Thomson who took to the streets to effect changes show the folly of looking at just the Assembly to understand the contours of Pennsylvania’s political culture. Indeed, it would be men like Thomson who would begin to play an increasingly important role in Pennsylvania’s eventual rebellion against Britain in the American Revolution. Although the Quaker Party was able to secure victories at the polls, they were wary of the rising Presbyterian faction and feared what would happen should these men actually be able to wield power. Surely, it would mean the realization of the Paxtonian agenda and an end to lawful and peaceable Quaker rule. Indeed, Paxton ideology was coming to fruition as the Presbyterian Party demanded the protection of British liberty and demanded equal representation, a language of rights forged in the fires of local conflict.
CHAPTER 7

THE CENTINEL: LAYING THE GROUNDWORK FOR PENNSYLVANIA’S REVOLUTION

“Liberty is a most tender plant, that thrives in very few soils; neglected, it soon withers and is lost; but it is scarce ever recovered.” These words appeared in the Pennsylvania Chronicle on 28 April 1768. Penned by Old Side Presbyterian minister Francis Alison, they were not a response to the Stamp Act, the Quartering Act or the Townshend Duties, as the rhetoric might suggest. Rather, Alison’s caution of liberty’s fragility was a reaction to Thomas Bradbury Chandler, a New Jersey Anglican minister, and his plea to England to establish a colonial bishopric and bring order to American religion in the wake of the Great Awakening. In Pennsylvania, long a colony of religious freedom, response to the proposed Anglican bishopric was vehement. For many Pennsylvanians the bishopric crisis was just as distressing and just as radicalizing as the Stamp Act, and yet this episode has received little coherent attention in political histories of the road to the Revolution, and is even more absent from constitutional histories of Pennsylvania. 1 The bishopric debate was a crucial step in the political and constitutional

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1 James Hutson makes a tentative connection between religion and politics in Pennsylvania in Pennsylvania Politics, 1746-1770 (Princeton, 1972), 211. However, he does little more than note that “politics and religion were often intertwined in eighteenth-century America,” and does not link the Centinel essays with an emerging Presbyterian constitutional ideology. In The Pennsylvania Constitution of 1776 (Philadelphia, 1936), John Paul Selsam devotes space to the Stamp Act but makes no mention of the bishopric crisis. Owen Ireland’s ethno-religious interpretation of Pennsylvania constitutional thought, Religion, Ethnicity, and Politics: Ratifying the Constitution in Pennsylvania (University Park, 1995) makes no mention of the
development of Pennsylvania because it forced the emerging Presbyterian Party to further articulate a language of rights that had been born in the violence of the French and Indian War and tempered in Franklin’s campaign for a royal government. Indeed it was the Paxtonian/Presbyterian view of civil society—a view that required all citizens to participate in the defense of the community against internal and external threats—that would carry Pennsylvania into the Revolution.

The bishopric crisis of 1768 intersected with an elevating concern for colonial liberties in Pennsylvania brought on by three developments: increasing imperial control in the wake of the Stamp Act crisis of 1765-66; concern for defense on the frontier; and a volatile public print culture energized by the Paxton Riots and the election of 1764. For the most part, debate over Stamp Act was grafted onto the local political divisions galvanized by the Quaker attempt to oust the Proprietor and install a royal governor. This priority of local political issues, combined with the Quaker’s ability to effectively quell most internal dissent, dampened opposition to the Stamp Act in Pennsylvania in comparison to other colonies. The Sons of Liberty lamented that “unfortunate dissensions in provincial politics” kept their numbers in Philadelphia discouragingly low.² This is not to say that Pennsylvanians were too myopic to be concerned with imperial issues but that local concerns tempered larger imperial concerns. For example, those who supported the change to a royal government often couched their public appeals in the

long standing concern over frontier defense, namely that a royal government would
guarantee safety by supplying weapons and framing a militia bill. But, such protection
could come at a cost, since royal government could restrict other liberties by annulling
the 1701 Charter of Freedoms. As Pennsylvanians looked for a solution to the emerging
imperial crisis, Presbyterians urged caution lest liberties be trampled; this became a
familiar refrain during the bishopric debate. Although Presbyterians did not have much
electoral success against the Quaker Party, their rhetoric struck a chord with many
Pennsylvanians disoriented by the events of the early 1760s.

The idea of establishing a colonial bishopric had been in the works since the
founding of the Society for the Propagation of the Gospel in Foreign Parts in 1702, but
sustained debate over the subject did not begin in Pennsylvania until the 1760s. Fear of a
bishopric was a perpetually salient issue, although it usually hovered in the background
of other crises and upsets. For example, during Franklin’s campaign for a royal
government, he complained that “pains [were] taken to prevent” people from signing his
petition “by frightening the Presbyterians and Quakers with the Bugbears of Bishops and
tithes.”3 The American colonies had long been the haven of religious dissenters who the
Church of England was glad to be rid of, but exerting more control over these religious
radicals was an attractive prospect. Queen Anne supported establishing colonial bishop,
but Parliament was unable to ratify such a bill before her death in 1714. The
Hanoverians were less inclined to bend to the wishes of the Society because they relied
on English dissenters to forge a working coalition in Parliament. Presbyterians,

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3 Franklin to Richard Jackson, 31 March 1764, Leonard Labaree, ed., *The Papers of Benjamin Franklin*
(New Haven, 1967), 11: 150. Hereafter cited as PBF.
Independents, and Baptists founded the Protestant Dissenting Deputies in 1732, a political lobby group to which colonials could appeal to stave off Anglican encroachments. Campaigns for a colonial bishopric throughout the 1750s were stymied by constant changes of ministries in England, the relaxation of legal restrictions against Anglicans in Massachusetts and Connecticut, and the French and Indian War.

The Peace of Paris in 1763 and the need to organize and control Britain’s now extensive North American empire revived Anglican efforts, although George Grenville was more concerned with repaying the debt incurred during the war than establishing religious order. Perhaps nowhere was the outcry against a bishopric more vehement in 1763 than in Massachusetts.4 Over the next few years, colonial resistance to British taxation and Parliamentary preoccupation with smoothing over colonial relations galvanized American Anglicans to take up the cause once again before it was relegated to insignificance. With the failure of the Stamp Act in 1766, Parliament resigned itself to defeat and put off the bill to establish a bishop in the colonies for another year. Incensed, colonial Anglicans such as Thomas Chandler rose up to petition London, touching off a religious and political firestorm in Pennsylvania.

The catalyst for public debate in Pennsylvania in 1768 was Chandler’s “An Appeal to the Public in Behalf of the Church of England in America,” a moderate plea to

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establish a bishop in the colonies and bring order to American religion. Chandler’s plan proposed limited power for the bishopric, “such as is derived altogether from the Church and not from the State,” but Pennsylvanian Presbyterians feared that soon such power would quickly expand and the bishops would be as powerful as their counterparts across the Atlantic. “Our peculiar objections are much founded in the anticipation of futurity,” noted Ezra Stiles. Pennsylvania had long enjoyed the lack of an established church and many Irish Presbyterians settlers were loathe to accept any vestige of Anglican authority. Chandler certainly did not help his case by claiming on one hand that no tithes would be collected from dissenters, but on the other arguing that any general tax instituted would not amount to more than four pence in £100 to support three bishops, certainly “no mighty hardship” for the colonists. In order to fight off this incursion, Francis Alison coordinated an effort to define the rights of the colonists through a series of essays published as the “Centinel.”

The attack against Chandler in Pennsylvania was part of a concerted plan to create a unified colonial resistance to a bishopric. Behind this proposed coalition was New Yorker William Livingston, a Calvinist who opposed Anglican attempts to charter and control King’s College. Livingston tried to rally dissenters in New York, Pennsylvania, Virginia and Massachusetts, lest silence on their part be misconstrued in Britain as agreement with Chandler’s “Appeal.” Livingston and his partners, John Morin Scott and

5 Thomas Bradbury Chandler, An Appeal to the Public in Behalf of the Church of England in America (New York, Parker, 1767), 79.

6 Stiles to Chauncy, 22 April 1768, as quoted in Elizabeth Nybakken, ed., The Centinel: Warnings of a Revolution (Newark, 1980), 41.

William Smith Jr., appealed to the public through the “American Whig” essays, first published in the *New York Gazette* on 14 March 1768. The essays warned readers that Chandler sought to “introduce an evil more terrible to every man, who sets a proper value either on his liberty, property or conscience, than the so greatly and deservedly obnoxious Stamp Act itself.” In a letter to Samuel Cooper, Samuel Adams’ pastor, Livingston was excited that “a number of men will shortly open the ball in Philadelphia,” and asked if “the same measures” could be “pursued at Boston” to “ward off this ecclesiastical stamp act.”

The public debates in the two colonies were entwined on some level as newspaper editors in New York published the “Centinel” essays and *The Pennsylvania Journal* ran all the “American Whig” installments. When the first “Centinel” appeared on 24 March, an Anglican under the pen name “Impartialis” submitted Chandler’s response to Livingston, “An Advertisement to the Public,” which had been recently printed in the *New York Gazette*, to Goddard’s *Chronicle*. Answering his detractors’ challenge to debate the issue “before the tribunal of the public,” Chandler derided his opponent’s essay as “penned altogether in a ludicrous strain.” In Pennsylvania, “Probitas” joined the fray, challenging Chandler’s assertion that the Anglican Church enjoyed an uninterrupted succession from Saint Peter and mocking him for “torturing thy invention to produce arguments in support of an opinion which the wisest people of [the Anglican

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9 Livingston to Samuel Cooper, 26 March 1768 as quoted in Bridenaugh, *Mitre and Sceptre*, 297-98.


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Church had given up long ago.” Ultimately, efforts to oppose the bishopric fizzled in Massachusetts, Rhode Island, and Connecticut, but so vehement was the outcry in New York and Pennsylvania that Alison was convinced “an universal alarm” had been sounded.\[12\]

The bishopric crisis galvanized an unlikely coalition in Pennsylvania of Old and New Side Presbyterians and moderate Quakers. The Assembly’s failed campaign for a royal government had drawn Presbyterians, Germans, and Anglicans into the Proprietary Party which caused Benjamin Franklin to lose his seat in the Assembly to Presbyterian merchant George Bryan. While Presbyterians and Quakers seemed obvious enemies because of the conflicts over a militia law during the French and Indian and Pontiac’s Wars, many Quakers were wary of Benjamin Franklin’s plan lest a royal government deny them the religious freedom they enjoyed under the proprietary constitution. As the struggle for royal government waned, Presbyterians severed their ties with the Anglicans who now pushed for a colonial bishop, hoping that moderate Quakers would join them. Long-time ally William Smith, whom Presbyterians felt had always been scheming to become America’s first bishop, fell out of favor when he offered Franklin and the Quaker Party the Anglican vote in exchange for support of a colonial bishop. Any doubts of Smith’s intentions to be bishop were abandoned when he penned thirty one essays in support of Chandler’s “Appeal.” The Presbyterian political faction spearheaded


resistance to the Townshend Acts in 1767, but this coalition was an uneasy one, and as such the attack against the colonial bishop was carefully crafted to preserve alliances.

Alison enlisted the help of two other men to lead the charge against an Anglican bishop in Pennsylvania: John Dickinson and George Bryan. The contours of local politics as well as personal experience helped bring these men together and shape their response to the bishopric. “Experience,” Dickinson wrote, “must be our only guide . . . [for] reason may mislead us.” 13 Alison served as the principal author of the series and his decision to publish sequential essays in a newspaper rather than one long letter or pamphlet opened up a public dialogue between local Anglicans and Presbyterians. 14 Alison was a well-respected scholar of his day, admired by the likes of Benjamin Franklin even though the two men were political enemies. After receiving a Master’s degree from the University of Edinburgh in 1733, Alison immigrated to Pennsylvania in 1735 where he was introduced to the Dickinson family and became their tutor. Ordained to the Presbyterian ministry in 1737, he pastored the church at New London, and two years later opened a classical school to educate young men. His New London Academy became the official Old Side seminary in the upset of the Great Awakening. Alison’s reputation as an educator garnered him an invitation to serve as Rector of the Anglican-dominated Academy of Philadelphia in 1751, which he accepted. To solidify his status as a scholar of repute, Yale presented Alison with an honorary Master’s degree in 1755, and the University of Glasgow bestowed on him a Doctor of Divinity in 1756.

13 Quoted in Forrest McDonald, ed., Empire and Nation (New Jersey, 1962), x.

14 William Livingston, who spearheaded opposition to the bishopric in New York, also opted to print essays in a weekly paper since they would “be more generally read and constantly reprinted.” Livingston to Noah Welles, 2 February 1768, as quoted in Bridenbaugh, Mitre and Sceptre (New York: 1962), 297.
Alison was particularly sensitive to the ill-effects of established religion on civil life. Born in County Donegal, Ireland, in 1705, Alison and his fellow Presbyterians were barred from participating in civil life through the Sacramental Test Act. Irish Anglicans dominated civil and economic life, driving many like Alison to seek new opportunities in American colonies. The conflicts of colonial Pennsylvania provided Alison with the opportunity to put his education to practical use. The Quaker Party’s dominance in the Assembly was a source of contention for frontier Presbyterians and Alison echoed their grievances in his own sermons as part-time minister at the Old Side First Presbyterian church. Although Alison firmly believed that New Side ministers based their ideas on faulty theology he sought to bring unity to colonial Presbyterianism. One issue on which New and Old Side Presbyterians did find common ground was the problem of frontier defense, and Alison taught that contributing to the common defense was the responsibility of every citizen and Christian.15

Alison was certainly not alone in his disdain for the Assembly and their refusal to pass a militia law during the French and Indian War, an issue still of some currency in the 1760s. Perhaps one of the things that made the call for a colonial bishopric so contentious in Pennsylvania was that those outside the Quaker Party were loathe to share whatever small bits of power they had gained by the 1760s with an established church. Citing William Penn’s preamble to the 1682 Frame of Government that government was only as good as those who controlled it, a local essayist condemned the Assembly for

15 “We are prompted by reason and instinct and the social affections as well as by our holy religion and common laws,” Alison said in a 1756 sermon, “to rejoice in [Pennsylvania’s] prosperity and to promote its welfare, and to defend our rights by our councils, our estates, our persons, and even at the expense of our lives.” Francis Alison, “1756 Sermon Book,” Pennsylvania Historical Society (PHS), RG 294, Folder 2.
forcing the governor to “wear a padlock upon his sword.” He claimed that the Indians loved the Quakers “as much as they disliked the other Christians” in Pennsylvania. Nevertheless, the Quakers were loathe to pass a militia law, leaving those on the frontier “without arms, either for offence or preservation.” The strained relations between the frontier and the Assembly and the colonies and Britain certainly were not helped by a 3 February 1768 act to enforce the Proclamation of 1763 and remove settlers off land not purchased from the Indians. It was these choppy waters of internal division that Alison tried to navigate with his “Centinel” essays. Seeking to find unity in the midst of crisis, he hoped to overcome what he perceived to be a great threat to colonial liberty.

The second “Centinel” author, John Dickinson, was no stranger to controversy and polemic having just finished his run of “Farmer” letters in The Pennsylvania Chronicle in February 1768. He came from a Quaker family and followed in his father’s footsteps in both religion and profession, training as a lawyer in England and returning to Philadelphia to practice in 1757. He was elected to the Assembly of the Lower Counties in 1760 and to the Pennsylvania Assembly in 1762. When the Quaker Party moved to revoke the Pennsylvania charter and seek a royal government for the colony, Dickinson broke his ties with the Quaker Party and announced his intentions to join forces with the Proprietary faction in a 24 May 1764 speech before the Assembly. Though Dickinson never officially joined the Proprietary Party, he became their mouthpiece in the Assembly. When the Stamp Act Crisis swept the colonies, Dickinson, George Bryan and

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17 The act was published in the 29 February 1768 edition of The Pennsylvania Chronicle along with a proclamation from John Penn underlying the government’s intention to rigorously enforce the act.
John Morton were Pennsylvania’s delegates to the Stamp Act Congress. It was there that Dickinson honed his flair for radical writing by drafting the statement of protest to Parliament. However, his time at the Stamp Act Congress cost him his seat in the Assembly, which he was not able to regain until 1771. Dickinson then turned to pamphlets, challenging Franklin and the Quaker Party’s support of royal taxation based on his understanding of colonial rights. Through his writing he made fast friends and allies with the emerging Presbyterian and eventually Whig Party.

Dickinson’s notoriety as the “Pennsylvania Farmer” overlapped with his collaboration with Alison and Bryan. Still reeling from the election of 1764 and the Stamp Act crisis, Pennsylvanians used the bishopric debate to publicly consider their rights as British subjects and their place in the empire. But while the Stamp Act kept Pennsylvanians’ eyes trained mostly on Boston, the bishopric crisis forced an internal examination of the liberties they held dear. Like the petitions from the frontier during the French and Indian War and the pamphlets of the Paxton Riots, the language articulated in 1768 focused on the inviolable rights of British subjects. On 24 March 1768, the very day that Alison and company issued “Centinel No. 1,” a number of Philadelphians met and drafted a letter to “the ingenious Author of certain patriotic letters, subscribed A Farmer.” Deeming Dickinson to be “supported by the immutable laws of nature” and by “the pillars of the British Constitution,” the assembled men saluted him as “the common benefactor of mankind.”

George Bryan was the final member of this triad of anti-bishopric writers. Born in Ireland in 1731 to a successful Dublin merchant, Bryan became a businessman in his own right through a partnership with Philadelphia merchant James Wallace. When the Great Awakening swept through Pennsylvania, Bryan joined the New Side and the Second Presbyterian Church. Convinced that Franklin’s 1747 proposal that Pennsylvanians form voluntary military associations would provide relief for his fellow Presbyterians on the frontier, Bryan initially joined forces with Joseph Galloway to defend Franklin and the Quaker Party from William Smith’s attacks. But when the Assembly shirked its duty to defend the frontier, and when they put William Smith on trial on trumped up charges, Bryan rejected his former affiliations and soon became the “hero” of the emerging Presbyterian Party. The final straw for Bryan was Franklin’s royal campaign which he felt detracted from the more pressing issue of frontier defense. He defeated Franklin for a seat in the 1764 election and was rewarded by an appointment to the Common Pleas and Orphans Court by Thomas Penn. Like Dickinson, he lost his Assembly seat while away at the Stamp Act Congress but still fought against royal authority by pressing local merchants to join nonimportation associations in response to the Townshend Acts of 1767.

The “Centinel” essays were by no means vituperative or radical tirades, and in fact their conservative moderation and logic maddened opponents. The authors chose each word carefully and meticulously crafted argument to prevent giving their opponents fodder for retort. Compared to the inflammatory tone of Livingston’s “American Whig,”

Alison’s essays were less exciting and earned the moniker “dull Centinel.” The premise of Alison’s first essay was that the establishment of a bishop was “dangerous to the civil and religious liberties of the colonies in America” and would destroy “charters, laws and . . . constitutions.” Although the essay was free of the ad hominem attacks that had fueled partisan debate since the Paxton Riots, Alison did gently mock his Anglican opponent, asking him to expose exactly who were “the authors of these intolerable grievances and unprecedented hardships” that Chandler claimed had plagued the Churchmen of the colonies. Alison objected strongly to Chandler’s constant reference to Anglicanism as the “national religion” of America, firing back that “Presbyterianism was also established by law . . . in 1707 [in] a more enlightened age.” The closing argument revealed Alison’s fear for the future should a bishopric be established. “Every man who wishes to be free,” Alison wrote, seeking to overcome the stereotype of Presbyterians as lawless outsiders, “will by all lawful ways in his power oppose the establishment of any one denomination in America, the preventing of which is the only means of securing their natural rights.” Alison warned that once established the “primitive bishop” that Chandler proposed would soon evolve into a powerful one that dominated civil and religious life, demanding tithes from all and persecuting dissenters. Though the colonists may “hear

20 In a poem published in the 4 April 1768 issue of The Pennsylvania Chronicle, “Veridicus” wrote the following: “Then why, ye pert Whigs, ye dull Centinels, why / Do ye fly in a passion and make such a cry / About Church-men and Bishops; why make such ado / About other men’s matters? / What is it to you . . . ?” In an 18 April poem, the same poet again mocked the “Centinel’s dullness.”

21 Centinel Number 1, 24 March 1768, Pennsylvania Journal.

22 Alison was referring to the 1707 Act of Union passed by the English and Scottish Parliaments which recognized and secured Presbyterian church government.
the voice of Jacob [at present].” Alison warned, soon they would “feel the rough and hairy hands of Esau.”

“Centinel Number II” appeared on 31 March and appealed both to southern Anglicans (who enjoyed control over local religion that they did not care to relinquish) and Scotch-Irish Presbyterians who had left their “native country [to] seek shelter in the wilds of America” and protect themselves from the “oppressive tyranny of any proud Ecclasiasts.”23 Like most colonial nonconformists, Alison was wary that the Society of the Propagation of the Gospel was stealthily operating as a tool of the Anglican Church to bring dissenters “again under the yoke of bondage.” In fact, he argued, though the Society was formed under the pretense of bringing Christianity to the Indians, very few men were ever sent to the frontier, but rather settled in the cities and towns of New England, New York, New Jersey, and Pennsylvania in order to convert Quakers, Baptists, and Presbyterians to Episcopacy. The dangers of this trend were discussed in Alison’s third installment, namely that an established church would lead to “spiritual tyrants” who would use “every artifice to persuade, or cajole the temporal rulers to support their measures.”24

The authors of the “Centinel” understood that civil power should not meddle with religion, or vice versa, lest individual liberties be trampled, citing William Warburton, Anglican bishop at Gloucester, as their authority. Although Warburton was “strenuous for civil establishments in religion”, he conceded “that no such institution can be useful,
unless it includes the major part of the people.”

Indeed, it was the “heavy fines, imprisonments, and persecutions” of dissenters by the established Anglican church “which peopled the savage wilds of America.” This is not to say that religion had no part in politics, or that civil institutions could not be used to protect religion, but rather that an established church was dangerous to liberty. Religious freedom was something that Pennsylvanians held dear, and ensuring its security was one of Pennsylvania’s founding principles. Alison condemned the Anglican church for “the denial of civil rights to as good subjects as those who join [Anglican] communion” and challenged Chandler to issue a statement promising that dissenters would still retain their “natural right to civil or military offices.” For Alison and his Presbyterian readers, participation in military affairs was extremely important in the wake of the French and Indian War. The Assembly’s failure to pass a militia law forced frontier peoples to solve the problem of defense through voluntary militia associations. People like Alison had argued that individual participation in community defense was an essential civic duty, and many of those in positions of civic power in the western counties had served in the British Army during the war or had headed up militia units along the frontier. Any challenge to membership in military institutions would have been a cause of much concern for Pennsylvanians of the 1760s, a fact which Alison knew and exploited to sway the public to his side.

By late April, John Dickinson took the authorial reins to address in more detail the secular implications of a colonial bishop. His stated goal was not to “oppugn the

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26 Centinel IV, 14 April 1768, Pennsylvania Journal.
theological opinions of any man or set of men, but to defend the Liberties of [his] country.”

The northern colonies, he argued, were unlike any other country, characterized by religious freedom and stable frames of government. Dickinson focused on the rights each British subject enjoyed, noting that as free-born subjects, the colonists had the “sole right of disposing of their property” and making “laws and regulations . . . for their internal police and government.” Without these rights, and without a government ruling with the “consent of the governed,” liberty and property could not be preserved. Parliament could regulate and preserve the connections between the colonies and London, but it could not dispose of colonial property nor make laws respecting the internal government of the colonies without violating the constitution and various colonial charters. Any application to the British Parliament “for laws or regulations relative to [the] internal police” Dickinson considered to be “an attack upon the liberties of the colonies.”

Dickinson’s contributions to the “Centinel” essays asserted elements of the Lockean frontier rhetoric articulated during the Paxton Riots. When men form governments “for the sake of security,” Dickinson wrote, they “part with some of their natural rights, freely giving up such as are inconsistent with government, and invest their chief Magistrates with such power as is deemed necessary for the defense, protection and security of the whole.” Liberty was premised on the making of laws for internal police, and regulating religious denominations was a part of this internal police. For Anglicans

27 Centinel VIII, 12 May 1768, Pennsylvania Journal.

28 Centinel VI, 28 April 1768, Pennsylvania Journal.

29 Centinel VII, 5 May 1768, Pennsylvania Journal.
to apply for a bishopric to any body other than the provincial assembly subverted the constitution. Church and state had been separate in Pennsylvania, and although denominations had battled one another for power and numbers, Dickinson argued that “nothing can be more consistent with reason and religion, or more agreeable to the sincere lovers of liberty.”

Establishing a bishopric would install a national church that would deny dissenters the “natural right to civil or military offices” the Paxtonians had held so dear.

Like the Paxton Boys, the “Centinel” essays appealed strongly to natural rights ideology, though it would be a mistake to see them simply as Lockean regurgitations. To be sure, Alison and Dickinson were products of the Enlightenment; but while they used their education to frame their responses to the bishopric their reasoning was tempered by the colonial experience. While the authors acknowledged that mixed government was ideal, “the circumstances of the British Colonies, just rising out of the difficulties of an infant state, do not admit to such a regular distribution of power.” In North America, equitable real estate and inheritance laws prevented the establishment of an “upper rank.” A colonial bishopric would institute a religious elite who would undoubtedly exact taxes and exert “great influence on civil government and public liberty.” In Europe, Parliament could act as a balance to the church, but the colonies had no General Assembly and thus would be at the mercy of “the ambitious designs of the spiritual power.” The authors pointed to Nova Scotia as a warning, a province where the Church of England had been established yet no tax had been levied on dissenters in the interests of keeping the flow of


31 Centinel IX, 19 May 1768, Pennsylvania Journal.
migration open. Surely in time, when the province was settled, the Church would begin to dominate civil and religious life more and more. Nova Scotia, as well as the southern American colonies and islands in the West Indies, were surely part of a “grand scheme of spiritual dominion . . . planned for this country.”

Many of the “Centinel” essays warned of what might happen in the future while remaining rooted in the experiences of the past. Nowhere is this more evident than in George Bryan’s contributions. Bryan authored the 2 June 1768 installment of the “Centinel,” focusing on the precedent set in Britain’s treatment of colonial merchants to issue his warning about what increased imperial control might bring. Claiming that a bishopric was “unsuitable and inconvenient to the circumstances of this country,” Bryan turned his attention to the unfair treatment of American merchants in the Admiralty Courts, unable to restrain himself from throwing a few jabs at Britain for the Townshend Duties. While the British Parliament took great care in matters pertaining to subjects within England itself, it casually passed laws that tended to “distress and enslave the distant subjects.” Nowhere was this more prevalent for Bryan than in Parliament’s treatment of the Admiralty Jurisdiction in England and in America. While British merchants could sue in court before a single judge and a jury of their peers, Americans had to sit before a bench of judges and present their cases without a jury. “Can anything more fully manifest the difference between a virtual representative, and a real one?,” Bryan asked. Bryan certainly had more of a bone to pick with British merchant restrictions than with a bishopric when he penned his installment, adding a fairly weak

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32 Centinel XI, 2 June 1768, Pennsylvania Journal.
conclusion that no man in his “right senses” would accept “an ecclesiastical constitution after this view of their conduct toward us in the important business of Admiralty law.” However, his essay reveals the constitutional issues that he and his fellow writers held dear. First, they prized actual representation in the legislature and resisted any infringements of arbitrary power. Secondly, like the Paxton Boys, they valued trial by jury, something which the Admiralty Courts were taking away. Lastly, they shunned the dominance of one sect over another, be it religious or otherwise, lest that dominance infringe on the natural rights of other subjects. While the “Centinel” authors rejected the bishopric because they were dissenters, they rejected the establishment of any denomination because to do so would be detrimental to colonial rights. “How insidiously,” they wrote, “how easily might priestly dominion thus steal in upon us and advance.”

The “Centinel” authors found Chandler’s argument that American Anglicans had suffered under colonial legislatures particularly irksome since in Pennsylvania they enjoyed the “same liberty as any other religious denomination” under the laws of the province. Also, difference of religion did not deprive anyone of the “natural right to

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33 In the midst of the violence of the French and Indian War, the Pennsylvania Assembly entertained a motion that men accused of killing an Indian in a western county should be tried in Philadelphia. The Paxton Boys objected strongly: “This is manifestly to deprive British Subjects of their known Privileges,” they wrote, “to cast an eternal Reproach upon the whole Counties, as if they were unfit to serve their Country in the Quality of Jury-Men, and to contradict the well known Laws of the British Nation.” See Matthew Smith and James Gibson, A Declaration and Remonstrance (Philadelphia, 1764).

34 Centinel XII, 9 June 1768, Pennsylvania Journal.

35 Centinel XIII, 16 June 1768, Pennsylvania Journal. The authors also took issue with the number of Anglicans in the colonies Chandler supplied in his Appeal. Since Anglicans were by no means a majority in America, and since Chandler had circumvented colonial legislatures, his claim for a bishop was both insulting and a violation of colonial rights. Actual numbers are discussed in Centinel XIV, published 23
any civil or military power.” However, religious scruples did prevent Quakers from passing a militia law during the French and Indian War, providing more proof for Alison and his allies that an established religion would infringe on the rights of those of other sects. The danger to liberty lay in establishment. “All civil governments are restrained from God to the general grounds of justice and manners,” Alison wrote, “but their policies and forms are left free.”

By mid-June Alison and his supporters turned to satire to drive home the points of their previous essays. Ironically published as “Anti-Centinel,” the first installment challenged Chandler’s Appeal with religious and racial humor. First, Alison took issue with the assertion that the Anglican church was the Church of America. “The churches of Denmark and Sweden, the Lutheran and Calvinists in Germany, the churches of Geneva, Holland and Scotland, are nothing but the Shadow of Churches,” he mocked, “they have forsaken, they have shut out the Light of Christianity by rejecting the gospel ministry through the only channel of conveyance, the unbroken succession.” But besides challenging Chandler’s assertion that the Anglican church was the true church and thus all dissenters were not valid Christians, Anti-Centinel also played upon the racial tensions of the day. Chandlers had argued in his Appeal that an American bishopric would benefit the nearly 840,000 slaves in the colonies and islands. Since most

June 1768. Centinel XVI (7 July 1768) restated the argument that any application to establish a church to any power other than a colonial legislature was “an infringement of the rights of the people.”

36 Centinel XIX, 28 June 1768, Pennsylvania Journal.

37 The authorship of these satires is uncertain, though Nybakken contends that their wit was “well within the abilities of any of these men.” See Nybakken, The Centinel, 20.

38 Anti-Centinel, 16 June 1768, Pennsylvania Journal.
slave owners were themselves Anglicans, stabilizing religious institutions for the planters would “have a general good effect upon more than half a million of poor creatures.”39 Chandler’s attitude towards slaves was generally benevolent, claiming that they shared the same “common nature” as whites and were “equally purchased” by Christ’s blood. Anti-Centinel, in an attempt to appeal to southern Anglicans, was considerably more unkind. Derisively calling blacks “a discreet, intelligent sort of people” he celebrated the “glorious . . . prospect of adding half a million of Church Men to the Christian Church.” Throwing in a jab from the frontier, Anti-Centinel argued that “tho’ illiterate Americans may not be able to comprehend” the need for a bishopric, certainly the “superiors in England” would.

July 1768 saw the gathering of “a very great number of the most respectable inhabitants” of Philadelphia at the State House to discuss the implications of the late Stamp Act crisis and the imperial designs for the colonies. Invoking Dickinson’s “Letters” and echoing Alison’s call for unity, the opening address reminded all in attendance that “our vigilance and our union are success and safety; our negligence and division are distress and death.”40 The men then drafted instructions to their representatives, Joseph Galloway and James Pemberton reminding them of their duty to “assert and maintain the inestimable rights and liberties given to us by God, and confirmed to us by the Constitution.”41 Asking that the representatives draw up a petition for the King and Parliament expressing the colonist’s loyalty to the crown but also their

39 Chandler, An Appeal, 57.


41 1 August 1768, The Pennsylvania Chronicle.
jealousy of their rights as British subjects, they asserted that “We value and revere the connection between [Britain] and us above everything but religion and liberty.”

With the publication of Anti-Centinel, Alison, Dickinson, and Bryan put their pens to rest and William Smith went to work as “The Anatomist.” Smith and other Philadelphia clergy were not ardent supporters of Chandler’s Appeal, but they could not let Alison’s attacks on the Anglican Church go unanswered. After “many a false alarm,” crowed Smith, “the doughty Centinel of Pennsylvania, the hero of Presbyterianism, and Independency, is heard no more!”

Smith wasted no time in capitalizing on an event that had occurred in July when Chester county Presbyterian minister John Carmichael, pastor of the Brandywine Manor church, entered the newspaper debate seeking to defend the Synod of New York and Pennsylvania from a highly critical essay in the Pennsylvania Chronicle, supposedly written by a synod member. Carmichael’s letter annoyed Alison, especially its implication that synod decisions were infallible, because they gave his opponents ammunition for retort. Sensing that Carmichael had been too enthusiastic in his defense of the synod, Smith struck back at Alison while putting some distance between himself and Chandler. “Is it fair to attack the whole Church, its doctrine, discipline and constitution, on account of the writings of any single member?,” he asked,

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42 Anatomist No. 1, 8 September 1768, *The Pennsylvania Gazette.*

43 Carmichael would sit in the 1776 Constitutional Convention for Westmoreland and belong to an associator unit. His 1775 sermon, *A Self Defensive War,* reaffirmed the link between arms and citizenship that Presbyterian ministers had drawn during the violence of the French and Indian War. Even a “minister of the Prince of Peace,” he argued, was a “member of civil society” who had to adhere to “public instructions [for] the best service of the people.”

44 See Nybakken, *The Centinel,* p. 205, n. 5. Debate over Carmichael’s retort continued into September, involving a variety of Pennsylvania Presbyterians such as Robert Treat, minister of the predominately Scotch-Irish Presbyterian church at Abbingdon, north of Philadelphia.
“. . . [and] should any one conclude . . . that the slap dash doctrines of John were the
doctrines of the whole Presbyterian Kirk?” Presbyterians, Anatomist argued, were
interested only in building an “empire of their own,” preferring to reject the “tyranny of
one” in a colonial bishop in favor of “the tyranny and absurdity of many.” Indeed,
Presbyterians had been the aggressors seeking to “make Presbytery supreme and kings
themselves submit to them.”45 If Presbyterians were to gain both civil and religious
control, they would bring disorder and ruin to Pennsylvania. “The present confederacy
against the Church, is truly a formidable one,” mused Anatomist, “Papist and Arian,
Presbyterian and Independent, Atheist and Deist, American Whig and Centinel, all
attempting to overturn her, in order to erect upon her ruins their own giddy systems.”46

Before Anatomist could gather too much momentum, Alison issued the twenty
first and final installment of the “Centinel” essays, published on 29 September 1768.
This final essay employed the farcical nom de plume “Anti-Centinel” once again.
Showing the centrality of Enlightenment thought to Alison’s ideology, he sarcastically
promised valid arguments, not “such trifling ones as Bacon or Locke would have
offered.”47 Why should Presbyterians be angry with Chandler, the author asked, for he
only hinted that “they are all rebels in America, and have no natural right to any place of
profit or trust under the government . . . and that they are no Christians.” While
Presbyterians were “factious, seditious, restless, ambitious, hypocritical, enthusiastic,
fanatical, rebellious, impudent fellows,” the bishop would be “a very harmless person”

47 Anti-Centinel, 29 September 1768, Pennsylvania Journal.
who, when vested with proper powers and maintained by a public tax would not be “injurious to the civil or religious liberties of any denomination.”

Alison then abandoned “Centinel” and took up his pen again to write four essays as “Remonstrant.” Although Alison published the essays in October and November so they would “come under public notice” and reach England “about the time of [the] next parliamentary meeting,” the Remonstrant was aimed primarily at Pennsylvanians. As such, Alison hit upon particularly Pennsylvanian concerns and his essays provide a snapshot of a certain Pennsylvania mentality during the opening rumblings of the imperial crisis. He sought to bring the public debate back to the issues raised in the “Centinel” essays and away from the Presbyterians’ internal divisions and Carmichael, “whom no man ever employed nor thanked for meddling with public affairs.” Foremost in these essays Alison expressed a dual concern for civil and religious life and he feared that a bishopric would deny dissenters a place in civil society and undermine their methods of worship. Chandler argued that unlike the bishops of England a colonial bishop would “have no concern with the probate of wills or affairs matrimonial or relating to scandal, nor hurt the civil or religious life of any other denominations.”

Perhaps what made Alison more nervous about potential infringements of civil liberty were reports that Old Party Quakers supported establishing a colonial bishop. Already wary of years of Quaker rule, Alison certainly would have feared an Anglican and Quaker alliance. But he also found Quaker support for Chandler perplexing since they

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48 Francis Alison to Ezra Stiles, 4 June 1768 as quoted in Nybakken, The Centinel, 16.
49 Remonstrant 1, 6 October 1768, Pennsylvania Journal.
50 Remonstrant 1, 6 October 1768, Pennsylvania Journal.
had suffered as much as Presbyterians at the hand of the Anglican church. After relating a history of Quaker persecution Alison asked his reader if Quakers, or indeed anyone, would “wish to be under the power of such instruments of cruelty.” Indeed, all denominations needed to band together “to defend the common cause of civil and religious liberty.”

Smith treated the Remonstrant with characteristic glib dismissal. “The Remonstrant No. 1 has just come to my hands,” he wrote, “[and] there is nothing in it that gives me uneasiness.” But, just as Alison hoped, the Remonstrant did turn the focus away from Carmichael and back to the “Centinel.” Perhaps by design, Alison’s prolific writing rankled Smith, who resorted to a frontier insult to strike back at his Presbyterian opponents. “I pray, Mr. Remonstrant, . . . Mr. Anti-Centinel, and others his auxiliaries, not to bear too hard upon me; by standing and cussing me behind bushes, and at every corner,” he wrote. “It is unmanly Indian-like war; for, whilst I am engaged with such a mighty champion as the Centinel.”

Equating Presbyterians with Indians was a rhetorical device employed during the Paxton Riots by no less than Benjamin Franklin who dubbed the rioters a disgrace to their “country and colour.” As “white savages” who shunned the law, Presbyterians were unfit to wield power in government, the realm of disinterested citizens and virtuous men. Smith was confident that the public would

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52 Anatomist No. VI, 13 October 1768, *The Pennsylvania Gazette.*


54 Benjamin Franklin, *A Narrative of the Late Massacres, in Lancaster County, of a Number of Indians, Friends of This Province, by Persons Unknown,* (Philadelphia, 1764).
reject all Presbyterian overtures to power in the interests of “decorum and peace.” As anti-Presbyterian essayist Isaac Hunt argued in 1764, “let us exert all our influence and power to keep the reigns of government out of the hands of Presbyterians, as we are convinc’d, thoroughly convinc’d of their unfitness to govern.”

As Anatomist, Smith could not agree more with Hunt’s assessment. By November 1768, he began to address the civil concerns raised by the “Centinel”, playing directly to the public’s fears over the Paxton Riots and the unsuitability of Presbyterians to sit in government. What should be feared, Smith reasoned, was not the impact of a bishop on civil and religious rights, but the damage “Synods, Presbyteries, and Kirk Sessions in America” could do. Indeed, the Centinel “has shewn but little good disposition to the frame of English government” by heaping abuse on the Anglican bishops “so closely interwoven with it.”

Trying to show the irony of Alison’s argument that a colonial bishop would lead to a loss of rights, Anatomist argued that Presbyterians, in “striving to exalt [their] own party, [were] depriving another (respectable among all Protestants) of its just and essential rights.” In other words, by trying to block the establishment of a bishop, Presbyterians were imposing the very restrictions on Anglicanism that they feared would be imposed on them. Indeed, freedom of religion was an “essential right.” As for Alison’s claims that a bishop would interfere in civil

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56 Isaac Hunt, A Looking Glass for Presbyterians, (Philadelphia, 1764).
57 The Anatomist, No. IX, 3 November 1768, The Pennsylvania Gazette.
matters, Anatomist assured his readers that “in a colony, having legislation of its own, the laws of the mother country do not extend to any matter that hath been provided for by the laws of the colony itself.” In a sentiment echoed from the Paxton Riots, Anatomist concluded that “there is no people on earth whose intolerant, persecuting, aspiring spirit, ought more justly to be dreaded by all Protestants, than [the Presbyterian] party.”

Indeed, the infamous Presbyterian Paxton Boys were not far from the minds of Philadelphians during the bishopric crisis of 1768. Reports of violence along the frontier had come in consistently in the wake of Pontiac’s War. Late 1763 saw the murder of a Delaware chief; an Iroquois chief met the same fate in Bedford County in 1765; and in 1766 a Delaware warrior and three Delaware chiefs were killed near Fort Pitt. But in 1768 it looked as though another Paxton massacre was about to erupt in the west. On 10 January, Frederick Stump, a German settler from Cumberland county, killed four Indian men and two women in his house. The next day he traveled fourteen miles up Middle Creek and killed an Indian woman, two girls, and a young child and burned their bodies. Governor John Penn issued a proclamation calling for “the most speedy and vigorous exertion of civil authority” to punish Stump for killing Indians who had “behaved themselves peaceably and inoffensively to all his majesty’s subjects.” Stump had been a thorn in Penn’s side since 1766, when he settled on Indian land near Fort Augusta in

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61 Assembly to Governor Penn, 20 February 1768, *Pennsylvania Archives*, 7: 6178.


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direct violation of the Proclamation of 1763. Penn had been unable to prevent Stump’s illegal squatting, but was now more determined to bring him to justice with a £200 reward for anyone who could apprehend Stump and lock him in a jail.

The dynamics of the Pennsylvania government also looked similar to 1763, with the Assembly and Governor Penn butting heads over the problems of the frontier. Besides the long-standing tension between the Proprietor and the Assembly over a militia law, the two factions were squabbling with one another in early 1768 over a bill to prevent people from settling on Indian lands. Part of the Assembly’s bill asked that the proposed prohibitions not extend to any settlements above Fort Pitt made by the Iroquois and George Croghan, Deputy-Superintendent of Indian Affairs under Sir William Johnson. Leaving these lands under Croghan’s control, the Assembly reasoned, would serve to pacify the Indians living there and give him more leverage in future land dealings with Native tribes. Seeking to discourage settlers from migrating westward outside of Proprietary control, Penn asked that the bill stipulate that “no enlargement or addition” be made on these lands and that no more families be allowed to settle there. The Assembly’s objection to Penn’s changes are indicative of the approach it consistently took throughout the 1750s and 60s to ensure safety on the frontier: make peace with the Indians rather than build frontier militias. Their bill was an important step to guaranteeing the “peace and safety of the province,” but Penn’s amendment worked at cross purposes with their goal because it would “tend rather to increase than remove

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63 “Such settlements doth greatly tend to irritate the Indians, and may again involve us in a War with them, if not put an immediate stop to,” declared Penn in a 23 September proclamation. 2 October 1766 and 30 October 1768, Pennsylvania Gazette.

64 Assembly to Governor Penn, 27 January 1768, Pennsylvania Archives, 7: 6116, 6115, 6117.
[Indian] dissatisfaction.” In a heated letter to Penn, the Assembly again asserted that removing the “causes of Indian complaints” was the government’s “indispensable duty” and “necessary to the future safety of the province.” To restrict Croghan’s powers and make him subject to the same penalties as other frontiersmen would hinder his ability to negotiate with Indian tribes. Rather than close off Croghan’s land, they proposed punishing anyone who settled on the land “to the annoyance and dissatisfaction of the Indians.” Penn reasoned that determining whether or not settlers were annoying and distressing the Indians would be “a question of extreme difficulty.”

Penn’s fear of a lawless invasion of Croghan’s land was justified by Stump’s very actions, and Penn was glad to hear of his capture. On the 23 January 1768, a group of twenty young men from Juniata captured Stump and his suspected accomplice and servant, John Ironcutter, and placed them in the Carlisle gaol. They then sent a message to the “brothers of the Six Nations, Delawares, and other inhabitants of the west branch of the Susquehanna” assuring them that Stump and Ironcutter would “be condemned and die for [their] offence.” Penn and the Assembly asked that the two men be sent to Philadelphia for trial, but some western magistrates balked at this order and maintained that the trial should be held where the crime was committed. Lancaster magistrate John Armstrong wrote to Penn asking why their hesitation “should meet with the appearance of reluctance or disobedience upon our parts.”

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65 Assembly to Governor Penn, 20 February 1768, Pennsylvania Archives, 7: 6174.
66 Governor Penn to the Assembly, 28 January 1768, Pennsylvania Archives, 7: 6119.
67 1 February 1768, Pennsylvania Chronicle.
68 John Armstrong to Governor Penn, 24 January 1768, Pennsylvania Archives, 7: 6124.
Allen, who had issued the warrant for Stump’s arrest, Armstrong explained that he felt Stump would attempt to break out of jail to avoid an eastern trial, and to remove him from Carlisle would “be attended with bad consequences.” Meanwhile the Assembly complained to Penn of the “rash and insolent conduct of some of the inferior magistrates of Cumberland County” and asked the governor to remove these men from office if they continued to perpetrate such “daring insults on the power of government.”

Armstrong’s fears were not unfounded, and on January 29th at about ten o’clock in the morning, as he was sitting down to breakfast with James Cunningham, approximately eighty armed men from Sherman’s Valley descended on the Carlisle jail. Spying the mob through the window both men leapt from their chairs and made their way through the crowd to the jail door. Shouting above the din that the rioters were in violation of law, Armstrong was able to muscle his way up the stairs to the jail door, only to be stopped by four armed men and thrown headlong back down. “I am unarmed, and it is in your power to kill me,” he told the men, “but I will die on the spot before you shall rescue the prisoners.” While Armstrong, the sheriff, and other officials were trying to get to the prison door, a group of men snuck around the back, held the jailer at pistol-point, freed the prisoners and brought them out the front doors. After the mob rushed the escapees away, word came back to Armstrong that the ringleaders wanted to meet with him at John Davis’ house on Middle Creek so both parties could “come to terms.”

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70 Assembly to Governor Penn, 2 February 1768, Pennsylvania Archives, 7: 6126.

71 4 February 1768, Pennsylvania Gazette.

72 Deposition of James Cunningham, 4 February 1768, Pennsylvania Archives, 7: 6132.
meeting ever took place as the rioters, nervous that Armstrong would raise a posse and retake the prisoners, kept retreating further up the river. Three Carlisle men pursued and overtook the mob, asking the men to return the prisoners to the authorities. The ringleaders explained that “if they could have any security that the prisoners should not be carried to Philadelphia for trial” then they would deliver the prisoners “up to justice.” When no such promise could be made, the two parties went their separate ways.

According to Armstrong, the rioters cited the prospect of a Philadelphia trial and the failure to prosecute Indians who murdered whites on the frontier as justification for their actions. This mob violence was reminiscent of the 1763 Lancaster massacre, an event the Assembly assured Penn was still “undoubtedly one of the causes of [the Indians’] present discontent.”

The Assembly accused Penn of dragging his feet on an inquiry into the Paxton murders, arguing that they were “done at noon-day, in the midst of a populous borough, and in the presence of many spectators, by men, probably of the same county, undisguised and well known, [and] we apprehend their names may be easily discovered.” Frederick Stump maintained that his killings were justified, claiming that he was visited by six Indians who “being in drink” became disorderly and “intended to do him some mischief.” Fearing for his life he killed them all, then cut a

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73 Assembly to Governor Penn, 13 January 1768, Pennsylvania Archives, 7: 6087. Sir William Johnson agreed with the Assembly’s assessment of the Paxton massacres, writing to Joseph Galloway that “the murder of the Conestogoes, still fresh in their memories, gives the Indians much pain.” See Pennsylvania Archives 7: 6146-6147.

74 Assembly to Governor Penn, 13 January 1768, Pennsylvania Archives, 7: 6088. In a 5 February 1768 letter, the Assembly claimed that the failure to capture the Paxton Boys was because of “a debility, or inexcusable neglect in the executive part of the government.” See Pennsylvania Archives, 7: 6136.

75 Deposition of William Blyth, 19 January 1768, Pennsylvania Archives, 7: 6108. Stump was never caught and questioned, but William Blyth, a farmer from Cumberland County who met with Stump on 12 January, gave a deposition before magistrate William Allen in Philadelphia telling Stump’s side of the story.
hole in the ice in the river and dumped the bodies. Concerned that news of his deeds might “be carried to other Indians” he then marched up Middle creek to two Indian cabins, killed the inhabitants and burnt the cabins to the ground. The story was dubious and the Assembly wasted no time in offering cash rewards for Stump’s capture, and for any information about the Paxton murders, and sending a condolence present to the friends and family of both the Stump and Paxton massacres. Penn was also quick to vindicate his actions in 1763, arguing that “every vigorous step was taken by men, on that melancholy occasion, which the law would warrant.” Indeed, nothing more could be done without violating the constitution which placed the administration of justice in the hands of the magistracy. “I am persuaded, gentlemen,” Penn mocked the Assembly, “that you are the last persons who would advise me to extend my power, in any case, beyond the bounds prescribed by the laws of the land.” Unconvinced, the Assembly pressed Penn for more action, chiding him for being “too weak to support order in the province, or give safety to the people.”

The Frederick Stump fiasco seeped into the debate over the a colonial bishop. In a written statement published in the *Pennsylvania Journal*, Presbyterian minister and influential resident of Lancaster, George Duffield, claimed that Anglicans had been involved in Stump’s jail break. Duffield was a Princeton graduate and minister to the

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76 Resolutions of the House, *Pennsylvania Archives*, 7: 6110-6111. Magistrate and French and Indian War Colonel John Armstrong told John Penn that he considered Stump’s story to be false, and feared that Indians would “strike before any proper state of this matter can be sent them.” See *Pennsylvania Archives* 7: 6124.


78 Assembly to Governor Penn, 20 February 1768, *Pennsylvania Archives*, 7: 6179.
united Presbyterian churches in Carlisle, Big Spring, and Monaghan. His sympathies lay with the New Side and his missionary travels through the valleys of Pennsylvania and Virginia in 1766 exposed him to the perils his fellow Presbyterians faced on the frontier. As the Assembly looked for someone to shoulder the blame for Stump’s escape, Duffield’s name rose to the top of the list. Aware that some were looking for a Presbyterian scapegoat and to paint the Stump affair as another Paxton riot, Duffield sought to exonerate himself and New Side Presbyterians. “Attempting to roll over the blame of rescuing the prisoners entirely on my people,” he wrote, “. . . [is] base to the last degree, [and] calculated only to heighten the fire of party, embroil society both civil and religious, [and] weaken the county by dividing it against itself.”

Stump’s rescue, Duffield reasoned, was not the work of one party or religion, but a collaboration of Lancaster citizens. Most of the rioters came from “beyond the North Mountain” and “some of all sorts were concerned, . . . both old side and new, Seceders, Covenanters, Church of England, and even Papists.” Indeed, as he concluded, the Stump rescue was “no party matter.”

Already embroiled in the bishopric debate with Presbyterians, Anglicans recoiled at Duffield’s suggestion that they had anything to do with the Paxton-esque hooliganism of the Stump affair. A local Anglican jumped to his fellow Churchmen’s defense while shifting blame back to the Presbyterian camp, sarcastically claiming that he would “not roll on this side or that side, on new men or old men.”

Indeed, blame for the entire affair, and for the unrest of the last few years, lay with frontier Presbyterians: “if some

79 31 March 1768, Pennsylvania Journal.
people had preserved the same spirit of moderation, and the same reverence for authority and laws which the Church of England has shewn, we would never have had a Conestogoe-Murder, a Paxton-Riot, a Conogocheague-Insurrection, or a rescue of Stump.”

The bishopric debate in Pennsylvania found a public divided and still discussing the implications of the Paxton Riots, the Stamp Act, and the Townshend Duties. By 1769, both sides saw the need to forge bonds of unity rather than sow seeds of division if the province was to address the imperial crisis. Smith finished his run of Anatomist essays in early January 1769. Like Alison, Dickinson, and Bryan’s “Centinel” pieces, the essays were calm and reasoned refutations, not obnoxious and sentimental like New York’s “American Whig.” The purpose of these essays was not to offend but to persuade the public in an increasingly factious time. “Let the public judge between you and me,” Smith concluded, “whether I have not gone about my work with a decent and merciful hand.” Like Alison, Anatomist realized the need for unity in the wake of the Stamp Act and the non-importation agreement of October 1768. Although convinced of his own righteousness in the matter, his final installment looked to a future of cooperation for the sake of the colonies. “But in truth,” he concluded, “from the gloomy prospect that seems gathering against us on the other side of the Atlantic, it might be better for you, and for me, to cultivate domestic harmony for the present.” Perhaps unable to resist throwing in a final jab at the Presbyterians he disliked and feared, he added that to do so would “depend entirely on yourself, and your party.”

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Overcoming party faction was no easy task in a province divided over its Quaker leadership since the violence of the French and Indian War. The fires of party spirit were only fanned by the newspaper editors who made public debate possible. It was no mistake that the “Centinel” essays found a home in Presbyterian printer William Bradford’s *Pennsylvania Journal* and that anti-Centinel writers were featured in Quaker Party supporter Benjamin Franklin’s *Pennsylvania Gazette*. Caught in the middle of the newspaper war was William Goddard, printer of the *Pennsylvania Chronicle*. Goddard had come to Philadelphia from Providence, Rhode Island, in June of 1766 upon the dissolution of Franklin and David Hall’s lucrative print-shop partnership.82 With a letter of recommendation from New Jersey Governor William Franklin, Goddard was introduced to prominent Philadelphia Quaker Joseph Galloway. Galloway told Goddard that the public printers of the city were “entirely under the domination of a party” and that he would like to use the printer’s services to “have a press that would *faithfully serve the public.*”83 Assured that he would be given government printing contracts, Goddard returned to Rhode Island to gather his supplies and printing materials. Upon his return in November 1766, Galloway had been elected Speaker of the Pennsylvania Assembly in the October elections and had persuaded his friend Thomas Wharton to join the printing partnership. As a new printer, Goddard relied heavily on his two wealthier partners for cash to keep the business afloat. He would later claim that this was part of an

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82 Franklin alone earned over £600 a year from his print-shop, with an additional £250 from government printing contracts between 1756 and 1765. Additional revenue came from printing Pennsylvania’s paper currency, and some estimate that Franklin eventually earned £2000 a year, twice the salary of the governor. See Gordon Wood, *The Americanization of Benjamin Franklin* (New York, 2004), 54.

underhanded plan to control the press for their own ends, to make him “submit to any dirty work that suited their conveniency” or face financial ruin.

Trouble arose immediately for Goddard who was now caught between the factions vying for power in Pennsylvania. Galloway insisted that Goddard begin the government printing immediately, since he disliked David Hall, found William Bradford “obnoxious,” and refused to give business to German printer Henry Miller, lest when it was taken away he would have “all the damn’d Dutchmen on [his] back” on whose votes he relied to win the next election. To make his precarious position worse, Goddard soon received and printed pieces critical of the Proprietary Party at the behest of his partners. It was customary for authors to reveal their names to the printer, should an injured party request to know the identity of their accuser. The Quaker Party writers of these pieces refused to reveal their names, but Goddard could not reject their submissions because of his business partners. Although he was able to eventually smooth things over with Galloway and Wharton, his printing of Dickinson’s “Farmer” letters stirred up the fires of partisanship once again. Galloway, of course, despised Dickinson for his defection to the Proprietary Party, and dismissed the essays as “damned ridiculous.”

Although angry with Goddard for printing the essays in the *Chronicle*, he was certain that Pennsylvanians were “friends to monarchy” and not of the “damned republican breed” that would be swayed by such writing. As the “Farmer” letters grew in popularity, Galloway and Wharton pushed the *Chronicle* to also print a variety of pieces to counteract Dickinson.

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84 Goddard, *The Partnership*, 16.
Tensions between Goddard and his employers reached the boiling point again during the bishopric crisis. In June 1768, Goddard refused to print two inflammatory bishopric pieces that he deemed to be counterproductive at a time when colonial liberties “depended on our union with one another.” In a rage, the authors took back their manuscripts, calling Goddard “an enemy to the church, and a friend to the kirks and yellow wigs.” Galloway cursed him for having the “damn’d New-England spirit,” convinced “that [Goddard] was a Presbyterian.” By November, Goddard’s mother, a printer from Rhode Island, had come to live with him. He moved a press into the home and let his mother do smaller printing jobs while he attended to the Chronicle. This did not sit well with his business partners who ordered the press returned, fearful that Goddard was trying to establish an independent printing business. Both became quite certain that Goddard was “and enemy to their great plan of effecting a change in the constitution” of Pennsylvania. Though Goddard eventually dissolved his partnership with Galloway and Wharton, the Chronicle ceased publication in 1772. Goddard’s experience shows how contested public space was, and how various factions vied for control of that space. Personal animosities, local politics, and religious conviction all played into these newspapers exchanges as essayists with the aid of printers sought to sway the public to their cause.

The year 1768 saw the intersection of three important trends in Pennsylvania history, namely, the growing Paxtonian/Presbyterian ideology of rights, the concern for frontier safety, and the vitality of the colonial press. Central to all these trends was the

86 Goddard, The Partnership, 23.
Paxton Riots, still a matter of debate and contention in the Assembly. Even more importantly, the constitutional issues the riots raised were still framing public discussion. For Alison and the Centinel writers, men formed governments for the sake of security, parting with their natural rights and investing in representatives the power necessary for the defense, protection and security of the whole. The call for a bishopric, like the Townshend Acts and Stamp Act before it, threatened colonial liberties and thus the security of the community. Anti-Paxton writers questioned any claim Presbyterians had to wielding power in civil society, and Alison’s critics were quick to point out their unfitness to take the reins of government. The image of lawless frontier rioters was enforced by the Stump affair, and brought the question of the government’s ability to ensure peace and safety to the fore again. Just as George Bryan argued for the right to trial by jury in the Admiralty Courts, men broke into the Lancaster jail to save Stump from an unconstitutional trial in Philadelphia. Public discussion of these intertwined issues was made possible by a partisan and politicized press that would continue to play an essential role in the remaining years before the Revolution. In was in the pages of the papers that Pennsylvanians worked out their increasingly complicated relationship to local and imperial rule.

As Alison and his supporters watched the stormy clouds of the imperial crisis gathering in the colonies they knew that they needed to discard the animosities of the bishopric crisis and maintain solidarity against Parliament. Alison saw the need for unity and as “Remonstrant” made the claim, albeit a dubious one, that the “Centinel” essays
were “as much an advocate for every society in the colonies as the Presbyterians.”

What was at stake was the infringement of British liberty, something that transcended denomination. In conjunction with the Stamp Act crisis and Townshend Duties, the debate over a colonial bishopric forced Pennsylvanians to outline the rights they felt they were entitled to under the British constitution. What emerged by the end of 1768 was a concern for establishment, be it religious or civil, that would infringe on colonial rights. “We must reason by analogy,” Alison wrote, “and by what has happened from and English episcopate, shall argue what we must fear from an episcopate, if it be established in America.” Alison also realized that the bishopric crisis had created a moment of unity among Pennsylvania’s Presbyterians and hoped to capitalize on that fragile solidarity. Fractured by the Great Awakening but drawn together to solve the problems of defense on the frontier and stop Franklin’s drive for a royal charter, many saw the need to forge an alliance and protect their rights as colonists. The bishopric crisis and the “Centinel” essays provided the opportunity to construct and defend a clear delineation of those rights, thus providing a solid ideological basis for Pennsylvania’s rise to rebellion by 1776.


CHAPTER 8

“GONE TO THE STATE HOUSE YARD TO HELP CONSULT AND REGULATE THE FORMING OF A MILITIA:” ASSOCIATIORS AND THE EARLY 1770S

On 1 May 1769, Reverend Ezra Stiles jotted down some private notes about his friend, Benjamin Franklin. While Stiles publicly had nothing but admiration for Franklin, he personally harbored some concerns about his friend’s actions and motivations over the past few years. Of particular concern for Stiles on that day was how Franklin had lately been able to procure several British honorary doctorates for American Presbyterian ministers, despite the fact that Franklin himself was an Episcopalian and a Crown officer.¹ Was Franklin trying to pander to the Presbyterians who had opposed his campaign for a royal government? Was Franklin just a political opportunist who would do whatever it took to push his agenda forward? Indeed, Stiles mused, Franklin had been a “true friend to America” until he “conceived the scheme of dethroning the proprietary government.” When the Presbyterians refused to join the royal campaign, Franklin allied himself with the Quaker Party to get the majority in the House he needed to unseat the Proprietors. When the Assembly refused to protect the people on the frontiers, “under the pretext of fighting, but truly because they were Presbyterians and Germans,”

¹ Stiles noted that while Franklin was educated a Congregationalist, and became “a churchman,” when he moved to Philadelphia, in practice he “read himself almost into Deism” and “seldom went to church.” Ezra Stiles, “Memoir and Conjecture,” 1 May 1769, in William B. Wilcox, ed., The Papers of Benjamin Franklin (New Haven, 1972), 16: 123-24. Hereafter cited as PBF.
Presbyterians petitioned for more equal representation in the House. Franklin’s reputation on the frontier suffered even more with his opposition to the Paxton Boys and his support of John Hughes as Stamp Master. Franklin’s character “is lost in Pennsylvania,” Stiles wrote, and even his procurement of honorary degrees for prominent American Presbyterians did not impress “Dr. [Francis] Alison and the ministers of Pennsylvania.”

While Stiles may have been overly suspicious of Franklin’s actions, he was correct in his assessment of how the problems of the frontier had shaped Pennsylvania’s political contours. The emerging Presbyterian Party had been putting pressure on the Assembly to adopt a more radical stance to the growing imperial crisis, and if Stiles is to be believed, had forced Franklin to try and curry favor with colonial Presbyterians by securing them honorary degrees. Tensions in the frontier had not abated, nor had hostilities between whites and Indians in Pennsylvania’s western counties. Ultimately, the Assembly’s refusal to pass a viable militia bill would be their undoing as the rumblings of war with Britain turned many Pennsylvanians against the moderate legislature and down a more activist and militant path. Indeed, the popular and successful associator movement after the battle of Lexington and Concord left no room for a Quaker ideology of negotiation and pacifism. Although not all those who joined a militia company in the mid 1770s were western Presbyterians, most of those who did adhered to a Paxtonian ideology that demanded every man contribute to the common defense, and that Pennsylvania’s representative bodies listen to the will of the people. Indeed, the Associator movement was the link between the problems of the western
frontier during the French and Indian War and the realization of the Paxtonian agenda that fueled the American Revolution in Pennsylvania.

While Stiles penned his thoughts on Franklin, Pennsylvania was facing political and social uncertainty. The specter of a colonial bishopric was beginning to fade by 1769, but tensions still ran high between the province’s various political and religious factions. The Townshend Acts, much protested throughout the colonies upon their passage in 1767, especially by Presbyterian Party supporter John Dickinson, were still in effect. “The affairs of Great Britain and her colonies are at a crisis,” bemoaned one pamphleteer.² In April, a mob of “the lower kind of the people” seized several pipes of Madeira wine recently confiscated by Philadelphia’s tax collector.³ The rioters loaded the wine into boats and spirited it away, breaking the collector’s windows before they left. Nervous that such behavior would jeopardize their petition for royal government, the Assembly quickly sent instructions to Benjamin Franklin and Richard Jackson to assure the King “at this critical juncture” that although the “many reputable inhabitants of the city (i.e. the Quakers) . . . do not approve of the Acts imposing the duties for which these wines were seized,” they were in no way involved in any of these “lawless transactions.” Indeed, Philadelphia merchants did not approve of the Townshend Acts, having signed a non-importation agreement in March and writing to Franklin that “we are persuaded the Americans will never admit [the] right [of Parliament to tax the colonies],


³ Pennsylvania Assembly Committee of Correspondence to Benjamin Franklin and Richard Jackson, 18 April 1769, PBF, 16: 113.
nor give up the privilege of solely taxing themselves.”

Compounding the tension between the “lower kind” and “reputable inhabitants” was a rise in poverty in Philadelphia. The managers of the city’s employment house asked the Assembly for financial aid, lest city taxpayers be “subject to an unusual burden of taxes” during “the present difficulty of the times.”

The western frontier was also uneasy as Virginia and Pennsylvania settlers and traders in the Ohio Valley sparked off numerous violent confrontations with local Natives. The merchants supplying western forts like Fort Pitt, long the victims of frontier raiders trying to end all Indian trade, petitioned the Assembly for a road between Fort Littleton and Carlisle to help shorten their western journey by one day, or twenty miles. Such a road would help mobilize British troops to the frontier, “a great utility to the public,” although it would cost the public purse as much as £600. Sir William Johnson had successfully negotiated a boundary line in the fall of 1768 at Fort Stanwix in New York to separate the colonists from the Indians, but getting settlers and traders to adhere to this agreement proved difficult. Letters from London demanded that Pennsylvania draft appropriate laws to prevent unlawful settlement on Indian lands, and for the “control and punishment of those atrocious frauds which have been practiced by the Indian

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4 From the Philadelphia Merchants, 18 April 1769, PBF, 16: 116. A public notice on 4 February 1769 summoned all Philadelphia merchants to meet at the coffee-house “to consider a matter of great importance.”


6 A Petition From the Merchants, Traders and Others, 10 January 1769, Pennsylvania Archives, 7: 6304; Letter From James McCallister, 17 January 1769, Pennsylvania Archives, 7: 6316.
Western Pennsylvanians also complained of a lack of law and order since the closest court to them was in Carlisle, separated by the mountains and distances of over one hundred miles for those in the Bedford settlement in western Cumberland county. It was both impractical and expensive to apprehend, jail, and then transport prisoners to Carlisle to seek justice. “Thus,” they complained to the Assembly, “rapine violence and injustice are suffered to pass unpunished, and the lives as well as the properties of the inhabitants are rendered insecure.”

On 5 March 1770, the movement for the total repeal of the Townshend Duties failed when Parliament, determined to assert its right to tax the colonists, retained the duty on tea. For Franklin, civil war with Britain had suddenly become a possibility. “Mutual injuries are apt to increase animosity till the worst of remedies becomes the only one, the sword,” he wrote to Joseph Galloway, “I say, to such the present prospect is very gloomy; for in the early part of Charles the first’s reign there was perhaps for several years less reason to apprehend a civil war than there seems to be at present.”

By July, New York repudiated its non-importation agreement, causing a swell of disgust in Philadelphia led mainly by the mechanics. “The New-Yorkers have betrayed a meanness and cowardice in deserting us in the present important juncture,” they publicly complained in a broadside, “. . . let us be firm, --let us be united,--and success WILL crown our honest and manly efforts to save ourselves, and our country from

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7 Governor Penn to the Assembly, 16 January 1769, Pennsylvania Archives, 7: 6313.

8 A Petition, from Bernard Dougherty, in Behalf of the Inhabitants of Bedford . . . in Cumberland County, 18 January 1769, Pennsylvania Archives, 7: 6319.

9 Franklin to Joseph Galloway, 21 March 1770, PBF, 17: 119.
destruction.”¹⁰ To support their cause they circulated a letter from Franklin to Charles Thomson that urged Philadelphians to “persist in this measure [non-importation] till it has had its full effect.”¹¹ By the end of summer, however, with neighboring colonies no longer under any restrictions, Philadelphia merchants and consumers had to requite their ideals. Finally, on 20 September, Philadelphia abandoned its non-importation agreement.¹²

Not surprisingly, the response from the mechanics was negative and they condemned the “unfortunate violators of the Non-Importation Agreement” for subverting the “glorious cause of liberty.”¹³ Not wanting to seem as if they had capitulated to Britain’s oppressive taxation, “a large body of respectable inhabitants” from Philadelphia met at the State House, with Quaker Joseph Fox as chair, and passed nine resolutions that asserted first and foremost that “the claim of Parliament to tax the colonies . . . is subversive to the constitutional rights of the colonies.”¹⁴ The men also resolved that the union of the colonies was absolutely necessary “to preserve their common right and liberties.” It is quite unlikely that these men were advocating independence in any form, but rather that they were supporting the “Plan of Union,” published in Philadelphia,

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¹⁰ To the Inhabitants of the City and County of Philadelphia, (Philadelphia, 1770).

¹¹ Franklin to Charles Thomson, 18 March 1770, PBF, 17: 113.

¹² Philadelphians were notified with the following broadside: “At this juncture, when measures are pursuing to dissolve the union of the colonies, every subscriber to our non-importation agreement, who wishes well to the liberties of his country and the reputation of this city, it is hoped will attend the meeting at Davenport’s Tavern, this afternoon, at three o’clock, to deliberate and determine what is best to be done.” (Philadelphia, 1770). On the Evans copy of this broadside, someone has written “Pray the Patriot Party.”

¹³ To the Public (Philadelphia, 4 July 1770).

which called for representatives from all the American Colonies and Ireland to sit in Parliament.\textsuperscript{15}

Non-importation had not quelled Pennsylvania’s political strife between Quakers and Presbyterians, even though the conservative Quaker Joseph Galloway privately believed that there would never be a “union either of affections or interest between G[reat] Britain and America until justice is done to the latter and there is a full restoration of its liberties.”\textsuperscript{16} The impact of Philadelphia’s non-importation was dubious. In a letter published in the \textit{Pennsylvania Gazette} on 6 September, Franklin indicated that the agreement “has had little effect on the manufacturers, who, like stupid animals, must smart before they will move.”\textsuperscript{17} The Quaker Party’s failure to publicly support non-importation as strongly as the Presbyterian Party caused a shift in loyalties among Philadelphia’s working class. Galloway himself had opposed the plan, writing numerous articles for the \textit{Pennsylvania Chronicle} opposing non-importation as a viable solution. “As to our election, we are all in confusion,” he lamented, “the White Oaks and mechanics or many of them have left the Old Ticket and ‘tis feared will go over to the Presbyterians.”\textsuperscript{18} Non-importation had meant good business for Philadelphia’s mechanics who no longer had to compete with cheaper and higher quality British goods, and the Quaker Party’s failure to support the measure cost them the valuable allies that had helped the Party weather the Stamp Act and Townshend duties.

\textsuperscript{15} \textit{A Plan of Union}, (Philadelphia, 1770).

\textsuperscript{16} Joseph Galloway to Franklin, 21 June 1770, PBF, 17: 177-78.

\textsuperscript{17} 6 September 1770, \textit{Pennsylvania Gazette}.

\textsuperscript{18} Joseph Galloway to Franklin, 27 September 1770, PBF, 17: 228.
Galloway became the central focus of partisan fire for the 1770 election, causing him to complain that all he was given was “abuse and calumny instead of grateful returns for the most faithful service.”\(^\text{19}\) Sensing the tide of public opinion was moving against Galloway, his business partner, William Goddard, issued *The Partnership* which detailed how Galloway had tried to control the *Pennsylvania Chronicle* for Old Ticket purposes. Goddard claimed that Galloway despised the Germans whose votes had secured his seat since 1765, calling them “damn’d Dutchmen.”\(^\text{20}\) In an attempt to revive the tensions of the 1764 election, in which both Galloway and Franklin lost their seats to Presbyterians because of Franklin’s “Palatine Boors” comment, the Presbyterian Party once again tried to mobilize German voters against the Old Ticket. “I solemnly ask you, once more, my dear countrymen,” stated one election broadside, “will you, or can you, confident with your safety, at this election, vote for a man who with flattery and hypocrisy . . . begs your vote and interest, and, when obtained, not only industriously labors to burden you with taxes, but curses and damns YOU for your kindness done to him?”\(^\text{21}\)

The Presbyterian Party also tried to capitalize on the growing sentiment against Galloway among Philadelphia’s mechanics, issuing *A Riddle* supposedly signed by a White Oak mechanic. For Philadelphians in 1770, the riddle was not hard to solve and was an obvious attack on Galloway. “Pray solve this riddle if you can,” the broadside

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\(^{19}\) Joseph Galloway to Franklin, 27 September 1770, PBF, 17: 228. Franklin later wrote to Cadwalader Evans that he hoped “our friend Galloway will not decline the public service in Assembly with his private business. Both may be too much for his health: But the first alone will be little more than an amusement: And I do not see that he can be spared from that station without great detriment to our affairs and to the general welfare of America.” Franklin to Cadwalader Evans, 18 July 1771, PBF, 18: 189.


\(^{21}\) *A German Freeholder, to his Countrymen* (Philadelphia, 1770).
jested, telling of “a tall man, well made, of fair complexion” but who “thinks but little of the middling sort of people.”

For the Quaker Party, whose merchant members had wanted to end non-importation and whose mechanic members had wanted it continued, the October election was trying. As Galloway feared, the White Oaks abandoned the Old Ticket in favor of Charles Thomson and the Presbyterians. Times had indeed changed. Thomson had attempted to mobilize the city against the Stamp Act in 1765 but was largely deterred by the White Oaks whose dedication to Franklin galvanized them to protect Old Ticket and Stamp Master John Hughes’ home. Now, his former enemies were some of his closest allies.

Galloway, in humiliation, lost his Philadelphia seat but sat in the new Assembly as representative for Bucks county, and retained his position as Speaker of the House. A gloating William Goddard issued a broadside on 8 October thanking Philadelphia voters for rejecting Galloway, a man who “prostituted his pen to enslave and ruin his native country.”

Although the Quaker Party still controlled the Assembly, and although the election of 1770 saw only eight new members elected to the House, in many ways the election was the beginning of the end for the Quaker Party in an increasingly radical Pennsylvania. John Dickinson, Galloway’s nemesis from the Stamp Act crisis, now sat in his seat for Philadelphia city. Galloway’s enemies charged that he had finagled his seat in Bucks county against the wishes of the voters who had been forced to elect “the

22 A Riddle [Signed, a White Oak] (Philadelphia, 1770).


24 William Goddard, Advertisement (Philadelphia, 8 October 1770).
For the first time since 1764, the newly seated Assembly did not explicitly ask Franklin to pursue the petition for a royal government, stating only that the instructions given preceding Assemblies were “so full” as to not bear repeating. The Presbyterian Party’s inability to make significant inroads in the 1770 election is not surprising since the crises with Britain seemed to be resolving. Indeed, the political fervor that had gripped the colonies since the Stamp Act was now fading, the non-importation agreements had now all been broken, and economic and political relations with Britain were more normalized. Even Boston, the hotbed of controversy and radicalism, reported that “there now seems to be a pause in politics.” Any hopes the Presbyterian Party had with Dickinson’s election were short-lived, and he was defeated in the October 1771 election having only been able to draft one petition to the King about the lingering taxes on tea.

Like the previous year, the October 1771 election produced little change with only five new members elected, one of those being William Thompson from the newly created Bedford County. Galloway retained his Bucks seat and his position as Speaker of the House, and the Quaker coalition still controlled the Assembly. This was, of course, no surprise to Presbyterian leaders hoping to shake the Quaker hold on local politics because representation in the Assembly was still skewed towards the eastern counties.

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26 Pennsylvania Assembly Committee of Correspondence to Franklin, 19 October 1770, PBF, 17: 256.
27 Samuel Cooper to Franklin, 1 January 1771, PBF, 18: 3.
Despite the Paxton Boys’ plea for equal representation in 1764, the Quaker controlled
House was loathe to change the dynamics of power in the Assembly. When
Northumberland County was created in 1772, a county which covered almost the entire
northeast quarter of Pennsylvania, it was allowed only one seat in the Assembly.
Likewise, Westmoreland, the final county created before the Revolution, elected one
representative in the October 1773 elections. That election also saw an absent Benjamin
Franklin recapture his seat in Philadelphia City, his reputation once tarnished by the
Stamp Act now much more polished because of his support of colonial liberties
throughout the early 1770s. Joining him was Thomas Mifflin, a Quaker working with
Charles Thomson and the Presbyterian Party. Little change in the Assembly, however,
did not mean that partisan fires had been snuffed. One Philadelphia voter lamented about
the “unhappy divisions that have prevailed in this county and city, for several elections
past” and asked his fellow voters not to “abuse, revile, and calumniate one another,
merely for differing . . . in political sentiments.”\footnote{29 20 September 1773, Pennsylvania Packet.} But the lull of the early 1770s would
not last long.

The 1773 election also saw the return of Governor Penn who had been in England
since mid 1771 to tend to his recently deceased father’s estate. Penn returned not to a
quiet private life as some had hoped and expected, but rather to his old position as
governor. He had little time to settle in before East India Company tea set the colonies
ablaze once again. Pamphleteers and newspaper essayists wasted no time in stirring up
public opinion against the Tea Act, calling their countrymen to defend their rights and
even asking the Pennsylvania Farmer, John Dickinson, to “step forth in behalf of the liberties of America.”

“The British ministry’s attempt to save the bankrupt East India Company by giving it a monopoly on the American market did not sit well with the Philadelphians who had opposed the Stamp and Townshend Acts. Indeed, accepting East Indian Tea was just the first step in a long procession of unconstitutional taxation. “Whenever the tea is swallowed, and pretty well digested,” one pamphleteer warned, “we shall have new duties imposed on other articles of commerce.” Should the tea land and be sold, warned another, “then farewell American liberty!” “Mucius” agreed, writing that ‘Americans must refuse to purchase the noxious weed” in order to save the “country from destruction.”

By late December word came that a ship bearing tea was headed for Philadelphia harbor, and the public was urged to attend a meeting at the State House on 27 December to resolve the situation. The assembled men appointed a committee to go to Chester

30 8 November 1773, Pennsylvania Packet.


32 A Countryman, To the Freeholders and Freemen, in Pennsylvania (Philadelphia, 14 October 1773).

33 11 October 1773. Pennsylvania Packet.

34 1 November 1773, Pennsylvania Packet.

35 The 27 December issue of the Pennsylvania Packet read as following: “The TEA SHIP being arrived, every inhabitant who wished to preserve the liberty of America, is desired to meet at the State House, this morning precisely at ten o’clock, to consider what is best to be done on this alarming crisis.”
and head off the ship before it reached the city. This they did, hailing the passing ship and acquainting the captain with “the danger and difficulties that would attend his refusal to comply with the wishes of the people.”

Escorted to the State House, and suffering only “some small rudeness” in the street, the ship’s captain signed a set of resolves declaring he would not report his ship to the customs house nor unload his cargo of tea.

On 19 May 1774, Paul Revere rode into Philadelphia with a public letter from Boston detailing the passage of the Boston Port Bill. He also bore private letters for several men in the city that asked for their support lest Boston’s opposition be rendered ineffectual. Popular leaders realized, as they had during the Stamp Act, that they could not rely on the Quaker Assembly to support Massachusetts. Presbyterians Charles Thomson and Joseph Reed, and Quaker Thomas Mifflin, the leaders of the Presbyterian/Popular Party immediately got to work. The Boston letter was read that day in the Coffee House, with an announcement that it would be read again the following evening at City Tavern. Thomson knew that Dickinson’s attendance was paramount if the public was to be swayed, and promised not to come to the tavern without Dickinson in tow. The men agreed that Mifflin and Thomson would draft a radical plan of action, and would leave it to Dickinson to “moderate that fire by proposing measures of a more gentle nature.”

Everything worked according to plan. Joseph Reed opened the meeting urging immediate and decisive action, supported by Thomson who, with the heat of the room and the fervor of his speech, fainted and had to be carried away. Finally, Dickinson

36 3 January 1774, *Pennsylvania Packet*.

arose and suggested establishing a Committee of Correspondence that could write to Boston explaining that “firmness, prudence, and moderation” were in order.\textsuperscript{38}

As per Dickinson’s suggestion, Pennsylvania joined the other colonies in establishing a Committee of Correspondence, which met in Philadelphia on 21 May under his leadership. Taking its cue from Virginia, the Committee asserted that a general congress was needed to “collect the sentiments of the people of the province.” They also requested an informal meeting of the Assembly, which had been in recess since late January, to discuss the issues at hand.\textsuperscript{39} Not surprisingly, Dickinson did not trust the Quaker Assembly, with Galloway at its head, and thus asked the Committee to issue a county call for an independent Provincial Conference. Party fissures opened up once again, but this time with a noticeable difference: Franklin and Galloway, long political allies, were beginning to go their separate ways. The Proprietary Party tried to lay low with the passage of the Intolerable Acts, hoping the political storm would pass quickly like the Stamp Act. Thus, like with the passage of the Townshend Duties, Dickinson took the spotlight in opposition to Parliament’s heavy hand. While Galloway hoped that Quaker compliance with imperial dictates would revive the moribund petition for royal government, Franklin had a much more realistic appraisal of the situation. Thus, Franklin began to throw his support behind Dickinson, who opposed both Galloway and the Proprietary Party. This left some conservative Presbyterians like George Bryan somewhat in limbo. Bryan had identified with the Proprietary Party since the 1750s in opposition to Quaker pacifism, but had worked side by side with John Dickinson in 1768

\textsuperscript{38} 8 June 1774, \textit{Pennsylvania Gazette}.  

\textsuperscript{39} 6 June 1774, \textit{Pennsylvania Packet}. 

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to oppose the establishment of a colonial bishopric. Bryan did not support the upcoming Provincial Conference in Carpenter’s Hall, but was also wary of his enemies in the Assembly. For Bryan, both bodies had the potential to destroy the Pennsylvania Constitution and the rights it guaranteed, one by revolution, the other by royal government.

The Presbyterian/Popular Party was able to engineer the stoppage of all business on 1 June, the day the Boston Port Bill was scheduled to take effect.40 The Pennsylvania Packet reported that “nine-tenths of the citizens shut up their houses. The bells rang muffled all day, and the ships in the port had their colors half-hoisted.”41 Another resident noted in his journal that “sorrow, mixed with indignation, seemed pictured in the countenances of the inhabitants, and indeed the whole city wore the aspect of deep distress, being a melancholy occasion.”42 Old Side Presbyterian minister Francis Alison, as well as other ministers, offered sermons “suitable to the occasion” to the many people who crowded into local churches. Quakers opposed these actions, as did Episcopalians, who publicly stated in the Pennsylvania Packet that the Rector of Christ Church did not endorse the ringing of the bells, nor was there any “particular observance of the churches under his care.”43 John Penn, too, was careful to ensure that he and the Assembly were not tied to any of the pro-Boston activities in the city, having caught wind that Lord

40 The 30 May 1774 issues of the Pennsylvania Packet read: “A number of persons composed of the members of all societies in this city, met, and unanimously agreed that it would be proper to express their sympathy for their brethren as Boston, by suspending all business on [the first day of June.]”

41 2 June 1774, Pennsylvania Packet.


43 8 June 1774, Pennsylvania Gazette.
Townshend believed that the Assembly had sent a letter of support to Boston. “Every step will be taken that can to keep things in as moderate a state as possible,” he wrote to his wife. It is no surprise, therefore, that Penn refused to convene the Assembly, at the behest of a petition signed by almost 900 freeholders, and discuss Parliament’s recent actions.

Now able to claim that the governor and Assembly were not concerned with colonial liberties, Thomson and his compatriots felt justified to call another town meeting, which took place on 10 and 11 June at Philosophical Hall. The men decided to meet once more, and on 18 June, almost 8000 people packed into the State House Yard to discuss the current political situation under the careful eye of John Dicksinson and prominent Anglican merchant Thomas Willing. The orderly meeting declared the Boston Port Bill unconstitutional, supported the formation of a Continental Congress, and elected a committee of forty-three men to carry out further business and correspond with county committees. Indeed, the support of the frontier was crucial to a successful opposition to Britain. After the 18 June meeting, Dickinson, Mifflin and Thomson toured the frontier to gauge public sentiment and seek support for a provincial conference. Of course, in the tradition of the Paxton Boys, the frontier counties wanted equal representation in the convention. It was decided that delegates from the county committees would meet in Philadelphia on 15 July. An excited James Wilson wrote from Carlisle that “in the interior parts of the province the public attention is very much engrossed about the late

44 John Penn to Lady Juliana Penn, 31 May 1774, Pennsylvania Magazine of History and Biography 31 (1906), 233. Hereafter cited as PMHB.

conduct of the Parliament with regard to America, and the steps which the colonies ought jointly to take to maintain their liberties.”\textsuperscript{46} The quick pace of events and the power of the extra-legal committees prompted some to ask for caution. As one local essayist wrote, “let us patiently hear and consider every opinion that is offered with candor.”\textsuperscript{47} It was a fine line to tread between caution and action, however, as many believed that “in the present exigency of our affairs, every freeman in the British Empire who is not for us, is against us.”

Three days after the first meeting of the Provincial Conference, the Assembly was summoned by the governor’s writs to reconvene. Penn, however, did not want to discuss Boston or the growing radical sentiment, but violence on the western frontier. In late April, two parties of white settlers, rumored to be Virginians, had killed eleven Delaware and Shawnee Indians south of Pittsburgh on the Ohio River. Although a general war was avoided by diplomatic means, skirmishes broke out along the Monongahela River as relatives of the victims struck back. Fearing another war, many families began to move eastward, leaving “a great part of the western frontier . . . totally deserted.”\textsuperscript{48} Westmoreland magistrates raised several companies of rangers, supplied by the governor with arms and ammunition. As relations soured between the Indians and Virginians, Penn wrote to William Johnson to use his influence over the Six Nations to assist in healing the breach between the two sides. Although wise from experience that the

\textsuperscript{46} James Wilson to Arthur St. Clair, 7 July 1774, William Henry Smith, ed., \textit{The St. Clair Papers} (New York, 1971), 1: 324

\textsuperscript{47} 20 June 1774, \textit{Pennsylvania Packet}.

\textsuperscript{48} Governor Penn to the Assembly, 18 July 1774, \textit{Pennsylvania Archives}, 8: 7086.
Assembly would never pass a viable militia law, Penn did ask for money for frontier defense. “I think it my duty to most earnestly recommend to you,” he wrote, “to make timely and effectual provisions for the security of our frontier settlements, that . . . they might have that immediate protection and assistance which . . . they have a right to expect from the government.”

While the Assembly debated and considered Penn’s requests, less than a block away the Provincial Conference saw a new star arise: James Wilson of Carlisle, a promising young lawyer and Dickinson’s protégé. As Massachusetts, Rhode Island and Virginia called for a Continental Congress to meet on 1 September, the Conference asked the Assembly to send both Wilson and Dickinson as Pennsylvania’s delegates. Of course, Galloway refused to recognize the Conference or concede that it had any power to speak for the people of the province. Needless to say, Galloway’s belligerence and the Conference’s self-righteousness did not ease growing political tensions. Even Dickinson and Wilson did not see eye to eye. According to Wilson, colonial government consisted of King, Governor, and Assembly, just as British government was composed of the King, Lords, and Commons. Therefore, British Parliament had no authority over colonial government at all. Such a conclusion was far to radical for Dickinson who had consistently fought for the colonial right to internal regulation, but was willing to let Parliament control trade in exchange for these rights. Dickinson’s moderation prevailed in the Provincial Conference, though that did not stop Wilson from sending his essay on Parliamentary authority to the Continental Congress when it convened in Philadelphia on 5 September.
The Provincial Conference tread carefully, or perhaps was kept in check by the many voices present. Sitting as representatives were political enemies like Old Ticket supporter Thomas Wharton, and Proprietary Party organizer Provost William Smith. As Wharton wrote to his brother, he had “a sincere desire . . . to keep the transactions of our city within the limits of moderation and not indecent or offensive to our parent state.”

The delegates denied that they were seeking “unconstitutional independence,” but were sure to assert that Parliament’s attempt to “bind the people of these colonies ‘by statues in all cases whatsoever’” was unconstitutional. Reviving the economic coercion of the 1760s, the Conference resolved to break off all commerce with Great Britain unless ministerial policy changed. Sensible to the winds of public opinion, the Assembly resolved on 21 July to consider all letters from the “sister colonies,” and invited members of the Provincial Conference to hear their debates. And, on 22 June, the House chose eight Assemblymen to represent Pennsylvania at the Continental Congress. Much to the Provincial Conference’s chagrin, the Assembly only chose men from their own body, decisively excluding John Dickinson and James Wilson.

Delegates to the Continental Congress began to filter into the city as early as August. The Congress’ first meeting was held on 5 September, and the body elected Pennsylvania’s own Charles Thomson as secretary. The Congress only heightened the growing party spirit in Philadelphia when Galloway offered the State House as a meeting place, and the city offered Carpenter’s Hall. Although the State House was the superior

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50 Resolves of the Committee for the Province, 15 July 1774, Pennsylvania Archives, Second Series, 3: 474-76.
facility, popular leaders opposed Galloway’s offer for no other reason than party spirit. In the end, the Congress convened in Carpenter’s Hall, and some delegates worried about those in Philadelphia “who, aided by party, are restless in their endeavors to defeat or retard our proceedings.” John Adams would later recall that Thomas Mifflin and other “sons of liberty” warned the Massachusetts delegation not to speak of independence, for such an idea was “as unpopular in Pennsylvania and in all the middle colonies and southern states as the Stamp Act itself.” According to Galloway, the Congress was divided between “men of loyal principles” who “possessed the greatest fortunes in America,” and “Presbyterian republicans . . . overwhelmed in debt to the British merchants.” The former pushed to define colonial rights and petition for redress, while the latter hoped to “incite the ignorant and vulgar to arms.” Of course, this was a gross overgeneralization tainted by Galloway’s personal politics. But despite Galloway’s bias, he did recognize that the radicals would need to court the associators if their agenda was to be successful.

By the fall election of 1774, three main ideas circulated as plausible alternatives to the problems with Britain. The most popular was Dickinson’s non-importation and non-exportation agreements, set to go into effect 1 December. The second was Wilson’s uncompromising plan to deny all British legislative authority, even if that meant going to war. Third was Galloway’s plan of union, not unlike Franklin’s 1754 Albany Plan, but


which faded with Galloway’s increasing unpopularity and the rise of new leaders. This was a cause of concern for many moderates who feared that young and inexperienced men would soon control the reins of government. “As the year 1775 bids fair to be marked out as the most important that ever was, or perhaps will be recorded in the annals of America,” warned a local essayist, “. . . we ought therefore to know the men thoroughly to whom we delegate our power.”

Pennsylvania voters, as divided as the committees and conventions representing them, elected an interesting range of candidates in the October 1774 elections. Philadelphia City did not re-elect Franklin, but instead chose Presbyterian radical and Stamp Act agitator Charles Thomson, and Thomas Mifflin, who had supported non-importation in 1770 and had sat on the tea committee in 1773. John Adams wrote that popular leaders considered the election “a most complete and decisive victory in favor of the American cause” that would shift the balance in the legislature “against Mr. Galloway, who has been supposed to sit on the skirts of the American advocates.”

Joseph Galloway retained his seat for Bucks County but lost his position as Speaker, and Philadelphia County voters sent John Dickinson to the Assembly. For the first time in the Assembly’s history the position of Speaker went to a westerner, Edward Biddle of Berks county. Now a member of the Assembly, Dickinson was quickly added as a delegate to the Continental Congress, thwarting Galloway’s plan to control the Pennsylvania representatives. Indeed, it was an Assembly divided.

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54 26 September 1774, Pennsylvania Packet.

The House’s members became increasingly polarized as supporters of the Provincial Conference, the Whigs, tried to push a popular agenda. This forced Galloway and the Old Ticket, now dubbed the Tories, to join forces with their old time enemies, the Proprietary Party, to thwart Dickinson and his allies. The Congress finally adjourned on 26 October after adopting non-importation resolutions, confident that economic coercion was the best solution to the imperial problem. Pennsylvania’s response to the Congress’ resolutions came in the form of a second Provincial Conference, held from 23 to 28 January 1775 in the State House under Joseph Reed’s chairmanship. Fifty-five of the 105 men present were from Philadelphia city, but they were given no more voting power than the two men from Northumberland. Indeed, the Conference’s first order of business was to give each county committee one vote each “in determining every question that may come before this convention.”\(^\text{56}\) The Conference completely supported the Continental Congress’ non-importation resolutions, encouraging Pennsylvanians to pursue local “agriculture, manufactures, and economy” in order to supply the articles necessary for “subsistence, clothing, and defense.” With an eye to the future, the Conference also encouraged the production of gunpowder, not only for defense but for the Indian trade as well.

Galloway was confident that the Quaker/Proprietary/Tory faction could control the public as he was able to do during the Stamp Act crisis. With characteristic self-importance, he claimed that he had been “successful in baffling all the attempts of the

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violent party to prevail on the people to prepare for a war against the mother country.”

Despite such optimism, however, the tide seemed to be shifting against his conservative
stance, perhaps most evident in the Assembly’s ratification of the acts of the Continental
Congress. The Quakers could feel power slipping away to the many extra-legal
committees in operation throughout the province, run mostly by those who had long been
disenfranchised by the Assembly. At the meeting for the Suffering of Pennsylvania and
New Jersey, the Quakers issued a testimony against these illegal assemblies and their
usurpation of legitimate authority. All Quakers were warned not to attend county
committee meetings, but rather to entirely “withdraw from them, under penalty of
excommunication.”

Like its predecessor, the second Provincial Conference was used
by the Presbyterian/Popular/Whig Party to keep the Assembly in line. Thus, from early
1775 Pennsylvanians appealed to two separate authorities: the Whigs supporting the
extra-legal committees and the Tories supporting the Assembly.

For the most part, the Assembly did not wander from the path chosen by the
Provincial Conferences. This was partly because Charles Thomson, John Dickinson, and
Thomas Mifflin were rising to prominence within the House while also coordinating the
province’s extra-legal activities. Thus, when John Penn sent a message to the Assembly
asking that it not join the Continental Congress but rather make its own reparations with
Parliament, the members replied that all the colonies were in a common plight, making
separate action by individual assemblies counter-productive. Even more importantly, the
Assembly rejected an offer of reconciliation from Parliament in the wake of the

57 New Jersey Archives, 1st series, 10: 573, as quoted in Selsam, The Pennsylvania Constitution, 70.

skirmishes at Lexington and Concord in April 1775. Armed conflict in Massachusetts and the failure to reconcile with Britain brought the perennial question of defense front and center once again. A number of Philadelphians petitioned the Assembly to grant at least £50,000 towards the province’s defense. It was on this issue that the Assembly stumbled on its course to revolution, and the petition generated a heated debate in the House that was ultimately postponed until George Ross, the Lancaster representative and prominent Anglican lawyer who was working to raise a company of associators, could come to help persuade the Quaker and German members to military action. Ultimately, the Assembly did not grant the requested money since it was soon distracted with selecting members for the second Continental Congress. A bitter Joseph Galloway refused his appointment to the second Congress, which the Assembly allowed, effectively ending his political career.

While the Assembly could not bring itself to support a militia in the wake of Lexington and Concord, Pennsylvanians had little compunction about mustering themselves without state sanction. Indeed, many now saw the Assembly as defunct and illegitimate and the extra-legal committees as the voice of the people. Military associations, such as the one Ross was working to create, began to play an increasingly important role in Pennsylvania’s road to the Revolution. It was through these associations that men who never sat on committees, or were not prominent enough to get elected to the Assembly, could express their political and social views. With news of Lexington and Concord filling the pages of the Pennsylvania press, military preparations
began throughout the province despite the Assembly’s inability to promise any money.\footnote{The \textit{Pennsylvania Gazette} printed “Extract of a Letter from Boston, April 19,” in the 27 April 1775 issue, detailing the march of British Regulars to Lexington and Concord.} When radical Quaker Christopher Marshall went to visit James Cannon on 29 April, he found “he was not there, being gone to the State House Yard to help consult and regulate the forming of a militia.”\footnote{Marshall, 29 April 1775, \textit{Diary}, 21} Two days later, Marshall noted that “this day a number of the associators to the militia met in each of the wards of the city, to form themselves in suitable companies, and to choose their respective officers.”\footnote{Marshall, 1 May 1775, \textit{Diary}, 22.} Advertisement in the local papers asked anyone with firearms to “give public notice thereof, and dispose of them at a moderate price to those who want them.”\footnote{4 May 1775, \textit{The Pennsylvania Evening Post}.} Philadelphia, protected from most of the violence of the French and Indian War, had no regular military associations and some residents were learning to use firearms for the first time. This was particularly true for a number of young Quakers “who asked leave of the managers to learn the exercise in the factory yard.”\footnote{Marshall, 3 May 1775, \textit{Diary}, 22.} The posturing and parading of some members of the upper class came as an amusement to Philadelphians, who mockingly dubbed one company of young gentlemen the “Silk Stocking Company” and the “Lady’s Light Infantry.”\footnote{Steven Rosswurm, \textit{Arms, County, and Class: The Philadelphia Militia and “Lower Sort” During the American Revolution, 1775-1783} (New Brunswick, 1987), 50.}

Philadelphia associators met in late April, agreeing to raise at least two companies for each ward of the city to supplement the two rifle and two artillery companies already
being formed. “It is not doubted,” the associators were pleased to report, “but we shall have in a few weeks from this date, 4000 men, well equipped, for our own defense.” Of course, participation in a military association was not a guarantee of radicalism, just as those who sat in the extra-legal convention did not necessarily agree with the Presbyterian/Popular Party’s agenda. Some men joined or ceased their opposition to militia formation after “being formally introduced to a tar barrel.”

Even Isaac Hunt, who had penned some of the most vicious anti-Paxton pamphlets and had consistently opposed the Presbyterian Party, “asked pardon of the public” for his Tory sentiments when thirty associators showed up on his doorstep. Others, like James Allen, joined an association to be a voice of moderation, believing that “discreet people mixing with [the associators] may keep them in order.”

John Adams, back in the city to attend the second Continental Congress was overjoyed at the “martial spirit throughout this province” which was so pervasive that

65 2 May 1775, *The Pennsylvania Evening Post*.


67 Marshall, 6 September 1775, *Diary*, 41. Under the circumstances, it is no surprise that Hunt capitulated to the Whigs. Thirty associates, most likely armed, escorted Hunt from his home to the Coffee House, and placing him on a cart, asked him to acknowledge his wrongdoing. When he did so, the associates wheeled him through the main streets of Philadelphia, beating drums, and stopping at various places for Hunt to make his declaration once again. When the men stopped outside Dr. Kearsley’s house, the doctor opened his window and fired his pistol twice into the crowd. The associates rushed into his house, seized the pistol and another Kearsley had in his pocket, wounding him in the hand during the scuffle. The men took Hunt out of the cart and escorted him home, then put Kearsley on the cart and wheeled him to the Coffee House. He refused to make any apologies, so the associates paraded him around town and eventually back to his house. By that time a crowd had gathered demanding that he be tarred and feathered. The associates prevented the crowd from physically harming the doctor, but when they left, the crowd vandalized his house.

68 Diary of James Allen, 14 October 1775, PMHB, 9: 186.
“Quakers and all are carried away with it.” On 10 June, upon seeing 2000 uniformed battalion men, light infantry, grenadiers, riflemen, light horse, and artillery men performing drills, Adams boasted that “so sudden a formation of an army never took place any where.” Quakers could not deny the martial spirit sweeping the province, and were acutely aware of the balance of power shifting out of their favor. Still, although the 1775 Yearly Meeting affirmed that the British Ministry had abused the colonies, Quakers could not support a revolution against the Crown, nor would they swear allegiance to or hold office in any revolutionary government.

The men of the frontier, who had been used to defending themselves since the 1750s, wasted no time in organizing military associations. In mid-May, men gathered at both Hannastown, Westmoreland County, and Pittsburgh. Subscribing their names to a set of resolutions calling for independence, the men organized an association under Colonel Proctor’s command. Similar associations sprang up in major towns throughout the province in April and May, even in Moravian Hebron which saw the “whole neighborhood” take on a “warlike appearance.” As companies sprang up throughout the province, the Northampton Committee of Correspondence urged all freemen to “provide themselves immediately with all necessary arms and ammunition, and muster as

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often as possible to make themselves expert in the military art.”  

Associators in Berks county raised two companies of men by late April and boasted that in three weeks there would not be a township in the entire county that would not have “a company raised and disciplined ready to assert, at the risk of their lives, the freedom of America.” So pervasive was the military spirit in Berks that eighty Germans, all forty years of age and older, formed the Old Man’s Company under the leadership of a ninety-seven year old German veteran.

Initial military response in Pennsylvania was widespread as both rich and poor, eastern and western men signed their names to association agreements. No matter what the reason for joining, it was becoming increasingly clear that militia participation was necessary in the increasingly radical Pennsylvania. Elites generally sought commissions as officers, leaving poorer Pennsylvanians to fill the ranks of the common soldiery. Philadelphia was not immune to the rush to arms, though it had trouble negotiating between the demands of wealthy and poor associators. An 18 May 1775 broadside asked that Philadelphians adopt “the cheapest uniform, such as that of a HUNTING SHIRT,” lest less wealthy men be unable to furnish the requisite clothes for duty. This demand for equity was also reflected in the author’s request that a meeting of the Associators be called immediately so that “each man may have a voice in what so nearly concerns himself.”

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72 10 June 1775, *The Pennsylvania Evening Post.*

73 4 May 1775, *The Pennsylvania Evening Post.*

74 1 June 1775, *The Pennsylvania Evening Post.*

75 *To the Associators of the City of Philadelphia* (Philadelphia, 18 May 1775).
Despite the rush of Pennsylvanians to arms, the Assembly was slow to respond. Finally on 30 June, the House officially approved “the Association entered into by the good people of the province for the defense of their lives, liberty, and property,” and recommended that the Board of Commissioners send “firelocks, with bayonets fitted to them, cartridge boxes . . . and knapsacks” to city and county militias.\(^{76}\) The Assembly likewise recommended that all those opposed to bearing arms “cheerfully assist in proportion to their abilities.”\(^{77}\) However, since the radical elements within the Assembly needed Quaker and German support, this recommendation carried no legal obligation. In a similar manner, the Philadelphia Committee created a conscientious association whereby those opposed to bearing arms could voluntarily contribute money. With no official militia law or mandated service, some Pennsylvanians felt the Assembly had not done enough. One essayist writing as “Philo-Americanis,” looked to the classical republics to warn the Assembly that their inaction could be costly. When Athens, faced with a siege by Philip of Macedon, refused to listen to Demosthenes and put the city “into an immediate state of defense,” he cautioned, “. . . Philip took the city.—The above needs no comment.”\(^{78}\)

Those who supported the formation of an official Pennsylvania militia soon had the backing of the Continental Congress. On 6 July the Congress issued a declaration

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\(^{76}\) Resolves of the Assembly, 30 June 1775, *Pennsylvania Archives*, 8: 7246. 1500 of each article was to go to the city and county of Philadelphia, 300 to Bucks, 500 to Chester, 600 to Lancaster, 300 to York, 300 to Cumberland, 400 to Berks, 300 to Northampton, 100 to Bedford, 100 to Northumberland, and 100 to Westmoreland.

\(^{77}\) Resolves of the Assembly, 30 June 1775, *Pennsylvania Archives*, 8: 7249.

\(^{78}\) 6 July 1775, *The Pennsylvania Evening Post*. 

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concerning the “causes and necessity of [the colonies] taking up ARMS.” On the 18th, the Congress recommended that “all able bodied men, between sixteen and sixty years of age in each colony, immediately form themselves into regular companies of militia.”

Printer and bookseller R. Aitken soon began offering copies of Roger Stevenson’s *Military Instructions for Officers Detached in the Field* for six shilling and sixpence from his shop opposite the coffee house on Front street. Quakers, however, mourned the “sorrowful alteration . . . of this once peaceful province.” In a petition to the Assembly, the Quakers asked that the government carefully “guard against any proposal or attempt to deprive us and others of the full enjoyment of liberty of conscience.” But complete withdrawal from militia duty was fast becoming an impossibility as extra-legal committees demanded all those who enjoyed the benefits of civil society to contribute to the common defense.

By Autumn 1775, a Committee of Privates had formed in Philadelphia, as well as in other counties, to be an advocate for enlisted men. Opposing the Assembly’s moderate stance towards the imperial crisis, these committees pushed for expanded voting rights for enlisted men and demanded that all non-associators be forced to contribute to the common defense through mandatory fines.

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82 The Address of the People Called Quakers, 7 November 1775, *The Pennsylvania Evening Post.*

83 In Pennsylvania, only resident men over the age of twenty-one with either fifty acres or an estate worth fifty pounds could vote. Gregory T. Knouff, *The Soldiers’ Revolution: Pennsylvanians in Arms and the Forging of Early American Identity* (University Park, 2004), 15.
Committee asked for a militia law that would “equally extend to all the good people of this province.” With swelling numbers, the associators were fast becoming a social and political force to be reckoned with. While souring imperial relations forced colonials to evaluate the British government, the Assembly’s reluctance to establish a militia law called its legitimacy into question. “What is government,” Pennsylvanians were asked to consider, “but a trust committed by all . . . [so] that every one may, with the more security, attend upon his own [affairs]?“ If Britain and the Assembly violated that trust, they had to be replaced.

The same tensions that fueled Pennsylvania’s political controversies in the 1750s exploded once again in the fall of 1775. In response to the Quaker petition to the Assembly, an exasperated Philadelphia Committee drew up a counter-petition and remonstrance and marched two by two to the State House on October 31st to hand deliver it. For the members of the Committee, refusal to participate in militia service was “unfriendly to the liberties of America” since the Quakers would enjoy full protection without contributing money or time to the “common safety.” Indeed, it was becoming apparent that the civil vision of the Paxton Boys was coming to fruition, a vision in which all citizens contributed to the common defense. Quakers feared that this Paxtonian view would soon become reality if the extra-legal committees took complete control of the government. To help allay such fears, the Chester Committee issued a statement in the

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84 A Petition from the Committee of Privates, 26 October 1775, The Pennsylvania Evening Post
86 8 November 1775, Pennsylvania Gazette.
“Pennsylvania Gazette” asserting that the military associations had no intention of declaring independence or subverting the Pennsylvania Constitution. ⁸⁷

The Chester statement was not entirely true, for some within the radical element did want a new government that would empower a militia. The conservatives and moderates in the Assembly were ultimately unable to stem the tide of public opinion and on 8 November adopted a set of resolutions which effectively turned the Associators into a regular militia. They asked all men from sixteen to fifty years of age to associate if they had not already done so, or to “contribute an equivalent to the time spent by the associators in acquiring military discipline.” ⁸⁸ These resolutions were the result of considerable debate and compromise between the Assembly’s radical and conservative elements, and as such did not impose fines or sanctions for those who refused to comply. Still, the Assembly had helped codify Pennsylvania’s first state-sanctioned militia. They also helped to bring further form to the militia by passing “Rules and Regulations for the better Government of the Military Association in Pennsylvania” on 25 November, a set of regulations “for establishing rank or precedence” which all Associators were encouraged to adopt. ⁸⁹ In its final act of acquiescence to the radicals in 1775 before adjourning for the year, the Assembly passed an act taxing non-associators on the 29th, though its enforcement was fairly lax.

⁸⁷ 27 September 1775, Pennsylvania Gazette.

⁸⁸ Resolves of the Committee of the Whole House, 8 November 1775, Pennsylvania Archives, 8: 7351.

When the Assembly reconvened in February 1776, Philadelphia privates complained to them of the ease by which men could shirk their military duties. Likewise, the Bucks Committee asked that an additional tax be levied on non-associators to help remedy the problem. March saw the Assembly trying to calm associator disaffection throughout the province. First, acting upon the recommendation of the Congress, the Assembly ordered all non-associators’ arms to be collected and distributed to those who would bear them. Secondly, something needed to be done to compensate poor associators for their time away from their farms and families. Many of these men had left their families to begin drilling for service, and they demanded that the public purse help them in their time of need. The Assembly thus resolved that the Overseers of the Poor and a county Justice of the Peace provide for any families in need, and to bill the province for all expenses incurred.

By spring 1776, provincial politics had generally bifurcated into two parties over the question of independence. The right wing, or Tory Party, was comprised mainly of Quakers and their long-time adversaries, the Anglican Proprietaries and their officers. Knowing that a revolution would mean and end to the power they had long enjoyed, both camps joined forces to block the Continental Congress and prevent a split from the British Crown. The opposing Whig Party was itself divided into moderate and radical wings. John Dickinson, Charles Morris, Charles Thomson, and James Wilson headed the moderate wing, in favor of independence as a last resort and committed to preserving the old charter. The more radical wing called for a decisive and immediate split from

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90 6 March 1776, Pennsylvania Gazette.
Britain, drawing its support from the Scotch-Irish of the west and the disenfranchised of the east. Benjamin Franklin, Thomas McKean, and George Clymer first took the reins of this exuberant and often unruly element, but were eventually replaced by frontier leader Robert Whitehill and Philadelphia Presbyterian militia colonel Daniel Roberdeau. As such, the radical wing demanded a new constitution for Pennsylvania that would ensure equal representation for the west and the unpropertied of the east.

The Assembly, now controlled by the moderate Whigs, instructed their delegates in Congress to oppose independence. In a calculated counter-stroke to exact some concessions from the Assembly, the radical faction moved to hold another provincial convention on April 2. When some members of the House agreed to meet with the radicals to discuss representation in the House, the Philadelphia Committee suspended plans for the convention. To be sure, the Assembly was acquiescing to radical demands as a means of self-preservation. Perhaps most telling was the passage of a bill on 14 March 1776 to increase the number of representatives in the Assembly, the very thing the Paxton Boys had demanded in 1764 and frontier peoples had asked for ever since. The bill easily passed among the members present, with twenty one yeas and nine nays. All of the members of the western counties voted for the change, save for James Webb of Lancaster, a stalwart of the Assembly who had occupied the Lancaster seat most years since 1748. The rest of the nay votes came from the eastern counties, although some eastern representatives did vote for the bill. The Assembly resolved to add seventeen members to its ranks, four from Philadelphia City, two each from the western counties of York, Lancaster, Cumberland, Berks and Northampton, and one each from the far western counties of Bedford, Northumberland, and Westmoreland. Despite the addition
of new members, the Assembly would still be slightly skewed towards the eastern counties who had thirty votes to the west’s twenty-eight. However, the members could not afford to squabble amongst themselves lest the entire House be superseded by the more active and popular Provincial Committee.

The perceived solution to completely breaking eastern hegemony in the Assembly was victory in the 1 May elections for the newly added seats. Two tickets were presented to the people, Whig and Tory, and both vied strongly for the public’s vote. Philadelphia Whigs met on 19 April to discuss candidates and strategy, agreeing to support George Clymer, Daniel Roberdeau, Owen Biddle, and Frederick Kuhl. With a slate of candidates chosen, all that was left was to issue election propaganda. “Mind how ye fight your lies tomorrow, gentlemen,” the Whigs mocked the Tories in a broadside issued the day before the election, “. . . in short, let’s have none of your red-hot ones; none of your two and forty pounders—nothing higher, gentlemen, than small arms and swan shot.”91 The pointed military metaphors were not lost on the province’s associators, many of whom wanted the new members to the Assembly to be drawn from their ranks.

The Whigs met with defeat in Philadelphia with only George Clymer winning a seat. Christopher Marshall, the chair of the Philadelphia Whig meeting in April, noted that “the Quakers, Papists, Church, Allen family, with all the Proprietary party, were never seemingly so happily united as at this election.” The Whigs were more successful in the west where sympathies for independence and desire to see military men elected to office ran high. The only exception was Northampton where James Allen won in a

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91 Arthur Donaldson, To the Tories (Philadelphia, 30 April 1776).
landslide victory of 853 votes to fourteen. Tom Paine attributed the losses to the fact that those who supported independence were already on the battlefield. “On our side,” he wrote in the *Pennsylvania Journal*, “we had to sustain the loss of those good citizens who are now before the walls of Québec, and other parts of the continent; while the Tories, by never stirring out, remain at home to take advantage of the elections.”92 It is hard to gauge what effect this actually had on the elections, but it was true that Philadelphians, although keen to join associations, generally steered clear of the Continental Army. By contrast, many western men volunteered for the lone Pennsylvania Battalion in the army, often appearing for service in hunting shirts and moccasins and wielding rifles, tomahawks, and scalping knives.93

Throughout the early months of 1776 Whig and Tory writers battled one another over the extra-legal committees and the necessity of independence. Provost Smith headed up voice of conservatism, writing as Cato. He condemned the Philadelphia Committee for trying to assume the powers of the Assembly, and warned that if the Committee succeed in this endeavor, the powers of government would be “in the hands of a few men, who consider themselves as leaders in the city of Philadelphia; and the province in general have but little to say in the matter.”94 James Cannon, writing as “Cassandra,” voiced Whig support for the Committee, claiming that “the MAJESTY OF THE PEOPLE OF PENNSYLVANIA has been grievously wounded, in the persons of their legal Representatives, by repeated attempts to intimidate them in the discharge of

92 8 May 1776, *Pennsylvania Journal*.
94 13 March 1776, *Pennsylvania Gazette*.
the great trust committed to them by the voice of their country, and the most scurrilous misrepresentation of patriotic exertions which have not been exceeded by any other body upon the continent.”

Whig defeat in the May elections fueled the debate over independence in the Continental Congress. Pennsylvania Whigs allied themselves with the New England delegates in an attempt to quell the Proprietary supporters who refused to talk of independence. John Adams and those who supported independence knew that the one sure way to see their agenda through to fruition was to abolish the old Assembly and establish a new government. It seemed to some that Pennsylvania was the one barrier between declaring independence from Britain. “You ask me why we hesitate in Congress,” wrote one delegate, “I’ll tell you my friend, because we are heavily clogged with instructions from these shamefully interested Proprietary people.”

This hesitation was cut short when, on 8 May, the sounds of cannon fire echoed down to Delaware and into the ears of the Congress. Cannon were heard again the next day, prompting John Adams to introduce a resolution recommending that the colonies adopt governments “as shall . . . best conduce to the happiness and safety” of the people.

The call to overthrow colonial governments deepened the existing fissures between the radical and moderate wings of the Whig Party. John Dickinson firmly believed that Pennsylvania’s existing institutions were sufficient for Congress’ demands, undercutting the need for another Provincial Convention. To counteract Dickinson, John

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Adams, Edward Biddle, and Richard Henry Lee drafted a resolution that called for an end to all oaths of allegiance to the Crown and for governments to operate only under the authority of the people. Tories knew such constitutional thinking would bring an end to Pennsylvania’s established government. “A convention chosen by the people will consist of the most fiery independents,” lamented James Allen, “they will have the whole executive and legislative authority in their hands.”98 Now, radical Whigs had Congress’ blessing to continue their extra-legal committees and push for a new government for the province. On 16 May, a meeting under Colonel McKean decided to “call a convention with speed; to protest the present Assembly’s doing any business in their House until the sense of the province was taken.”99 Two days later the Philadelphia Committee issued notice for people to gather at the State House to discuss Congress’ late resolve. On 20 May, between four and five thousand people gathered in the rain, giving three cheers after the resolve was read. Those assembled agreed that the Assembly was not elected to form a new government, and thus a Provincial Convention was needed. In a signed protest delivered to the Assembly on 22 May, these men declared the Assembly’s power to be derived from the King and not from the people, and therefore unfit to govern. The Paxton Boys’ day had finally come.

The call for a new convention was by no means met with unanimity. Rather, it seemed that confusion reigned. “The convention scheme has turned every things upside down,” noted one Philadelphian, while James Wilson fretted that it was “nearly impossible to make any probable conjectures concerning the turn that things would

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99 Marshall, 16 May 1776, Diary, 71.
Again, the Whigs looked to the Associators for cooperation, who were virtually unanimous in their opposition to the Assembly. Associators met throughout the province, drafting declarations in support of the Adams resolution. As the Associators gathered support for a new government, county committees also met and agreed to hold a Provincial Conference in Philadelphia on 18 June. When the Assembly reconvened on 20 May, it refused to heed the advice of moderate Whig members who had no option but to support the Provincial Convention. It did, however, upon the request of some petitioners from Cumberland County, draft new instructions by mid June to the delegates in Congress. “The happiness of these colonies has . . . been our first wish,” the new instructions read, “their reconciliation with Great-Britain our next. Ardently have we prayed for the accomplishment of both. But, if we must renounce the one or the other, we humbly trust . . . that we shall not stand condemned before [God’s] throne.”

As James Allen noted on 6 June, “the [radical] tide is too strong.” Once the new instructions were passed, Whig members stopped attending the Assembly. Indeed, the time of the Assembly was over and a new order was ready to be ushered in.

The radical Whig ideology of the 1770s was not an innovation of the day, it was built on the Paxtonian demand for equal representation and equal participation in the common defense. While the Paxton Boys certainly could never have imagined employing an independence movement from Britain to accomplish their goals, they

100 Mary Worrall Frazer to her husband, 23 June 1776, PMHB 31: 141; Wilson to Horatio Gates, June 1776, PMHB 36: 473-75.

101 Instructions of the Assembly, 14 June 1776, Pennsylvania Archives, 8: 7543.

102 Diary of James Allen, 16 June 1776, PMHB, 9: 188.
would have been, and possibly were, pleased with the concessions the radicals were able
to exact from the Assembly. Some men were undoubtedly caught up in the *rage militaire*
that swept the colonies in the wake of Lexington and Concord, but that alone cannot
explain the incredible changes that occurred in Pennsylvania by 1776. In the midst of
shifting political loyalties, extra-legal committees, and faltering Assemblies was the
natural rights ideology forged on the frontier. It is no mistake that the radical Whigs
fought for increased representation and mandatory militia service and looked to the
western associators to help carry out that agenda. Indeed, the internal revolution against
Quaker rule begun in the French and Indian War was about to come to fulfillment with
the drafting of a new state constitution.
CHAPTER 9

HOME RULE AND RULING AT HOME: CIVIL SOCIETY,
NATURAL RIGHTS, AND THE DRAFTING OF
THE 1776 CONSTITUTION

In his now classic 1922 study *The Declaration of Independence*, Carl L. Becker asked his readers to consider that the Revolution was not only a struggle for home rule, it was also a battle over who would rule at home. Perhaps nowhere was this more true than in Pennsylvania where radical Whigs effected a dual revolution against British imperial authority and against provincial Quaker power that had controlled the Assembly for decades.¹ The Whigs, the revolutionary incarnation of the Presbyterian Party, justified their revolution with the natural rights ideology of the frontier that demanded equal participation in civil society. Since the Quaker Party denied western counties equal power in the Assembly, and because it did not enforce participation in the common defense through a militia law, Whigs challenged its legitimacy to rule. Likewise, radicals denounced Britain’s revocation of the colonies’ right to internal police which Pennsylvanians felt essentially made them second-class and inherently unequal British citizens. The revolution against Britain was effected through the adoption of the Declaration of Independence, while the internal revolution was made possible with the

¹ The idea of a dual revolution was first offered by Charles Lincoln in *The Revolutionary Movement in Pennsylvania, 1760-1776* (Philadelphia, 1901).
drafting of a new state constitution. It was with this document that Pennsylvania radicals changed the configuration of authority with civil society, rejecting the Quaker paradigm of pacifism and elite rule, and placing a premium on safety and equal civic obligation to the community.

Prominent Presbyterian Pennsylvanians understood civil society to consist of men bound together “according to the law of nature, for the safety of the whole; having a common established law and judicature to appeal to; with authority to settle controversies between them, and to punish offenders.” While legal code helped define the boundaries of civil society, there were also certain community obligations as defined by natural law. Presbyterian minister John Goodlet argued that every man was obligated “by the law of nature to preserve his own life, liberty, and property; but also that of others.” As Princeton president Samuel Davies cautioned, to fail in one’s duty as a member of civil society was to place the entire system with its “remote as well as intimate connections, references and mutual dependencies,” in jeopardy. Indeed, the safety of the whole depended on the contributions and diligence of every individual, and participation in civil society came with certain responsibilities. Such a definition of civil society, with its martial emphasis, posed a serious challenge to a traditional Quaker ideal of civil society

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4 For a recent and more detailed analysis of civil society in the early Republic see John L. Brooke, “Consent, Civil Society, and the Public Sphere in the Age of Revolution and the Early American Republic” in Jeffery L. Pasley et al, eds., *Beyond the Founders: New Approaches to the Political History of the Early American Republic*, (Chapel Hill, 2004), 207-250. James Kettner argues in *The Development of American Citizenship, 1608-1870* (Chapel Hill, 1978), that as the Revolution approached Americans sought to define principles of membership in civil society that included concepts of individual liberty and community security. See p. 10
which eschewed state sanctioned violence. Indeed, by 1776, bearing arms was the paramount obligation in the new state and became a defining attribute of male citizenship for Pennsylvanians.

When Pennsylvania’s provincial Conference of Committees met on 18 June 1776 it reinforced the Whigs’ commitment to defense and safety. Perhaps most telling was the choice of two associator colonels to lead the conference: Thomas McKean as president and Joseph Hart as vice president. The first order of business was to approve the Continental Congress’ resolution of 15 May which called for the united colonies to meet in conventions and draft new local governments that could ensure the “happiness and safety of their constituents in particular, and America in general.”

Exercising its perceived right as the voice of the people, the committee resolved that a provincial convention be called “for the express purpose of forming a new government in this province, on the authority of the people only.” The next day, the Conference of Committees considered a proposal from German associators in the city of Philadelphia asking that they be granted the right to vote by virtue of their military service. On 20 June, the conference resolved to afford every associator in the province the right to vote for members of the constitutional convention, provided that they be at least twenty-one years old and have paid provincial or county taxes. Even associators in Westmoreland, a new county that had been exempt from taxes since it was severed from Bedford county in 1773, were given the right to vote. Indeed, the willingness to defend the community and

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join an association trumped property qualifications and gave men access to rights
previously denied.

The concern for safety and the attempt to define who could wield power in civil society grew simultaneously in the summer of 1776. On 23 June, the Conference issued an address to the people of Pennsylvania concerning the election of members to the upcoming constitutional convention. “Your liberty, safety, [and] happiness . . . will depend on their deliberations,” the committee warned, “therefore choose such persons only . . . as are distinguished for wisdom, integrity, and a firm attachment to the liberties of this province.”\(^6\) Having already given every associator the right to vote, the convention abolished the £50 property qualification that had disenfranchised both easterners and westerners for decades. Opening the vote to the previously disenfranchised met with little disapproval within the convention, but attempts to weed out undesirables with test acts met with more opposition.

Under the proposed tests acts, a voter of questionable loyalty could be asked to swear an oath renouncing allegiance to King George, and promising that he would not oppose the establishment of a free government in Pennsylvania. In an attempt to block Tories and moderates, radical Whigs also demanded that those elected to the constitutional convention swear their support to a government based solely on the authority of the people. The final oath caused the most consternation, a testament of faith “in God, the father, and in Jesus Christ, his eternal son, the true God, and in the Holy

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Spirit, one God blessed for evermore.” The oath was strenuously supported by Free Quaker Christopher Marshall, who noted that for his convictions he was “buffeted and extremely maltreated” by his friends. Although he did not explicitly say which friends opposed the idea, it seems likely that both Thomas Paine and James Cannon would have resisted any religious test in civil government. In perspective, this religious test kept in line with Pennsylvania’s Charter of Freedoms which guaranteed that no man would be barred from government as long as he believed “in Jesus Christ, the Saviour of the World,” and was not more arduous than the attestation of faith Assembly members had taken for decades which excluded Jews and Catholics. For Marshall, such a test was “necessary in forming the new government,” and he was amazed at his friends who he thought were “really religious persons and loved our Lord Jesus Christ.” A majority of the convention agreed with Marshall, for the resolution passed and the oaths enacted.

In many ways the test acts seem like a contradiction. With one hand radicals were opening the vote, but with the other they were restricting it. It must be remembered, however, that the Conference was interested in changing the configuration of authority within civil society, not unleashing the forces of pure democracy. Thus, they gave the vote first to those willing to defend the community in a military association, and then to the lower classes who had been denied a chance to vote solely because of their lack of wealth. However, to participate in the political process, men still needed to recognize the

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8 Christopher Marshall, 28 June 1774, Extracts from the Diary of Christopher Marshall, 1774-1781, William Duane, ed. (Albany, 1877), 79.

Christian God from whom all natural rights came. Indeed, the very end of government was to “enable the individuals who compose it to enjoy their natural rights, and the other blessings which the Author of existence has bestowed upon man.” Of course, these test acts would also exclude Quakers and Tories from government. While this was a shrewd political move to guarantee Whig dominance, it was also a necessary step to ensure that the new government would not be undermined by men inimical to its success. Indeed, those who refused to take the necessary oaths did not have the qualities of leadership and would be allowed limited political authority in civil society. Likewise, men who refused to contribute to the common defense would face similar penalties.

In the wake of Thomas Jefferson’s formal Declaration of Independence, county-level committees of safety throughout Pennsylvania raised men into militia units and gathered supplies. Associators were asked to supply their own firearms, and men who did not join associations were required to submit their guns to the committee. Those who did not render their guns to the Collectors of Arms, or who appeared to be “possessed of good firearms, and [did] not deliver them” were given a citation and required to answer for their conduct before the Committee of Safety. Personal firearms became subject to the needs of a community shaped by a commitment to safety and defense. Indeed, there was no room anymore for the pacifist Quaker paradigm which allowed citizens to refuse to take up arms for reasons of religious conscience, nor could individual’s escape relinquishing their property to the needs of the community.

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Those who endangered the community’s safety were a cause of much concern. When John Mulsch of Northampton slandered Peter Kachlein, a lieutenant colonel in that county’s first battalion of associators, he was called before the Committee of Safety to answer for his actions. Mulsch had circulated rumors that Kachlein offered 2000 acres of his land as a bribe to “keep up and support the Assembly of this province.” Not only did this charge reek of political corruption, it asserted that Kachlein was consorting with the same Quaker Assembly that had denied protection to the frontier during the French and Indian War. The Committee found Mulsch’s claims to be baseless and ordered him to acknowledge his fault in writing. Mulsch’s allegations were unacceptable because they “greatly hurt the character of the said Peter Kachlein throughout the country, but more especially as an associator and officer, whereby the public service is likely to sustain some loss.” When Mulsch refused to sign an apology he was deemed to be a danger to the public; in other words, an enemy of the community.

Even though the Conference of Committees was an extra-legal body, with the Assembly in recess until August, it began to assume the powers of a legitimate legislature. The Assembly had passed articles of association in April, but had failed to raise the 6000 men the Continental Congress requested. Claiming itself to be the “only representative body of this colony that can . . . accomplish the desires of the congress,” the Conference resolved unanimously to raise 4500 associators to join the 1500 men already mustered. On 25 June, the final day of its session, the Conference issued a final declaration, this time to the associators of Pennsylvania: “You are about to contend for


13 Proceedings of the Provincial Conference of Committees, 23 June 1776, Journals of the House, 42.
permanent freedom, to be supported by a government which will be derived from yourselves, and which will have for its object not the emolument of one man, or class of men only, but the safety, liberty, and happiness of every individual in the community.”

This was not a guarantee of safety for every individual, but every individual in the community. And it became increasingly clear that membership meant the willingness to take arms and defend that community.

Elections for the Constitutional Convention were held on 8 July 1776, the same day the Declaration of Independence was read at the State House. Men like James Cannon and Timothy Matlack had high hopes for Philadelphia’s representatives, arguing that these men should have “great learning, knowledge in our history, law, mathematics, &c., and a perfect acquaintance with the laws, manners, trade, constitution and polity of all nations, men of independent fortunes, steady in their integrity, zeal and uprightness to the determination and result of Congress in their opposition to the tyranny of Great Britain.” These men certainly got their wish in the election of Benjamin Franklin, but other counties were not as happy with their representatives. The oaths the Provincial Conference imposed excluded Tories from voting, and others refused to vote in protest of the convention’s illegality. Such was the case in Northampton, where conservative James Allen had been elected to the Assembly only two months earlier for his opposition to independence. Moravians refused to vote and were branded Tories, leaving Whigs to dominate the polls. It seemed that James Allen’s fears had come to pass, and a

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15 Marshall, 3 July 1776, Diary, 81.
“convention chosen by the people” consisting of “the most fiery independents” was going to draft a new frame of government for the province.\textsuperscript{16}

Elections for the Constitutional Convention saw men come to Philadelphia who had risen to prominence in their own communities but had heretofore been excluded from the eastern seat of provincial power. Many of these men had a deep commitment to providing adequate safety for Pennsylvania, although their critics dismissed them as inexperienced novices who had no experience with the principles of government. The fact that the Constitutional Convention did not have the blessing of more conservative Pennsylvanians does not mean its members lacked a coherent constitutional ideology or vision of civil society. They may have been inexperienced, or even “simple” as J.P. Selsam suggests, but they had definite ideas about government forged in the violence of the French and Indian War. Gordon Wood, one of the only scholars to give these men their due, argues that “social upstarts the members of the Convention may have been, but they surely were not unacquainted with the principles of government.”\textsuperscript{17} To dismiss these men as naïve and wide-eyed radicals is to gloss over the very significant achievement they collectively accomplished that July in 1776. To discredit their constitution is to miss the point of the previous two decades of Pennsylvania history.

In late spring of 1776 Robert Bell printed a pamphlet by the anonymous “Demophilus,” \textit{The Genuine Principles of the Ancient Saxon, or English Constitution}, specifically written for the Constitutional Convention. Wood argues that “no writing


better indicates the kind of Whig radicalism the Revolutionaries in Pennsylvania grasped,” and represented the obscure strain of English Whiggism that “decidedly influenced not only the Pennsylvania constitution-makers but Thomas Jefferson as well.”18 Demophilus’ ultimate impact on the proceedings of the convention is unclear, for its members clearly rejected some of his ideas, particularly the call for a governor and an upper house in the legislature.19 On the issue of safety and security, however, Demophilus and the convention saw eye to eye. “Government may be considered, a deposit of the power of society in certain hands,” Demophilus argued in his introduction, “whose business it is to restrain, and in some cases to take off such members of the community as disturb the quiet and destroy the security of the honest and peaceable subject.”20 Like the Paxton Boys, Demophilus celebrated the “inestimable trial by juries,” and a governmental system whereby “the elective power of [all] the people” was the “first principle of the constitution.” The bulk of Demophilus’ pamphlet was extended extracts from obscure English radical Obadiah Hulme’s Historical Essay on the English Constitution, offered to help the convention with their “arduous task.” Hulme traced English history back to the Saxon tribes who “united together for their mutual defense and protection.” The members of these tribes paid tithes to the government in order to “form an establishment for the military defense of the country.” Demophilus argued that

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18 Wood, Creation of the American Republic, 227.

19 Joseph S. Foster argues that because of support for an upper house, it is quite unlikely that Demophilus was George Bryan, as H. Trevor Colburn suggested in Lamp of Experience: Whig History and the Intellectual Origins of the American Revolution (Chapel Hill, 1965), 191. See Foster, In Pursuit of Equal Liberty: George Bryan and the Revolution in Pennsylvania (University Park, 1994), 80.

“the militia is the natural support of a government,” and urged the convention to ensure that the associators could elect all officers immediatelycommanding them. Exactly how many men in the convention read Demophilus’ pamphlet is unclear, and its ultimate impact uncertain. More importantly, Demophilus indicates that concerns for the common defense and equal participation in civil society were not just held by the men of the frontier but in fact were more pervasive. Demophilus did not speak for the men of the convention, who were to varied to be influenced or represented by one pamphlet, even though they shared some similar ideals.

Who were these men who traveled to Philadelphia in the summer of 1776 to undertake the formidable task of drafting a new government for Pennsylvania? No study has examined the membership of the Convention in any significant detail, perhaps because its heterogeneity frustrates the historiographical dichotomies used to explain the constitution. These men are hard to categorize since they were not all young Presbyterian radicals, nor were they all poor western farmers and eastern mechanics. Benjamin Franklin was the oldest at seventy years of age, and John Weitzall of Northumberland the youngest at twenty-four years old. Approximately three quarters of the men were born in Pennsylvania or other American colonies, the rest having immigrated from such places as England, Wales, Ireland, Scotland, France, and Germany. The men ranged in wealth and status, and large landholders and speculators

[21] It is also difficult to piece together biographies of the men in the convention because of the paucity of records left behind. The most comprehensive accounts of these men appear in William H. Egle, “The Constitutional Convention of 1776: Biographical Sketches of its Members,” PMHB 3 (1879), 96-101, 194-201, 319-330, 438-446; PMHB 4 (1880), 89-98, 225-233, 361-372, 483-484. Military information was taken from the Pennsylvania State Archives’ Revolutionary War Military Abstract Card File (series # 13.50) and the Militia Officers Index Cards, 1775-1800 (series 13.36), available online at http://www.digitalarchives.state.pa.us/archive.asp.
sat in the convention with small farmers, millers, and mechanics. Judges, lawyers, magistrates, surveyors, sheriffs, and justices of the peace debated and deliberated with ministers, Indians traders, gunsmiths, and ironworkers. The men’s religious beliefs were equally diverse, and Anglicans, Baptists, Lutherans, Moravians, Presbyterians, and Quakers all participated in Pennsylvania’s radical experiment in constitution making.

The delegation from Philadelphia City was a mix of political experience and radical exuberance. The aging political veteran Benjamin Franklin was joined by Free Quaker Owen Biddle, a wealthy merchant who had sat on the second Provincial Conference in January 1775 but had no other formal experience. Timothy Matlack, an associator colonel, and James Cannon, writer of the radical Cassandra essays, were also elected. Cannon had sat on none of the extra-legal committees, but his essays and efforts to raise the Philadelphia militia with Matlack show a keen understanding of the political and constitutional currents of the day. George Schlosser, a sixty-two year old German immigrant who would pledge over £2000 of his own money to the rebel cause by the end of the war, was also elected, having served on every extra-legal committee since 1774. He was joined by fellow merchant and political novice Frederick Kuhl, who would manage the American Manufactory Cannon created to supply the war effort. Finishing the delegation was William Coates, a fifty-five year old major in the militia, and David Rittenhouse, respected astronomer and intellectual who Benjamin Rush described as a man of “uncommon abilities.”

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The Philadelphia County representatives had been actively involved in the extra-legal committees of the past two years, with five of six members having served in the 1776 Conference of Committees that had called the Constitutional Convention, and four having also sat in the second Provincial Conference. Even its youngest member, twenty-five year old Edward Bartholomew, had sat on both committees and had been part of the county’s Committee of Inspection in 1774. Thomas Potts, a forty-one year old ironworker, lacked any previous committee experience but had been elected to the Pennsylvania Assembly in 1775. Potts was also the captain of a county rifle regiment. He was not alone in his commitment to the early associator movement: fellow delegates Robert Loller and William Coates held major’s commissions, and John Bull and Frederick Antis were colonels. Bull, the oldest member of the delegation at forty-six years of age, had been captain during the French and Indian War despite his Quaker heritage. Two merchants were elected, Maryland émigré Henry Hill, and Joseph Blewer, who would later serve on a committee to investigate and arrest Quakers and other Tories.

The eight men from Chester were drawn from the propertied and influential ranks of the county. Presbyterians John Fleming and Robert Smith had been officers in the French and Indian War, and would hold captaincies during the Revolution. Two Quakers were elected, John Jacobs and John Hart. Jacobs had sat in the Assembly since 1767 and would be Speaker of the House for the first Assembly elected under the new constitution. Delegate Samuel Cunningham would also sit in that new Assembly, and assume the role of Quarter Master in 1781. John Hart’s father, Colonel Joseph Hart, was also in the convention as a Bucks county delegate, but Hart himself held no military title. Similarly, John Mackey’s father was a lieutenant in the French and Indian War, but Mackey did not
join the associators. The final two delegates both held captain’s commissions, Londonderry resident Thomas Strawbridge, and Benjamin Bartholomew, a Baptist, who had sat in the Pennsylvania Assembly since 1772.

The Bucks delegation also had solid ties to the early militia movement, with seven of its eight members holding officers’ commissions or being otherwise involved with the associators. Only Abram VanMiddleswarts had no apparent militia ties, although William H. Egle notes that he “was largely instrumental in aiding the patriot cause.”

After the Revolution, he moved to Westmoreland county where his name appears on a petition asking for protection from the Indians. John Grier, an Irish immigrant and trustee of the Neshaminy church, helped organize county associators, but it is unclear what rank he held. Baptist minister William VanHorne, the youngest delegate at thirty years of age, served as chaplain to the Bucks militia. The oldest delegate, at sixty-one, was Quaker Joseph Hart who had been an ensign in 1747 and was now a colonel. Hart had been more involved than any of the other Bucks representatives in the early stages of the Revolution, having sat in the second Provincial Convention and the Conference of Committees. Hart was joined by fellow Quakers Joseph Kirkbride and John Wilkinson. Kirkbride, whose mansion would be burned by the British in 1778, served as a Lieutenant. Wilkinson, a man of wealth and influence in Bucks who had sat in the Assembly in the early 1760s, would accept a colonel’s commission. John Keller also

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24 Grier’s militia card on file at the State Archives of Pennsylvania indicates “Bucks—Associators,” but does not indicate rank or dates of service.
served as a colonel, and Samuel Smith, the youngest delegate, accepted a lieutenancy and would see active duty until American victory at Yorktown.

The York County delegation holds the distinction of having the only member of the convention to defect to the British during the war. William Rankin, an English Quaker immigrant and large landholder, accepted a colonel’s commission in 1775. He had sat in the second Provincial Convention and the Conference of Committees, but by 1780 became disaffected with the patriot cause and began corresponding with the British. York also produced one of the most ardent defenders of the new constitution, fifty-seven year old Irish Presbyterian James Smith. Smith held a colonel’s commission, as did fellow delegate Robert McPherson. The remaining York men were also committed to the associator movement, Major Joseph Donaldson having been a delegate to the Convention of the Associated Battalions held in Lancaster on 4 July 1776, and Francis Crazat leaving the convention early to help organize the county militia.25 Henry Slagle, formerly of Lancaster County, commanded a battalion of associators and would sit in the new Assembly in 1777. John Hay, a French immigrant of Scottish heritage and large landholder, accepted a lieutenant’s commission in Smith’s Battalion of Associators in 1775. The final member, thirty-two year old Presbyterian James Edgar, does not appear to have any ties to the militia, but would sit in the new Assembly in 1776, and the Council of Safety and Supreme Executive Council in 1777.

25 For the minutes of the Convention of the Associated Battalions see John B. Linn and William H. Egle, eds., Pennsylvania Archives, Second Series, 13: 260-268. The purpose of the convention was to vote for two Brigadier Generals. Daniel Roberdeau earned 160 votes and the position of 1st Brigadier General. James Ewing was named 2nd Brigadier General with eighty-five votes.
Lancaster sent Colonel George Ross, a prominent Anglican lawyer and a tireless supporter of the militia who had tried to obtain adequate protection on the frontiers since the 1750s. He was joined by Presbyterian Colonel Bartram Galbraith, who had sat on every extra-legal committee since 1775, and lawyer John Hubley, who would become Commissary of Continental Stores in 1777. All of the remaining men had been delegates to the Convention of the Associated Battalions with Colonel Ross. These included Irish Indian trader and outspoken patriot, Colonel Alexander Lowrey; Captain Joseph Sherrer of Paxton township, and Irish immigrant; Huguenot merchant Henry Slaymaker, who commanded a company of associators; and Philip Martseller, about whom very little is known.

The Berks delegation was mostly German and friendly to the early associator movement. The eldest, at sixty-five years of age, was John Lesher, a naturalized German immigrant, iron worker, and associator captain commissioned to purchase supplies for the Continental Army. Next in age was Jacob Morgan, a sixty year old Episcopalian born in North Wales who had been a captain in the Provincial Service in 1755, served in the Provincial Regiment in 1759, and was now colonel of an associator battalion. Morgan would eventually command all of the Berks county militia. Joining these men was Benjamin Spyker, a fifty-three year old Indian trader who had immigrated from the Palatinate, had served as an officer during the French and Indian War, and had helped organize the Berks militia at the beginning of the Revolution with fellow delegate Thomas Jones. Daniel Hunter, born in Pennsylvania to German parents, was commissioned to secure blankets for the Continental Army, and Valentine Eckert, a naturalized Hanoverian, commanded a company of cavalry associators that would see
action at the Battle of Germantown in 1777. Major Gabriel Hiester, the youngest
delegate at twenty-seven, came from a family dedicated to the province’s defense; his
two brothers serving as majors and his cousin as a captain. The final delegate, Charles
Shoemaker appears to have been a private in the 1777 militia, but did not see active duty.

The men elected from Northampton had little experience in the extra-legal committees, but were dedicated to American independence and the Pennsylvania militia. Three of the delegates had fought in the French and Indian War. Jacob Arndt, a naturalized German immigrant, had received a captain’s commission in 1756, and captained a volunteer force during Pontiac’s War. While Arndt did not command a force during the Revolution, his son, John, received a captain’s commission. Jacob Stroud had been a private in the British army during the French and Indian War, and was at the capture of Québec. In 1763, he accompanied Colonel Henry Bouquet to Fort Pitt as a wagoner. He had been a delegate to the Convention of the Associated Battalions in Lancaster, and would accept a colonel’s commission in 1777, spending much of his active service patrolling the frontiers for Indian raiders. Abraham Miller was a noncommissioned officer during the French and Indian War, had accepted a captaincy in 1775, and would soon be headed to New York City to engage the British army. Peter Burkhalter, a naturalized German immigrant, was also a captain and would see active duty in the upcoming Jersey Campaign. Neigal Gray, who had sat in the second Provincial Convention and the Conference of Committees, was a colonel, and John Ralston served as a captain. The final delegate, Simon Driesbach, did not serve during the Revolution but did help to organize and maintain the militia, and would receive a commission in 1777 to collect blankets for the Continental Army.
The Cumberland delegation was strongly Presbyterian, but did not have as solid a tie to the early militia as other men in the convention. James Brown and Reverend William Duffield had both served in the French and Indian War, but did not actively serve during the Revolution, even though at forty and forty-five years old respectively they were still eligible. Hugh Alexander, a member of Duffield’s church, helped organize the county associators, but did not take command himself. Robert Whitehill, who had been educated under Francis Alison, also did not serve. Only William Clarke was involved in the early militia movement, accepting a colonel’s commission in 1775. Slave-holder John Harris would be commissioned a sub-lieutenant in 1777, the same year James McLene would accept a second lieutenancy. Jonathan Hoge, who had been a delegate to the Convention of the Associated Battalions in 1776, would receive a captain’s commission in 1780.

As residents of a relatively new county, most of the Northumberland delegates had not sat on any of the extra-legal committees. They were, however, involved in the early associator movement. Only John Weitzal, a young man of German heritage, was not part of the militia, but he had been elected to the second Provincial Convention and the Conference of Committees. James Potter and John Kelley had both been captains during the French and Indian War, and now they served as a colonel and a major respectively. These men were joined by Walter Clarke, who sat on the county Committee of Safety with Matthew Brown. Clarke would be appointed sub-lieutenant of the county in 1777 while Brown, serving as a private in the same year, would unfortunately catch a fever and die. Robert Martin served as county paymaster, presiding over the salaries of his fellow delegates Colonel William Cooke and Major James Crawford.
None of the Bedford delegates had participated in the extra-legal committees, most likely because the county had been incorporated in 1771. In fact, only four men from Bedford had traveled to Philadelphia since 1774 to participate the Provincial Conventions and Conference of Committees. The delegates were men of wealth and influence, many owning several hundred acres of land or holding positions of prominence in the community. John Cessna had served in the French and Indian War and had lived in Bedford since the close of the war. Thomas Smith, the half brother of Provost William Smith, had served as a captain under General Forbes in 1758 and was now a colonel. Indian trader John Wilkins accepted a commission in the Continental service and would serve at Brandywine and Germantown. Moravian minister Joseph Powell did not take up arms against the British but did serve as chaplain to the Bedford Associators. Henry Rhoads, a wealthy landholder of German descent, also did not take up arms. John Burd, the cousin of Colonel James Burd, was too old to serve, although his son, Benjamin, would enlist and eventually obtain the rank of major by the end of the war. Information on the remaining delegates, Magistrate Thomas Coulter, and Justice Benjamin Eliot is too scant to determine their prior involvement in the associator movement.

Most of the delegates from Pennsylvania’s far western county, Westmoreland, were also men of wealth and influence. Being the furthest way from Philadelphia, the men who did join the militia did not do so until 1777. The exception to this rule was the colorful and infamous James Smith who accepted a commission as a major in 1775. Edward Cook and James Perry had traveled to Philadelphia to participate in the earlier extra-legal conventions, but the other men were essentially political novices. Cook owned several slaves, was a sub-lieutenant for the county, and by 1781 would command
a battalion of rangers that patrolled the county borders. Perry, also a sub-lieutenant and also a large land holder, did not join the associator movement. Captain John McClellan would spend most of his active service during the Revolution patrolling the frontier. Christopher Lobengiere, a man of German heritage and formerly of Lancaster, had sat on the Committee of Correspondence in 1775 but did not join the militia. First Lieutenant James Barr had helped organize the county militia, and John Moore would accept a captaincy. It is uncertain whether the final and youngest delegate, twenty-five year old John Carmichael, ever joined the associators.

To be sure, the constitutional convention was a body as diverse as the province it was meant to represent. Although it is hard to determine the religion of each and every member, it does appear that Presbyterians were the largest denomination represented, but by no means were the majority of representatives Presbyterian. Of varying ages, backgrounds, and occupations, the men of the convention are hard to fit into the east-west, Presbyterian-Quaker, or rich-poor dichotomies that have dominated the historiography. The majority of them men did, however, join or support the associator movement in some way, and the document they produced indicates that they had a deep and abiding concern to provide for the protection of persons and property.

The constitutional convention first met at the state house in Philadelphia on 16 July 1776, and unanimously chose Benjamin Franklin as president and Colonel George Ross as vice president. The first order of business was to address a letter from John Hancock and the Continental Congress asking the convention to procure as much lead as they could for the war effort. The committee resolved to collect lead from “spouts, window-weights, clock-weights, ornaments of houses,” considered a few pieces of
sundry business and adjourned until the next day. When the members met in the morning of 17 July they resolved that the Reverend William White of Christ Church would “perform divine service” before the service tomorrow morning so that they could “jointly offer up . . . prayers to Almighty God” ask for “the peculiar interposition of his special providence.” They appointed Colonel Miles and commander in chief of Pennsylvania’s forces, and then entertained a motion to obtain arms from all non associators “as they are absolutely necessary for the defense of the country.” Not only would the convention disarm all non-associators, it also resolved to disarm all disaffected persons as well.

The opening two days of the constitutional convention provide a glimpse of the motivations of its members. On one hand, there was the very practical concern of gathering the resources necessary to fight a revolution. But the focus on defense in the first two days, and throughout the convention, was not solely the result of military practicality. The men who sat in that July convention understood their place in time through the lenses of their personal experience, and a participatory view of civil society informed their proceedings. Thus, they invoked the help of God through an Anglican minister’s service and asked for “divine grace and assistance.” They then turned their attention to disarming those who would not contribute to the common defense: non-associators and dissidents. For many of the men in the convention, religion justified a self-defensive war and good citizens were one who both were pious and contributed to the common defense.

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The Convention quickly established a committee to write a Declaration of Rights, a document that perhaps best outlines the convention’s view of civil society. The committee was made up of one man from each county save Westmorland, whose representatives had yet to complete the long journey from the far western reaches of the province to Philadelphia. The biographies of these men reveal a deep commitment to safety and a desire to see all contribute to the common defense. Indeed, these men’s experiences are crucial to understanding the document they produced. Colonel George Ross of Lancaster was Vice President of the Constitutional Committee and was appointed to sit on the Declaration of Rights Committee. As a prominent Anglican lawyer, Ross had been an advocate for the protection of the frontiers since the 1750s. In November 1755 Ross sent a petition to Governor Robert Morris pleading for supplies. “There are not one half of the people of this county who have arms and there is not ammunition by any means sufficient for those that have,” Ross and his fellow petitioners wrote. “Though many are well disposed, unless some supplies are [specially] sent to oppose the progress of the enemy we in Lancaster as well as many more shortly evacuate our place of abode.” As a member of the Pennsylvania House of Assembly from 1768 to 1771, and again from 1773 to 1775, Ross had helped draft the Declaration of Rights presented to the proprietary government during the push for royal government. After sitting on the provincial meeting of deputies in 1774, Ross entered into an agreement with six other prominent men from Lancaster to provide money for the relief of Boston. Ross and his fellow subscribers were no doubt taking their cue from the resolves of the committee

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27 Petition from Lancaster, 12 November 1755, Historical Society of Pennsylvania (HSP), Dreer Collection, no. 904.
which stated that “it is the duty of every member of this committee to promote . . . the relief of the distressed inhabitants of Boston.”

Ross raised a company of associators in the spring of 1775, much to the delight of his Presbyterian neighbors. On 4 June 1775, Ross and his men had gathered in the Presbyterian church in Lancaster to hear Reverend John Carmichael of Westmoreland preach on the lawfulness of a self-defensive war. Carmichael, who sat in the Constitutional Convention for Westmoreland and belonged to an associator unit, later had his sermon printed in Philadelphia for the “perusal of the military associators” in Philadelphia. *A Self Defensive War* reaffirmed the link between arms and citizenship that Presbyterian ministers had drawn during the violence of the French and Indian War. Even a “minister of the Prince of Peace,” he told Ross and his men, was a “member of civil society” who had to adhere to “public instructions [for] the best service of the people.”

Carmichael did not miss an opportunity to speak out against Quakers and other pacifists who refused to take up arms in any occasion, or to pay taxes to support patriot militia units. “Civil government has no power if it has not the sword,” he argued, “hence it will follow that men are under a necessity to part with some of their natural rights to secure the rest.” Civil government was necessary for self preservation, and war was sometimes necessary to secure that government. Therefore, those who supported civil government necessarily had to support and approve of war. In other words, Quakers and other pacifists could not claim the protections of civil society if they were unwilling to take up arms in support of the government. Ross criticized the government for its


military failures and was responsible for drafting a report in 1775 on the necessary steps that needed to be taken to prepare the province for war with Britain.\footnote{See Egle, “Biographical Sketches,” PMHB, 4: 230-31.}

Owen Biddle was a Philadelphia merchant born in 1737, the son of William Biddle, one of the proprietors of West Jersey. Biddle and his brother, Clement, signed the Non-importation Resolutions in October 1765, beginning their journey on the road to the Revolution. Although he was raised a Quaker, Biddle joined the Free Quaker movement in order to act on his Whig sensibilities. Free Quakerism had risen in 1774 during the General Yearly Meeting of Friends held in Philadelphia. During that meeting Quaker leaders drafted a letter to be sent out of all Meetings of Friends reaffirming the Quaker tenet of pacifism and warning members to refrain from becoming involved in the political turmoil of the day. While most members agreed with this letter, younger Quakers pointed out the inconsistency of enjoying the benefits of civil society without being willing to support the armies of the Continental Congress.\footnote{See Charles Wetherill, History of the Religious Society of Friends (Philadelphia, 1894), 11, 12.} As a result, Quakers like Biddle were excommunicated from the Quaker community for joining the revolutionary movement. For example, in 1774, Isaac Howell was removed from membership for asserting “civil rights in a manner contrary to [the Quaker] peaceable profession of principles” and for accepting a “public station, the purpose and intention of which had tended to promote measure inconsistent therewith.” Howell accepted a position in the provincial meeting of deputies which first met in Philadelphia on 15 July 1774 to discuss the events unfolding in Boston. It is quite possible that Howell knew Biddle fairly well since both their names appear on a membership list of Free Quakers
that met at Timothy Matlack’s house in February of 1780. Biddle was also a member of
the Committee of Safety and the Council of Safety and was very committed to
Pennsylvania’s defense. When military supplies became scarce during the Revolution,
Biddle and other Philadelphia merchants contributed their personal money to the cause in
the sum of over £260,000.32

Colonel John Bull, commander of 5th Battalion of the Philadelphia County militia
had represented his county in the 1775 Provincial Convention and again in the 1776
Conference of Committees. Bull had been stationed at Fort Allen during the French and
Indian War where he wrote to Richard Peters that he was “ever willing to serve my
country’s cause.”33 He accompanied General Forbes on the expedition against Fort
DuQuesne in 1758 where he played an important role negotiating with the Indians. In the
early 1770s he bought the Morris plantation and mill where he lived until he came to
Philadelphia for the convention in January 1775. Bull was active throughout the
Revolution, being appointed colonel of the first Pennsylvania Battalion in 1775. After
the Constitutional Convention he sat on the Board of War, participated as a commissioner
at the Indian treaty held at Easton, was appointed Adjutant-General of the state, had his
barns and were burned and his stock carried away by the British, and assumed command
of the second brigade of the Pennsylvania militia under General John Armstrong.34 It
seems that Bull had Quaker affiliations, as he and his wife were both buried in a Quaker

33 Captain John Bull to Richard Peters, 12 June 1758, HSP, Stauffer Collection, 32: 2555.
graveyard in Northumberland in 1824, though it is unclear if his ties to the Society occurred before or after the Revolutionary War.

From Bucks came Reverend William Van Horne, the oldest son of a Dutch Baptist minister and one of the youngest member of the convention at 30 years of age. Van Horne received his education at Dr. Samuel Jones’ Academy in Bucks County, and earned an honorary M.A. degree from the College of Rhode Island. He was ordained in May of 1772 and pastored the Southampton Baptist Church in Bucks until he was called to the Constitutional Convention with seven other men, including his friend Colonel Hart. Van Horne was a logical choice for the convention, well educated and a strong patriot who had joined the Bucks County militia as a chaplain four days after the signing of the Declaration of Independence. Van Horne must have made a favorable impression on the fellow delegates as he was later selected to serve on a small committee with Benjamin Franklin and David Rittenhouse to recast the wording of the Preamble and Oath of Allegiance. Van Horne returned home after the convention to pastor his church, but when Washington’s army dragged itself to Valley Forge for the winter of 1777, he asked for a leave of absence from his church to tend to soldiers’ spiritual needs.

The letters Van Horne wrote to Colonel Hart reveal a sense of despair over the seemingly insurmountable task of defeating the British, but also a faith in the Pennsylvania militia both as a military institution and a Republican ideal. “I must acknowledge the friendly caution in your last,” he wrote to Hart in April 1778, who had warned him in a previous letter not to put too much faith in the one detachment of
Pennsylvania militia guarding Bucks County.\textsuperscript{35} Hart’s caution was not unfounded, and in late April, the men were attacked by British regulars in a skirmish that killed half of the Pennsylvanians involved and left most of the others severely wounded. Only a handful of men were able to escape into the woods. Although Van Horne had helped set the stage for revolution and was an active participant in the war, he wondered if Americans were ready for independence. “Whether this campaign will land us in slavery or freedom God only can determine,” he mused, “I wish we were prepared for so great a blessing as the latter.” He was uncertain whether the new constitution could withstand assaults from its opponents. “I fear you will be interrupted in the peaceable administration of government by the restless and unreasonable anti-constitutional gentlemen, who have already done more mischief to the state than it will ever be in their power to do good,” he wrote to Hart, who by then had been elected to the legislature.\textsuperscript{36} Despite such despairing sentiments, Van Horne was convinced that the American militia would serve as the vehicle for freedom. When news of French intervention reached him, he was elated that “divine providence” had “favored the virtuous efforts of the brave Sons of Freedom,” and crowed that “Whig faith” had now “turned into vision.”\textsuperscript{37} Indeed, the virtue of the militia stood in stark contrast to the “cruel and wanton desolation” of the British Army who “burnt, destroyed, and plundered.”\textsuperscript{38}


\textsuperscript{36} Van Horne to Hart, 13 July 1778, WPHM, 114.

\textsuperscript{37} Van Horne to Hart, 27 July 1778, WPHM, 115.

\textsuperscript{38} Van Horne to Hart, 27 July 1779, WPHM, 130; 9 September 1778, WPHM, 121.
Jacob Morgan came from Berks County and had served as a captain on the northern frontier along the Blue Mountain during the French and Indian War. After the war, Morgan invited German settlers to join the established Welsh families in the Conestoga Valley. In 1772 he was appointed a county judge, a position he held until 1784, and from 1777 to 1791 he was a justice of the peace for the southern district of Berks County. In 1745, Morgan and Conrad Weiser and thirteen others sent a petition to the Assembly asking that the House take the “distressed circumstances [of the backcountry] into . . . serious consideration.” As a captain in Weiser’s regiment, Morgan had seen his share of the violence of the frontier. In November 1755, Morgan and Weiser’s two sons, Philip and Peter, set out from Heidelberg to gather information on the news of recent Indian attacks in that area. About nine miles into their journey they came across a six year old girl, scalped yet still alive. Sensing immediate danger the three men turned around and headed back to the Weiser household for gun powder and bullets. While arming themselves, word came that Indians had just attacked another household, so the men set off to engage the raiders. On their way they met with a local militia unit of about 100 men already responding to the crisis, but when they reached the house the damage had already been done and an eight year old girl lay dead in the garden. The men then proceeded to the next plantation where they found a woman and child scalped and dead in the corn field. As the company was burying the bodies a gun blast rang out across the fields. The men rushed to their arms, fearing an Indian attack, and were relieved to find the shot had come from another militia unit. The two units joined forces so that now there was about 150 men marching along the Shamokin road. At each farm they found more victims, the last one being Casper Springs, found with his brains beat
out, a bullet hole in his back, and his genitals cut off and stuffed in his mouth. Indeed, Morgan was intimately involved with the violent interactions along the frontier, and he catalogued the deaths of local persons in his journal. Conrad Weiser relied on Morgan’s numbers when issuing reports to the Pennsylvania government. It was Morgan’s involvement in defending the frontiers during the 1750s that informed his notions of defense and civic duty during the Revolution. In September 1776 Morgan was appointed commissioner for Philadelphia by the Continental Congress to ensure that “burthen of the defence, which is a common benefit,” was “nearly equal as possible.”

Less is known of the remaining members of the declaration of rights committee beyond their obvious military affiliations. Bedford sent Colonel Thomas Smith, a native of Scotland and half brother of Provost William Smith, who moved to Philadelphia where he studied law and was admitted to practice in 1757. He served under General Forbes in 1758, and after his service established himself at Bedford where he served as deputy surveyor. Northumberland sent Justice of the Peace Robert Martin who became paymaster of the militia in service during the campaign in 1776. From Northampton came Colonel Jacob Stroud, leader of that county’s militia who had fought under General Wolfe in the battle of Québec. After accompanying General Bouquet as a wagoner to Fort Pitt in 1763, he left the army and settled on 300 acres of land in Northampton. John

39 Morgan told this story in a deposition before Justice James Read. See Jacob Morgan Deposition, 18 November 1755, HSP, Penn Papers, Indian Affairs, 2: 46

40 In December 1757 Wesier asked Morgan to verify his numbers, which Morgan did, writing to Weiser that after each death “I had them punctually entered in my journals so that I am certain the account to be true.” See Jacob Morgan to Conrad Weiser, 20 December 1757, HSP, Weiser Correspondence, 2: 117.

41 18 September 1776, The Pennsylvania Gazette.

Jacobs sat in the convention for Chester County. Born to Quaker parents of German
descent, Jacobs had been an Assemblyman since 1762, and became Speaker of the
House in 1777. As speaker, Jacobs oversaw the passage of an act to impose fines on “all
able bodied effective male white persons, capable of bearing arms, not associators,
between the ages of sixteen and fifty years.”43 Jonathan Hoge came from Cumberland
County where he also was an associator. Hoge was of Scotch ancestry and was born in
1725 in the north of Ireland. Raised as a farmer, Hoge received a liberal education and
served as a justice of the peace from 1764 until the Revolution. A member of the
Assembly and the Supreme Executive Council during the Revolution, he also served as a
member of the Council of Safety in 1777.

On 18 July the convention turned its attention to an issue which had long been
neglected: the protection of the western frontiers. A letter arrived from John Hancock
asking that field officers be raised to command battalions in Bedford and Westmoreland
“for the defense of the frontier.”44 Westmoreland raised two companies of fifty men
which began their service on 5 August. When a second letter arrived on 22 July asking
for an increase the number of battalions in Pennsylvania’s flying camp, the convention
was unable to reach a quorum since “so many of the members had gone upon the
committee of the declaration of rights.”45 As the declaration of rights committee

43 26 February 1777, *The Pennsylvania Gazette*.


deliberated, the rest of the convention set itself to the task of ensuring the security of the state.

Non-associators bore the brunt of the Convention’s hostility. Associators, they argued “have freely and bravely gone into the field of defense of the common liberties of America” while non-associators remained “at home in peace and security.”\footnote{Minutes of the Proceedings of the Convention of the State of Pennsylvania, 23 July 1776, Journals of the House, 54.} The committee therefore resolved to “render the burden and expense” equally among all the citizens of Pennsylvania, arguing that “the safety and security of the state should at all times call the attention of its members for its preservation.” As such, Colonel George Ross, James Smith, Owen Biddle, Jonathan Hoge, George Clymer, David Rittenhouse, and colonel Thomas Smith were chosen to be a committee to decide what would be high treason and misprision of treason against the state, and to determine the appropriate punishment for each offense. After much debate and consideration, the convention passed an associator ordinance. According to the Convention, associators had given their time, money and bodies to the defense of the country while non-associators had “pursued their [personal] business to advantage.”\footnote{An Ordinance for Rendering the Burden of Associators and Non-Associators in the Defense of this State as Nearly Equal as My Be, 14 September 1776, Journals of the House, 82.} Thus it was ordained that every non-associator from ages sixteen to fifty pay twenty shillings for each month he was not in physical military service. In addition, every associator over twenty was required to pay an additional four shillings for every pound his estate was valued. The money collected would go to support the poor associators throughout the state “who are by the service rendered incapable of supporting themselves and their families. Even those above fifty
years of age were not exempt. Although they were unable to “bear the fatigue of military duty” the Convention considered it “just and reasonable that they should contribute towards the security of their property.”

On 24 July the same men from the Declaration of Rights committee were chosen to draw up a new frame of government for Pennsylvania. It was here that the convention began to falter in its unanimity. Six men were added to the committee, all of whom supported both the unicameralism of the old constitution and the radical wing of the convention. The first was Free Quaker, Timothy Matlack. Along with his brother, White, he had left the Society of Friends at the onset of the Revolution. Like other young Quakers, he refused to withdraw from the Revolution and instead left the Society of Friends to pursue his Whig sensibilities. Born in 1730 in New Jersey, Matlack moved to Philadelphia and became involved in revolutionary politics, sitting in the Provincial Conference in June 1775 before attending the constitutional convention. A member of the Council of Safety, Matlack also commanded a battalion of Philadelphia Associators. The early months of 1776 saw Matlack drinking coffee and discussing politics with other Free Quakers like Christopher Marshall; James Cannon, author of the radical “Cassandra” essays; and none other than Thomas Paine. These men met often and spent many hours over drinks and meals trying to determine an appropriate course of action. One particular evening at James Cannon’s, where Matlack and others had been in discussion since three o’clock in the afternoon, was broken by the cry of “fire!” Finding Robert Hare’s house in flames, the men joined Colonel Roberdeau in dousing the
adjacent magazine to protect it from wayward sparks. Matlack was also instrumental in building a Free-Quaker meeting house on the corner of Fifth and Arch Street in Philadelphia. Under the new constitution, Matlack was appointed Secretary of State, a position he held until the close of the Revolution.

James Cannon joined his friend on the Declaration of Rights committee. Before July 1776, Cannon was key in organizing the Philadelphia associators and was secretary of the American Manufactory, an endeavor to make homespun fabrics as per Congress’ request. Cannon had spent May of 1776 battling William Smith and other Tories in the pages of the press, arguing for independence as “Cassandra.” “To skin over the wound would be madness,” he wrote to Smith concerning Britain’s treatment of the colonies. “I therefore once more entreat you either to point out a complete remedy for these defects, and prove it more easily attainable than a complete delivery by a declaration of independence; or to give no further opposition to the measure.” The voice of Philadelphia’s radical Whigs, Cannon urged his readers to “declare independence immediately! Issue a manifesto, containing a full view of our rights, our grievances, and the unwearied applications we have made for their redress!” As a supporter of Pennsylvania’s extra-legal committees, Cannon was accused of trying to subvert the province’s constitution and establish a new one. In his reply, Cannon was unapologetic in his portrayal of the constitution’s flaws under the proprietor: “What excellence had your constitution in the brightest day that ever passed over it?” he asked. “Is it, or was it

48 Marshall, 1 April 1776, Diary, 64-65.

49 1 May 1776, Pennsylvania Gazette.

50 6 March 1776, Pennsylvania Gazette.
ever a constitution whereby the power of the state was so happily distributed, that the community might be safe from invasion from without, or oppression within?" For Cannon, proprietary power had compromised the province’s political integrity since the governor was able to quash “the proposals made for the common defense, unless his estate [was] exempted from the common burden.” Indeed, it was time to place the power to rule in the hands of the people.

Joining Matlack and Cannon was Colonel James Potter of Northumberland. Born in Tyrone, Ireland, in 1729, Potter settled in Antrim County, Cumberland county, in 1741 when his father moved his family to Pennsylvania. In 1754, James became a lieutenant in the border militia and served with General John Armstrong in the Kittanning expedition, after which the two men became good friends. As the French and Indian War wore on, Potter earned a promotion to major and eventually another to lieutenant-colonel. He was chosen colonel of a battalion of Northumberland associators, and with that distinction was chosen to sit in the convention. Potter would serve again with Armstrong in the Revolutionary War, commanding nearly five hundred militia men in Chester County.

With Armstrong, Potter was part of a strong and influential frontier Presbyterian community. Armstrong was born in Brookeborough in North Ireland in 1717 and had come to Pennsylvania in the 1740s, eventually settling near Carlisle. He was instrumental in establishing a Presbyterian Church in Carlisle, and when the doctrinal issues which had split the Presbyterians in the 1740s and 50s emerged once again,

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51 15 March 1776, Pennsylvania Gazette.
Armstrong became an elder in a New Side church pastored by his brother-in-law, George Duffield. Duffield, it will be remembered, traveled through the valleys of Pennsylvania and Virginia in 1766, witnessing first hand the perils his fellow Presbyterians faced on the frontier. As an advocate for the frontier, Duffield was accused of helping Indian murderer Frederick Stump escape from jail in 1769.

Also added to the committee was astronomer David Rittenhouse of Philadelphia County. He was a well respected gentleman of the day who served as Pennsylvania State Treasurer from the Revolution until 1789. Born near Germantown, Rittenhouse was involved in the American Philosophical Society and eventually succeeded Franklin as president in 1790. Born to Mennonite parents, Rittenhouse abandoned his religious heritage and married Elizabeth Williams, a Quaker. He never became a member of the Society of Friends and never held a particular loyalty to any denomination throughout his life. Unfortunately, the papers Rittenhouse left behind tell little of his personal views and focus much more heavily on his scientific pursuits.

Rittenhouse was not, however, insulated from the currents of popular politics. In 1753, his sister Esther married Thomas Barton. Of English descent and Irish education, Barton had opened a school in Norristown in 1750, where he had tutored and befriended Rittenhouse. Through Barton, Rittenhouse was introduced to influential members of the Proprietary political faction, but he was cautious in completely adopting their political and social ideologies. When the Paxton Boys marched on the city in 1764, Rittenhouse was furious. “I have seen hundreds of Indians traveling the country,” he raged, “and can

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with truth affirm that the behavior of these fellows was ten times more savage and brutal than theirs.”\textsuperscript{53} Barton was much more eager to gain influence among the Proprietary Party. Despite his personal dislike for Protestant dissenters, Presbyterians and Quakers alike, he issued an anonymous pamphlet, \textit{The Conduct of the Paxton Men, Impartially Represented}, which condemned Quaker pacifism.

While Barton personally disliked Presbyterians, they shared similar ideas with regards to the defense of the province. Barton corresponded with Richard Peters, a Philadelphia Anglican minister who helped establish the Philadelphia Academy with William Smith. Barton had been concerned with issues of safety since the 1750s, and had regularly written to Peters asking him to use his influence with the governor and get supplies and arms to the frontier. Barton believed that taking up arms for the common defense was an essential element of both civic and religious duty. As he wrote to Peters from Carlisle in March of 1757, “when I am called upon I shall cheerfully share the hazards of war in conjunction with my fellow subjects and fellow Protestants.”\textsuperscript{54} Barton wrote that the “country people seem bravely disposed to risk their lives in defense of their property,” but wanted the government to do more to provide adequate supplies and arms.\textsuperscript{55} Barton’s time on the frontier helped solidify a bond between himself and local Presbyterians. Perhaps nothing bound them together more than the commission he received in 1758 to aid the British war effort, something which garnered criticism from


\textsuperscript{54}Barton to Richard Peters, 7 March 1757, HSP, Peters Papers, 4: 83.

\textsuperscript{55}Barton to Richard Peters, 4 April 1757, HSP, Peters Papers, 4: 85. In his March letter, Barton told Peters that the frontier was glad the governor “makes use of every opportunity to solicit for the sending powerful supplies of men and money for their preservation.”

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fellow Anglicans. It was on the frontier that Barton developed a distrust of the Quaker Assembly. “Power in the hands of bigots and enthusiasts is a dangerous weapon,” he wrote to Richard Peters. Barton remained convinced that his religion and his civic military duty were not in opposition to one another, and was pleased that the “Presbyterian ministers and congregations in both counties have mighty resented the treatment I have met with, and have drawn up and handsome paper in my favor, which will show the world that I am not quite unuseful in my station, and that my being a minister of the Church of England, is the grand reason that I am discouraged and opposed.”

Barton’s frequent interactions with violence on the frontier shaped his views of responsible government and the duties of a citizen. At times Barton grew despondent, writing to Peters that “you must expect that every letter from these parts will be . . . filled with bloody news.” The juxtaposition of regular bloody scenes with the seeming inactivity and callousness of the Assembly hardened Barton against the Quakers and their allies on government. “I was a spectator of such scenes of misery as would [melt] the most hardened heart,” he wrote. And yet, the Assembly passed no militia bill nor provided any arms or ammunition. The Assembly’s inactivity stood in contrast to the willingness of many frontiersmen to assemble for the common defense. “It is every man’s duty in a time of such public calamity and danger,” he wrote, “to withdraw in some measure his attention from self interest and devote some part of his time to the general welfare of his country.” Yet the Assembly acted as if “all were well” and had

56 HSP, Common-place Book Containing Rittenhouse Letters, Etc., Am 12941.

provided neither “arms or ammunition,” or “the least discipline or order.” While Barton himself did not sit in the Constitutional Convention, it is very likely that he discussed politics and government with Rittenhouse. Indeed, it seems as though Barton and Rittenhouse had a very personal relationship, Barton being the only person to call the respected intellectual “Davy.”

The final additions to the Declaration of Rights Committee were Robert Whitehill, George Bryan’s right hand man, and Bartram Galbraith, a surveyor from Lancaster of Scots-Irish descent. Galbraith had been part of a company of rangers raised to protect the frontier during the French and Indian War, and was elected colonel of a Lancaster battalion of associators in 1776. These men fought to retain the form of the existing constitution with its one house legislature against the friends of James Wilson, Dickinson’s former protégé, who favored two houses. Since Wilson was sitting in the Continental Congress across the hall from the Constitutional Convention, it fell to George Ross and Thomas Smith to promote his ideas in the Declaration of Rights Committee. While Wilson battled Dickinson over the one-state-one-vote question in the east room of the State House, Ross and the other Wilsonites battled against the one house legislature in the west room. Wilson lost on both counts. On 2 August, the convention resolved itself into a committee of the whole and decided that “the future legislature of this state shall consist of one branch only, under proper restrictions.”

Debate now ensued between conservatives who wanted to protect the old constitution on principle, and radicals, like

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58 Hindle, David Rittenhouse, 5.

James Cannon, who desired to unleash the democratic tendencies of one house rule. “Men of education and learning should have no rule, in a democratic system,” Cannon had once said, “they always did mischief by introducing checks on the national impulses of the people.”\(^{60}\) Cannon supported the Bryan plan to defeat the movement for a bicameral Assembly, and worked closely with Timothy Matlack to draft the new state constitution. Bryan would become the constitution’s tireless defender, so much so that one Philadelphian erroneously noted that the constitution “was understood to have been principally the work of Mr. George Bryan, in conjunction with a Mr. Cannon.”\(^{61}\)

Despite the support for the ideals of the old constitution within the convention, it would take over two months for the members to vote on a new frame of government. On 25 July, right before the new members were added, the Declaration of Rights Committee submitted a draft for the convention’s consideration. The draft was returned to the now enlarged committee the following evening, who presented a new draft by the morning of the 27th. Two days later, ninety-six copies were printed for the consideration of all the members. The convention finally debated the draft on 13 August, with colonel Mahlon Kirkbride assuming the chair in Franklin’s stead. After three days of deliberation and revision, Kirkbride asked leave of the convention to visit his battalion in Amboy, and the final draft of the Declaration of Rights was read into the record. Finally, on 16 August,

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\(^{61}\) Alexander Graydon, *Memoirs of His Own Time*, John S. Littell, ed., (Philadelphia, 1846), 285. As Foster argues, Graydon’s memoirs were written fifty years after the fact and were most likely clouded by Bryan’s very public defense of the constitution. See Foster, *George Bryan*, 80.
the convention gave its “final assent” to the Declaration of Rights and it was read into the minutes.

The only glimpse we can get into the deliberations of the Declaration of Rights committee and the constitutional convention is by comparing the 29 July published draft essay to the final version. Half of the sixteen sections remained untouched, including the opening clause which stated that “all men are born equally free and independent, and have certain natural, inherent and unalienable rights. Amongst which are the enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining happiness and safety.” This one clause summed up the essence of virtually every frontier petition during the French and Indian War, namely, that every man had a natural right to both safety and the defense of his life and property. The government, however, played a role in protecting these rights, and the petitioners begged the Assembly for a militia, forts for protection, and money and supplies. “One would think,” the Paxton Boys wrote the their 1764 “Apology,” “that a government might do something to help a bleeding frontier.”62 Indeed, the Paxtonians claimed, the frontier had “no militia in the province to come to our assistance, not stockades or forts to repair for safety.” On top of that, the people on the frontier “were unaccustomed to the life of arms . . . so that we were unable to defend ourselves against the first incursions of our savage enemies.” Of course, the Quaker Assembly “plead conscience so that they could neither take arms in defense of themselves or their country.”

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The Declaration of Rights directly addressed the Paxton Boys’ concerns. First, it guaranteed the people’s “right to bear arms for the defense of themselves and the state.”\footnote{The Constitution of the Commonwealth of Pennsylvania, Clause XIII, (Philadelphia, Dunlap, 1776).} This clause remained untouched from the original draft. Secondly, it demanded that every member of society contribute to the common defense. This clause underwent significant revision from the original to underscore the idea that since all men had a natural right to protection, all men needed to contribute towards that defense:

\begin{tabular}{ll}
Original & Final \\
That all private property, being protected by the state, ought to pay its just proportion towards the expense of that protection; but that no part of a man’s property can be taken from him, or applied to public uses, without his own consent, or that of his legal representatives: Nor are the people bound by any laws but such as they have, in a like manner, assented to, for their common good. & \\
That every member of society hath a right to be protected in the enjoyment of life, liberty and property, and therefore is bound to contribute his proportion towards the expense of that protection, and yield his personal service, when necessary, or an equivalent thereto: But no part of a man’s property can be taken from him, or applied to public uses, without his own consent, or that of his legal representatives: \textit{Nor can any man who is conscientiously scrupulous of bearing arms, be justly compelled thereto, if he will pay such equivalent:} Nor are the people bound by any laws but such as they have in a like manner assented to, for their common good.\footnote{Clause VIII. The “original” clauses are taken from An Essay of a Declaration of Rights (Philadelphia, 1776), and the “final” clauses are taken from The Constitution of the Commonwealth of Pennsylvania, (Philadelphia, Dunlap, 1776). The changes have been italicized.}
\end{tabular}

Government would protect all men’s natural rights, but it was every man’s civic responsibility to contribute to that defense. Quakers and other objectors could no longer
refuse to take part in the common defense. They could be excused from bearing arms, but only if they paid an equivalent fine. Thus, freedom of religion could not totally excuse anyone from their responsibility to the community.

The Declaration of Rights committee was sensitive to protecting freedom of religion, as long as that freedom did not subvert the common good. The Declaration’s clause on religion went through a small yet significant revision:

<table>
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<td>. . . Nor can any man be justly deprived or abridged of any civil rights as a citizen, on account of his religious sentiments or peculiar mode of religious worship.</td>
<td>. . . Nor can any man, who acknowledges the being of a God, be justly deprived or abridged of any civil rights as a citizen, on account of his religious sentiments or peculiar mode of religious worship.</td>
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This clause was more encompassing than the oaths electors had to take when voting for members of the constitutional convention since it did not require a belief in Jesus Christ as Savior to guarantee protection. However, the change from the draft to the final version showed that the convention was intent on controlling authority within civil society. The draft allowed a complete freedom of religion, while the final version demanded a belief in God for the protection of civil rights. However, despite these provisions, when the constitution was finally put into effect, various Test Acts excluded Jews and Quakers from participation in government.

The constitutional convention was trying to define the boundaries of civil society, to define a community and who could belong to it. While that community could be diverse, there were certain essential requirements that had to be met. Contributing to the

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65 Clause II. The changes has been italicized.
community’s defense was necessary, as was a recognition of God, the author of all natural rights. While the committee agreed that “all elections ought to be free,” they wanted all voters to have “common interest with, and attachment to the community.”\(^{66}\) Indeed, the people needed to be careful who they elected to public office, and were encouraged to hold dear to “fundamental principles,” and adhere to “justice, moderation, temperance, industry and frugality.”\(^{67}\) The government’s job was to protect the community and remain accountable to the people in it, since it was from them that government derived its power to rule. In two clauses that remained unchanged in the final version of the Declaration, the convention agreed that “the people of this state have the sole exclusive and inherent right of governing and regulating the internal police of the same,” and that since government’s power was “derived from the people,” it was “at all times accountable to them.”\(^{68}\) The Quakers had long been accused of controlling the government for their own ends by denying the western counties equal representation with the eastern. The Paxton Boys considered this inequality to be “the cause of many of our grievances, and an infringement of our natural privileges of freedom and equality.”\(^{69}\) The convention agreed that government was “instituted for the common benefit, protection and security of the people, nation, or community” adding a new clause to the final version of the Declaration that government could not serve the “particular emolument or

\(^{66}\) Clause VII.

\(^{67}\) Clause XVI.

\(^{68}\) Clause III and IV.

\(^{69}\) Matthew Smith and James Gibson, *A Declaration and Remonstrance of the Distressed and Bleeding Frontier Inhabitants of the Province of Pennsylvania*, (Philadelphia, Bradford, 1764).
advantage of any single man, family or set of men who are a part only of that community.”

Lastly, they guaranteed that “the majority of the community” had a right to abolish any government that operated against the “public weal.”

The Declaration of Rights also protected trial by jury, something which had been a pressing concern for the Paxton Boys. The Assembly consistently requested any person charged with killing an Indian on the frontier be sent to the eastern counties for trial. “This is manifestly to deprive British subjects of their known privileges,” the Paxtonians complained, “to cast eternal reproach on whole counties, as if they were unfit to serve their country in the quality of Jury-Men, and to contradict the well known laws of the British Nation, in a point whereon life, liberty, and security essentially depend.”

In a clause that remained unchanged in the final draft, the Declaration guaranteed “a speedy public trial, by an impartial jury of the country.” Again in a later clause, the Convention affirmed that in “controversies respecting property, and in fruits between man and man, the parties have a right to trial by jury.”

Only one clause of the Declaration was completely removed and replaced:

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70 Clause V.

71 Smith and Gibson, A Declaration and Remonstrance.

72 Clause IX.

73 Clause XI.
The original clause was no doubt a response to Proprietary rule and the power of the merchant east over the agrarian west. Seeking to protect the legislature from the overtures of any wealthy individuals who might pervert the political process to their own cause, the Committee hoped to limit land ownership. It is impossible to know why the Committee rejected the clause in its entirety, but it is possible that the men realized the inherent contradiction of this clause with the Declaration’s very first provision that men had a natural right to possess property. If the government could not take away a man’s property without his consent, how could they limit the amount of property he owned? There would also be the logistics of determining exactly how much property was too much. Instead, the Committee dropped the clause and drafted a new one that protected the citizen’s right to ask the legislature for redress, the very tool of dissent that had been used by frontier petitioners and the Paxton Boys.

The Declaration of Rights was finished and approved, but there was still a new constitution to write. Francis Alison noted that the Declaration of Rights was “in the main pretty well,” but expressed concern that the convention was “hardly equal to the task to form a new plan of government” since the convention was filled with “honest well

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74 Clause XVI.
meaning Country men” who were “entirely unacquainted with such high matters.”

Most of the delegates and the public favored continuing the old constitution with the one major exception of vesting the authority to rule in the people instead of the Proprietor.

By 5 September the Declaration of Rights committee had finished a draft of the state’s new frame of government. Some changes were made “in method and style without affecting the sense” and 400 copies were printed on the 10th for “public consideration.”

The public had little time to consider the new constitution, being published in the Pennsylvania Evening Post on the 10th, but not in the Pennsylvania Gazette until the 18th, two days after the convention resumed discussion on the matter. This is not to say that the public did not have any effect on the constitution at all, for the final version of the constitution retained only fifteen of the proposed forty-nine sections, the others facing elimination or significant revision.

The preamble to the constitution, written by James Cannon, David Rittenhouse, and John Jacobs, is evidence of the predominate concern with safety that shaped the proceedings of the convention. “Government ought to be instituted for the security and protection of the community,” they wrote, “and whenever the great ends of government are not obtained, the people have a right . . . [to] take such measures as to they may

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75 Francis Alison to his Cousin, Robert, 20 August 1776, PMHB, 28: 379.


appear necessary to promote their safety and happiness.”  

Not only had previous Assemblies denied the right to protection, King George had done the same. “The . . . King has not only withdrawn his protection,” they argued, he had engaged in “a most cruel and unjust war” against his own people by employing “foreign mercenaries, savages, and slaves.” Now, with independence from Britain declared and a new constitution for the state, Pennsylvanians could enjoy a government that protected their natural right to safety.

Debate and deliberation over the draft continued until 28 September when the convention approved the new constitution, over two months after the Declaration of Rights committee had been commissioned to draft a new frame of government. Part of the reason for the delay was that the constitutional convention had assumed the powers of the Assembly, and had spent its time raising militias, freeing prisoners, and carrying out the wishes of the Continental Congress. But, as conservative critics noted, the radicals in the convention were “unwilling to part with their power” and wanted to be sure they could win the elections proposed under a new constitution.  

With the associators called away to battle, victory was uncertain and so the convention delayed fulfilling its original purpose. The convention’s stalling did not go unnoticed, and rumor had been rampant about the kind of government being proposed. One Philadelphian remarked in mid-August that the convention had made little progress, “having only formed a Bill of

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Rights,” and fretted about news that “they are to have but one branch to legislate.”

By late September, the convention could stall no longer and a new constitution was proclaimed, without submitting it to a vote by the people. The convention selected 19 November as election day, and passed a resolution that every elector had to swear fidelity to the Commonwealth of Pennsylvania and to the new constitution. The required oath “split the Whigs to pieces, the majority disliking the frame and therefore not voting for the new Assembly.”

Of the ninety five members of the convention present to sign the new constitution, twenty-three refused to attach their names in protest.

The new constitution was a vindication of Paxtonian principles and the natural rights ideology of equal participation forged on the frontier. Under the new militia law, all “the freemen of [the] commonwealth and their sons” were to be “trained and armed for its defense.”

Property restrictions to vote were eliminated, and every freeman, twenty-one years or older, was entitled to be an elector provided he had lived in the state for a year and had paid public taxes. Also, the sons of freemen, regardless of tax payments, were entitled to vote. Member of the Assembly were to be chosen for their “wisdom and virtue,” and were forbidden to hold any other office while they sat in the Legislature, “except in the militia.”

Seeking to prevent entrenched power, representatives were to be chosen annually, as Demophilus had suggested, and no man could serve more than four years in seven. To ensure accountability, the doors of the

80 John Morton to Anthony Wayne, 16 August 1776, in PHMB, 39: 373.


82 Section 5, Plan or Frame of Government for the Commonwealth of Pennsylvania, 1776.

83 Section 7, Plan or Frame of Government for the Commonwealth of Pennsylvania, 1776.

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legislature were to remain open to “all persons who behave decently, except only when
the welfare of this state may require the doors to be shut.”\textsuperscript{84} Confident that such
provisions would make the legislature the voice of the people, the Committee did not
provide for an executive and elite balance to the Assembly. It was this unicameral
freedom that provoked the most harsh criticism.

What alarmed most opponents to the constitution was not the language of safety
or the provisions for a militia, but rather the form of the new government. The
Declaration of Rights had passed without much opposition, but rumors of an unchecked
legislature were a cause of concern for both Whigs and Tories, fears that were confirmed
by late September. Protest elections were held in the eastern counties of Bucks and
Chester on 1 October, old election day. “The Assembly is therefore dead,” wrote John
Adams.\textsuperscript{85} Organized opposition to the new constitution took the form of a town meeting
on 21 October at the State House. About 1500 men gathered to hear John Dickinson,
dubbed the “compromising farmer” by his critics, and Thomas McKean speak against the
frame of government, and James Cannon, Timothy Matlack, and James Smith speak for
it, until the darkness of night forced them to adjourn.\textsuperscript{86} Reconvening the next day, the
majority of the crowd agreed to a set of resolutions denouncing the convention and the
constitution. The essence of the opposition to the new frame of government was against
its unicameral legislature and required oath of affirmation. The legislature had the power

\textsuperscript{84} Section 13, Plan or Frame of Government for the Commonwealth of Pennsylvania, 1776.

\textsuperscript{85} John Adams to Abigail Adams, 4 October 1776 [electronic edition]. \textit{Adams Family Papers: An

\textsuperscript{86} To Phocion, 19 March 1777, \textit{The Pennsylvania Gazette}.
to remove judges and impeach members of the executive. Thus, the men assembled agreed that “no counselors ought to be chosen at the election” in November. Over the next week, the Anti-Constitutionalists in Philadelphia launched a three pronged attack against the impending elections: vote for anti-constitutionalist candidates; refuse to take the elector oath; and cast no ballots for the Supreme Executive Council. If these things could be successfully executed, the radicals would have a minority in the Assembly and would be unable put the new constitution into effect. Then, a new convention could be called to propose a better frame of government.

Turnout for the election was poor as many refused to take the prescribed oath, or were kept away from the polls by the associators who dominated the election proceedings. The pro-Constitutionalists swept most of the western counties, dominating both Assembly and Council seats. In Philadelphia, however, the anti-Constitutionalists and their plan to boycott the vote for the Council were victorious. Drafters of the frame of government David Rittenhouse and Timothy Matlack were defeated by the likes of George Clymer and Robert Morris. But, for the first time in Pennsylvania history the representatives from the east were a minority in the Assembly, which first met on 28 November. The eastern moderates were, however, a powerful minority led by John Dickinson that could prevent a quorum and stymie the radical agenda. When the Assembly refused to call a new convention, Dickinson and his friends vacated their seats. Now unable to reach a quorum on a consistent basis, and with the Supreme Executive Council still unorganized, the government was unable to function.

87 23 October 1776, The Pennsylvania Gazette.
The Council of Safety continued to work as Pennsylvania’s executive, pressed into action by Howe’s movements in New Jersey toward Philadelphia. Although a series of fines and penalties had been put in place to punish non-associators and deserters, the government could not effectively prosecute them. As such, despite the pleas of the Congress, Pennsylvanians largely refused to answer the call to arms. According to the Council of Safety, “the people are disgusted at the inconveniences, hardships and losses which they suffered in their late service, while non-associators were permitted to remain at home in the peaceable enjoyment of their professions, and many of them increasing their wealth by grasping the trade of the absent associators, whose patriotic exertions have been sneered at.”

The Assembly resolved on 29 November to begin collecting fines and enacting the militia law, and by the battle of Trenton, several thousand Pennsylvanians came to Washington’s aid. Since many Assemblymen were away preparing associator battalions, the House could not reach a quorum and Continental Congress was forced to place Philadelphia under martial law. When Congress decided to move to Baltimore, the Assembly adjourned, leaving the Council to rule with General Putnam. Partisan tensions ran high, made only worse by the impending threat of a British invasion. With victory at Trenton and Princeton, the Assembly reconvened in the new year, though Dickinson and his friends still refused to take their seats. By February an election was held to fill their seats, and soon after George Bryan was elected councilor for the city of Philadelphia. The Council finally met on 4 March 1777, selecting Thomas Wharton as president and Bryan as vice president in a move towards partisan unity.

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Inauguration day was 5 March, a day of fanfare attended by “a vast concourse of people, who expressed the highest satisfaction on the occasion, by unanimous shouts of acclamation.” Though party spirit still ran high, as radicals became the Constitutionalist Party and conservatives the Republican Party, it seemed the new government was in place to stay.

In the wake of inauguration day, critics launched a final attack against the Constitution and George Bryan took up his pen to defend it. Benjamin Rush, writing as “Ludlow,” complained that the Declaration of Rights “confounded natural and civil rights in such a manner as to produce endless confusion in society.” Bryan, writing as “Whitlocke,” fired back that “some of the first men have publicly acknowledged [the Declaration of Rights] to be the best on the continent,” and asked for “proof of this dangerous confusion.” Rush’s main critique lay in the republican concern that the new legislature was unchecked and could “trample the sacred bulwarks” of the constitution and infringe on the people’s liberty. Rush turned to John Adams to support his opposition to the unicameral legislature. “I think a people cannot be long free, not ever happy,” Adams had written, “whose government is in one Assembly.” Bryan and the pro-constitutionalists were suspicious of executive checks and balances, lest popular sovereignty be impeded and the unequal representation of the colonial legislature be 

89 6 March 1777, The Pennsylvania Evening Post.


duplicated. Every county was now “admitted to a proper share in the legislature,” Bryan explained, and the president was denied the ability to veto laws passed by the Assembly. “The power of forbidding anything to be law, but what [the president] pleases,” Bryan wrote, undoubtedly recalling the proprietary veto that had stymied many militia laws, “. . . is a power which an angel might be tempted to abuse.”

Bryan and the pro-constitutionalists were no less coherent in their defense of the constitution than Rush and his appeals to history and the classical republics. Both were undoubtedly “republicans,” for lack of a better term, even though they disagreed on the nature of the legislature. Rush even admitted that “all the members of the convention were true Whigs and aimed sincerely at forming a free and happy government.”93 Bryan was no doubt incensed at the accusations that the men of the constitutional convention were naïve amateurs unfamiliar with the forms of government. “It is one thing to understand the principles of government,” Rush chided, “and another thing to understand the forms. The former are simple; the latter are difficult and complicated.”

Acknowledging the natural rights principles that pervaded the Declaration of Rights, Rush conceded that the convention was familiar with Locke, the “oracle” of the principles of government, but did not understand Harrington or Montesquieu, the “oracles as to the form of government.”

Bryan was quick to dismiss both Rush’s contempt for the constitutional convention, and his attempts to draw conclusions about the Pennsylvania from the lessons of antiquity. Claiming that Rush’s arguments were “vague and

underdetermined,” Bryan asserted that Rome “understood not the doctrine of legislating by representatives, much less how to constitute such assemblies to answer the purposes of good government.” Bryan explicitly appealed to Montesquieu to support the lack of a presidential veto: “when the legislative and executive powers ‘united in the same person, or on the same body of magistrates, there can be no liberty.’” Bryan also provided James Burgh’s *Political Disquisitions* as evidence that the Council of Censors, established to monitor laws and amend the constitution as necessary, was based on sound ideology. “Happy is that people,” Burgh had written, “who have so principled their constitution, that they themselves can, . . . lay hold of its power, wield it as they please, and turn it, when necessary against those to whom it was entrusted, and who have exerted it to the prejudice of its original proprietors.” For Bryan, the balance of an upper house with a lower house was absurd because it assumed that propertied men were more qualified to sit in an upper house solely because of their wealth. If the upper house and executive were placed in the hands of the rich, the government would “consist of the rich men of Pennsylvania” instead of “being composed of the wise men.” Bryan’s predominant concern was that the government remain accountable to all the people and not serve the interests of one particular sect. “The ruler who derives his authority from the people by repeated delegations,” he wrote, “preserves a constant sense of dependence, . . . [and] feels himself the servant of the public.”

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95 Letter II. To Ludlow, 4 June 1777, *The Pennsylvania Gazette.*

96 Letter III. To Ludlow, 10 June 1777, *The Pennsylvania Packet.*
The new militia law did not escape scrutiny. Bryan celebrated the fact that “the assembly have not even exempted themselves from military duty,” as the Quakers of the past had done.  Rush objected to the constitution’s provision that all officers under the rank of Brigadier General be chosen by the people since “most of the irregularities committed by the militia . . . were occasioned by that laxity of discipline” allowed by officers elected by the people.  Secondly, more executive discipline was needed since “above one half of the state have refused or neglected to choose officers, agreeably to the recommendation of the Assembly.” Indeed, a poorly disciplined militia and a flawed system of government would spell certain doom for Pennsylvania.  “A good government is an engine not less necessary to ensure us success . . . than ammunition and fire-arms,” Rush argued. Aware of the widespread support of the constitution by the militia, a critic of the new constitution submitted an essay signed “An Associator” warning his countrymen of “the dangers that now threaten them, from the attempt to establish the government formed by the late Convention.”  The essay caused “a good deal of noise” in Philadelphia, and the author called on all “true Whigs” to meet at Philosophical Hall to debate amending the militia law.  Bryan chastised his opponents for trying to prevent the execution of the militia law when Washington was “ordering our militia to hold

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97 Letter II. To Ludlow, 4 June 1777, *The Pennsylvania Gazette.*


100 24 May 1777, *The Pennsylvania Evening Post.*
themselves in readiness,” and was saddened to see “some respectable characters countenance such proceedings.”

Debate over the 1776 constitution would continue for the next thirteen years until Pennsylvanians drafted a new frame of government. For the time being, however, radicals had won a victory. Although condemned as naïve upstarts unqualified to understand the intricacies of government, the men who drafted the 1776 constitution appealed to a coherent ideology that had shaped constitutional discussion and political debate since the 1750s. Indeed, these Pennsylvania radicals changed the configuration of authority with civil society, rejecting the Quaker paradigm of pacifism and elite rule, and placing a premium on safety and equal obligation to the community. Although the delegates to the convention had not ridden to Philadelphia with the Paxton Boys in February of 1764, they identified and agreed with the propositions the Paxtonians laid out in their Declaration and Remonstrance. Smith and Gibson had identified the major constitutional inconsistencies of Quaker rule, and asked that they be redressed. It would take twelve years for their vision of civil society to become reality. Latching on to the independence movement sweeping the colonies, Philadelphia radicals truly did revolutionize who would rule at home.

101 Letter III. To Ludlow, 10 June 1777, The Pennsylvania Packet.
CHAPTER 10

CONCLUSION

When Matthew Smith and James Gibson sat down with Benjamin Franklin on that fateful February 1764 day in the tavern at Germantown, they asserted that as “Free-Men and English subjects” they were entitled to an “equal share . . . in the very important privilege of legislation.”¹ For a patriot in 1776, these words had a very contemporary ring, Pennsylvania having signed Jefferson’s Declaration of Independence that decried Parliament’s suspending colonial legislatures “and declaring themselves invested with power to legislate for [the colonies] in all cases whatsoever.” Indeed, understanding the contours of the frontier experience is essential to making sense of the Revolution in Pennsylvania. The Paxton Riots were a crucial moment in where dissenters articulated an ideology of natural rights brought to fruition in the 1776 constitution. Thus, the Paxton Boys’ rhetoric that the Quakers had refused to take up “arms in defense of themselves or their country,” appeared again in the constitution’s guarantee to all Pennsylvanians of the right to “bear arms for the defense of themselves and the state.”² Under the new constitution, all men would contribute to the common defense, and if they would not


² The Apology of the Paxton Volunteers Addressed to the Candid and Impartial World (1764), reprinted in Dunbar, ed., The Paxton Papers, 187.
fullfill their obligation on their own volition, then the state would coerce their participation.

The prolonged colonial debate over equal participation in civil society cannot be explained solely by religious, ethnic, and class conflict. The varied and ever-changing political alliances that shaped colonial politics suggest that the disagreements between factions were less about religion and more about fundamental constitutional guarantees. Critics did not ask Quakers to compromise their religious consciences, but did demand that they resign from the legislature when their pacifism conflicted with the basic constitutional guarantees to safety of person and property. Indeed, as British subjects, Pennsylvanians had a reasonable expectation of safety and looked to the government to meet its obligation to provide for their defense. However, also integral to the right of safety was the individual obligation to contribute to the common defense and fulfill one’s duty as a member of civil society.

It was the relationship of obligation between the governors and the governed that William Smith and William Moore sought to solidify. Moore asserted that the government was constitutionally obligated to provide for the safety of the people it ruled. Personal convictions could not stand in the way of the very ends of civil society: protection. In other words, like the who men drafted the Declaration of Rights, Moore and Smith believed that the purpose of government was to provide for the security and protection of the community. It was a lack of security and protection that provoked the Paxton Riots. A responsible government was one that protected its citizens, and the Paxton Boys chided the Assembly for ignoring their calls for help and pleas for a coherent militia law. In an attempt to unseat the Quakers from power, an emerging
Presbyterian political faction mounted a campaign against Quaker authority in the election of 1764. Calling for equitable representation in the Assembly and adequate defense on the frontier, the Presbyterian faction crafted a party platform based on the Paxtonian ideal of equal participation in civil society.

During the Stamp Act and the Townshend Duties the Presbyterian Party applied the local ideologies of the Paxton Riots into coherent responses to imperial taxation. Accordingly, issues of defense and representation shaped most of Pennsylvania’s response to the crisis. Although the Quaker Party maintained its dominance in the Assembly, they were constantly aware of the Presbyterians threat to their power and feared the realization of the Paxtonian agenda as the end of lawful and peaceable Quaker rule. As the lone voice of dissent against the Crown, the Presbyterian Party demanded the protection of British liberty and demanded equal representation, a language of rights that began to gain considerable popular appeal. Likewise, the bishopric crisis forced Pennsylvanians to define colonial rights and consider how best to defend them. Thus, when conflict broke out in Massachusetts and imperial relations degraded once again in the 1770s, Pennsylvanian Whigs based their response on the Paxtonian demand for equal representation and equal participation in the common defense. Indeed, the Whig platform was based on equal representation in the Assembly and mandatory militia service. When the established colonial institutions could not meet those demands, Whigs abolished them by drafting a new state constitution.

Pennsylvania constitutionalists were trying to redefine the obligations of the state to its citizens, and of citizens to the community. Applying an understanding of essential natural rights, these men used the Revolution as a way to overturn what they considered
to be as years of Quaker misrule. The new constitution demanded that every man who enjoyed the security of the state fulfill his obligation to contribute to that security. Bearing arms was not the right of the state bestowed to citizens acting collectively, it was the duty of all citizens to ensure the common defense. Withdrawal from this civic responsibility was unacceptable and although Quakers and other objectors could be excused of physical service, payment was mandated to aid in the common defense. Just as Smith and Gibson had remonstrated for in 1764, the 1776 Constitution realized a vision of citizenship that required all men to contribute to the common defense, just as it afforded all men an equal share in the very important privilege of legislation.
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