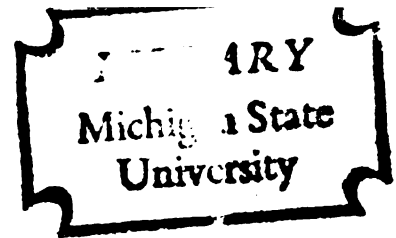


THE FORGOTTEN ANTAGONISTS:
PENNSYLVANIA LOYALISTS

Thesis for the Degree of Ph. D.
MICHIGAN STATE UNIVERSITY
ANNE McCABE OUSTERHOUT
1972



This is to certify that the
thesis entitled
The Forgotten Antagonists:
Pennsylvania Loyalists

presented by

Anne McCabe Ousterhout

has been accepted towards fulfillment
of the requirements for

Ph.D. degree in History

Robert E. Brown

Major professor

Date May 1, 1972

O-7639



ABSTRACT

THE FORGOTTEN ANTAGONISTS: PENNSYLVANIA LOYALISTS

By

Anne McCabe Ousterhout

Pennsylvania loyalism was followed in this study from its appearance during the independence movement through its decline after the Revolution. Research revealed 1,297 Pennsylvania Loyalists whose occupations, real estate holdings, marital status, birth places, length of residence in the colonies, activities in support of the British, and subsequent punishment, if any, were traced through newspapers, diaries, letters, tax lists, government records, and other pertinent primary sources.

Available data emphasizes the diversity of backgrounds of these Loyalists. They were represented in all colonial professions and trades and at all economic levels. Disproportionate concentrations within certain counties of the state or the failure of others to produce Loyalists may be explained by the presence or absence of the British army. This also may explain the underrepresentation of farmers and the overrepresentation

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of merchants. In addition, there was a surprising number of single, propertyless, young men who chose to help the British.

Treatment of the Loyalists, both during the Revolution and afterwards, was for the most part more lenient than might have been expected. At all times, colonial authorities would have preferred to convert their opponents rather than drive them away, and frequently the harshness of laws was mitigated by their non-enforcement. Many known Loyalists remained in the state during the war, not only retaining their property but augmenting it as well.

To help meet the costs of the war, the property of Loyalists found guilty of treason was appropriated and sold by the state. Sales procedures were designed to produce the greatest returns for the state and not to re-distribute property among the landless. Thus the prospective purchaser was limited only by the quantity of money he could produce within thirty days of making a successful auction bid.

Loyalists were not distinguished from Patriots by their economic or class status. They were colonists who retained their original loyalty to the king at a time when their fellow Pennsylvanians were accepting a new allegiance.

in

**THE FORGOTTEN ANTAGONISTS:
PENNSYLVANIA LOYALISTS**

By

Anne McCabe Ousterhout

A THESIS

**Submitted to
Michigan State University
in partial fulfillment of the requirements
for the degree of**

DOCTOR OF PHILOSOPHY

Department of History

1972

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ACKNOWLEDGMENTS

This study never could have been realized without the help and encouragement of numerous people who shared their knowledge and time. A grant from the American Association of University Women allowed me to devote a year to research before having to combine writing with teaching. Librarians and archivists everywhere were helpful to the neophyte, especially William Ewing at the William Clements Library, of the University of Michigan, where I began my research. All the professors who directed my study of history, contributing their scholarship and understanding to my intellectual growth, have my appreciation. But my special gratitude goes to my adviser Professor Robert E. Brown for his patient guidance through colonial American history and the ramifications of research therein and to his wife B. Katherine Brown for her constant encouragement and friendship. No listing of acknowledgments would be complete without mentioning both my own and my husband's parents who frequently assumed my household tasks to release me for research and study, and my four wonderful sons who raised themselves

and each other

a mother. Wi

to the limita

and all, many

and each other at times when I was a student rather than a mother. Without their help I would have fallen victim to the limitations of the twenty-four hour day. To one and all, many thanks. This study is partly yours.

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CHAPTER I

INTRODUCTION

The American Revolution has been one of the most studied, analyzed, quoted, even emulated, wars in modern history and yet there remains a facet of it that has not been adequately investigated. Most Americans can recite the events at Concord and Lexington, can repeat Paul Revere's signal "one if by land, two if by sea," and know that Nathan Hale regretted he had only one life to give to his country. But how many know the last words of John Roberts as he mounted the gallows or, for that matter, how many have even heard of Roberts? Both he and Hale were executed as spies during the same war and Roberts may even have been more successful but Hale spied for George Washington and his side became the victors whereas John Roberts was an agent for General Howe. Hale has been revered as a hero, Roberts reviled as a traitor; yet, in Roberts' reasoning, he was the greater patriot. Both men had been born in the British American colonies and both had grown up as subjects of the King of England. Roberts continued to adhere to the old loyalty but Hale found a new

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patriotism, and his name has lived on in the history books. This lack of interest in the Loyalists of the American Revolution has been typical not only of popular affections but of the professional scholar as well, and it is the purpose of this study to provide some of the answers about the Loyalists in one state, Pennsylvania.

Except for the last ten years or so, historians have shown little concern for the colonial losers of the Revolution. Many theses have been proposed about that war but all have sought to explain why the colonists chose, or were forced, to fight rather than conciliate. What of those who preferred reconciliation to separation, those faithful colonists who remained loyal to sovereign and mother country even though many of them suffered severely for their loyalty? In order to completely understand our War for Independence, we must identify and describe those who opposed that war as well as those who supported it.

Up until 1960, there had been only a handful of serious students of the adherents to Great Britain. Other than memoirs and autobiographies of the participants, Lorenzo Sabine in 1847 published the first book devoted entirely to the Loyalists.¹ He was followed in 1880 by Egerton Ryerson² and in 1902 by Claude H. Van Tyne.³ Wilbur H. Siebert wrote several books and articles in the 1920's on the Loyalists, including The Loyalists of Pennsylvania,⁴ the only published work devoted entirely to that state. Esther Clark Wright's book in 1955

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described the settlement of New Brunswick by American émigrés.⁵ In addition to these authors, there were a few who touched briefly on the Loyalists but for the most part they were given short shrift by the scholars.

Then in the 1960's interest began to grow and there have been almost as many Loyalist books published during the last ten years as there had been in all the previous years. The American Historical Association recognized this interest by devoting a session to loyalism during the December, 1969, annual meeting, at which time it was announced that the papers of the Loyalists are being collected to be published in a multi-volume work.

Earlier historians such as Ryerson and Van Tyne emphasized the upper class Loyalists and wrote sympathetically of their persecution and tragedy.⁶ But there has been a growing acceptance among modern scholars of William H. Nelson's proposal that the majority of the Loyalists were from cultural minorities, that they were people who felt weak and threatened and needed the British for support.⁷ For example, Wallace Brown in 1969 summarized and supported Nelson.⁸ North Callahan at first in 1963 presented the dual revolution thesis of Carl Becker and wrote that the rich American farmers were Loyalists while the debtor class were Patriots.⁹ Four years later, however, in Flight from the Republic, describing the Loyalist exodus from the United States, Callahan points out that the majority who settled in

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Quebec "were simple farmers from the frontier regions of New York, Pennsylvania, and Vermont, with little property and less education."¹⁰

Thus since the Revolution there has been a wide disagreement about the nature of Loyalists. Were they the rich, politically powerful ruling class or were they insecure minorities? These discrepancies in theses have occurred because the ground work upon which to base valid generalizations has not been done. For the most part these conclusions have been drawn from either the autobiographies of literate and vocal Loyalists or from the claims that some of the émigrés presented to the British government after the war. These serve as a good beginning point for study but show only a small part of the total picture.

The claims just mentioned, the so-called Loyalist Transcripts, originated with the British Parliament's Board of Commission of Enquiry into the Losses, Services, and Claims of the Loyalists appointed under the Compensation Act of 1783 and continued in office by supplemental acts. This board received claims presented to it, took testimony from witnesses, and eventually recommended the allowance of approximately one-fourth of the requests for a total of £1,420,000 to be paid out of the British budget. The claims in most cases contain a short autobiography of the claimant--where he was born, how long he

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lived in the colonies, his occupation, what he had done to demonstrate his affection for the King, how he had suffered as a result, what property he had lost, and how much compensation he wanted from the British government. The originals of these claims are in England but the New York Public Library has transcripts made by Benjamin F. Stevens of many of the volumes. These are very valuable sources of information about the individual claimants and are an excellent place to start a study of the Loyalists. However, as Eugene Fingerhut pointed out in the William & Mary Quarterly in 1968, conclusions about all Loyalists may not properly be drawn from the claims of this very small group. Fingerhut shows that the emigrants were not a statistically valid sample of all Loyalists, claimants were not representative of the emigrants, and the valuations put by the claimants on their property were inaccurate.¹¹

What are missing from the Loyalist puzzle are the detailed studies within each colony. Until these pieces are filled in, our picture must remain uncertain. Who were the Loyalists, not only those whose loud voices echo on through the years but those who whispered their objections to separation? Were they few or many? Did the majority represent any particular economic, social, or religious grouping, or were they diversified in their backgrounds? How did they demonstrate their devotion and

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were they punished for their views? What was the distribution of confiscated Loyalist property? How does additional information about the losers influence our interpretation of the War for Independence? These are questions this study tries to answer.

Due to the large quantity of sources available and the work involved in piecing together even a small corner of the total puzzle, I have limited my research to one state. Pennsylvania was selected because of its importance, not only geographically, linking the two halves of the new country, but also because of its economic and numerical strength. In 1778, Congress estimated Pennsylvania's population at 350,000 out of a total colonial population of 3,000,000, the third most populous state, and rated her value at nearly one-eighth of the whole United States.¹²

One of the most difficult problems faced by the Loyalist scholar is the question of definition--what made a person a Loyalist? As far as colonial usage was concerned, the term Loyalist did not receive widespread circulation until the last years of the war; instead the colonists applied the names Tory to those who resisted independence and Whig to those who favored it. However, since the word Loyalist is very descriptive and has been universally accepted, its use will be continued in this study with a temporal distinction made between Tory and

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Loyalist. Those Pennsylvanians who opposed the increasingly political measures adopted by the Continental Congress and the colonial conventions and committees before July 4, 1776, will be called Tories, in accordance with contemporary practice. Those who continued their opposition after the Declaration of Independence will be called Loyalists. Of course, many Tories subsequently became Loyalists and they were joined by some Whigs who favored every kind of opposition to British measures short of independence and war.

In order to identify the Loyalist there has to be some evidence of his beliefs so that we in the present can recognize them. Undoubtedly there were many American Loyalist farmers who continued to go about their usual day, tending their fields, keeping their preferences to themselves, and leaving no convenient diaries spelling out their ideas for future historians. They paid their taxes, perhaps grudgingly but paid them nevertheless, and they avoided difficulties with the Patriot authorities. These passive and silent Loyalists will never be discovered; for the Loyalist to be identified he must have left us a record of his faithfulness to the King and usually this occurred in a public record or newspaper. Active Loyalists ranged from those who fought with the British to those who voiced a few objections and then lapsed into silence. In the latter case it is hard to

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tell whether silence represented a change of beliefs or whether it was adopted for the sake of expediency as a result of the decision to remain at peace with one's neighbors in Pennsylvania rather than to emigrate.

Every student of colonial Pennsylvania must eventually come to terms with the Quakers and their peace philosophy. This problem is accentuated when considering the question of loyalism. Even though their official policy was against all participation on either side that might promote war, their pacifism tended to serve the British more than the Patriots and thus many contemporaries called them Tories and treated them as enemies. It is true that the Quakers opposed independence but only because independence meant violence and disruption of government, both contrary to their religious principles. If they had adopted their pacifism as a policy only during the War for Independence then we might accuse them of using this as a screen for loyalism but their standing during the war was quite consistent with their previously expressed ideas. To see that this was not a new belief we have only to look back to earlier imperial wars when colonial governors argued incessantly with the Assembly and the Yearly Meeting over the need for defensive preparations to aid the British cause.

In addition, the researcher who chooses to call all pacifists loyalist must explain those who supported

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the Revolution even at the risk of being disowned for military participation. Historian Peter Brock reports that 542 Quakers in Pennsylvania were "dealt with" by their meetings for accepting military service, the great majority having joined the Continental Army of the provincial militia.¹³ John Adams wrote to his wife in June, 1775, from Philadelphia describing "whole companies of armed Quakers in this city, in uniforms, going through the manual and manoeuvres like regular troops."¹⁴ In Bucks County, the clerk of the county committee was John Chapman, an orthodox Quaker, and the first to raise troops in that county for the Continental Army was John Lacey, a Wrightstown Quaker. In January, 1776, Lacey enlisted a company for Wayne's regiment. Later in the year, he served on the Canadian frontier and afterwards rose to brigadier general of militia. Among the young men who joined the volunteer companies, enlisted in the Continental Army, or accepted office under the revolutionary government were many well-known Quaker names. Although their meetings disciplined them for encouraging war and bloodshed this did not prevent their support of the Revolution.¹⁵ If the Quaker turned his back on his peace testimony and joined the British forces, or if he released British prisoners, or spied for Howe, or if he left the country, we are justified in labeling him Loyalist just as we would be in the case of a Presbyterian or Episcopalian

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or one of any other faith. But all members of the pacifist sects may not automatically be classified as Loyalists.

For purposes of this study, then, the terms Tory and Loyalist were defined as follows. The Tory was the person who opposed and tried to brake the increasingly rapid progress of Pennsylvania towards separation from England. As his opposition proved less and less effectual, he moved from supporter of the established authorities to opponent of the new state government. After the Declaration of Independence, the Loyalist wanted British military victory and political reconciliation with the colonies. An attempt was made to identify as many of these Loyalists as possible and to determine their economic, social, and personal status in order to bring into proper focus these largely forgotten antagonists of the American Revolution.

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CHAPTER II

TORY v. COMMITTEE MAY, 1774-JULY, 1776

When Ryerson told his story of the Loyalists, he began with the first English landings on the North American continent. Although the American Revolution may have begun with the settlement of Jamestown, it is not necessary to go back that far to study loyalism. On the other hand, the story would not be complete if started the day independence was declared. The two preceding years were of particular importance since it was after the passage of the Intolerable Acts that Pennsylvania began severing her political ties with the mother country. Before the spring of 1774, most colonists were agreed in their opposition to British tax measures. Even leading Quaker merchants were able to sign the trade boycott against the Stamp Act without violating their consciences. But as political concerns began to take precedence over the purely economic, some supporters of colonial resistance began to doubt the wisdom of the new course and withdrew their support. During this period of political maneuvering before the actual declaration of independence, many colonists became divided into

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the Tory and Whig persuasions that would harden into Loyalist and Patriot after the declaration.

In order to express disapproval of British tax measures, the colonists had developed the use of committees to collect the views of the citizens and to convey news from county to county and province to province. As the colonies drifted towards political union among themselves and separation from Great Britain, the county committees became another government existing side by side with the legally elected or appointed proprietary government. Members of the legal government had sworn allegiance to the King and therefore tended to be slower in opposing British measures. Thus, we find that during the two-year period before the new Pennsylvania government was established, there was constant tension between the committees and the House of Representatives, with the former pulling and tugging at the latter to direct it, first towards opposition to the British punitive acts and then, finally, towards independence from the oppressor. As these groups were urging the Assembly along or carrying out the resolves of the Continental Congress, they frequently stumbled over the Tories who interposed their objections or refused to obey. In the ensuing struggle, the committee usually won. This confrontation and defeat often pushed those who had been only mildly opposed into a strong Loyalist position.

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Aside from the friction they generated between themselves and the Tories, the widespread use of these committees did have a very salutary effect. Their emphasis upon determining the wishes of the people assured the agreement of the majority to proposed changes thus making possible the transition from colonial status to statehood in a surprisingly orderly manner. Although the mobs did assemble on occasion and there were incidents of injustices due to their uncontrolled behavior, for the most part Pennsylvanians withdrew their allegiance from the King of England and based their government on the authority of the people with determination to use appropriate laws where available or to create new laws in as legal a fashion as possible. Not only were they concerned with the legality of their actions, they spoke frequently of "determining the sense of the people." They were very conscious of the fact that any government founded on the authority of the people must have the support of the citizens if it was to survive.

The passage by the British of the Intolerable Acts in reaction to the Boston Tea Party was the immediate impetus for the formation of the various committees that would continue in existence until the new Pennsylvania state government was established early in the fall of 1776. When word of Boston's dumping of the East India tea reached Philadelphia, Pennsylvanians wondered with

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some trepidation what would be the British reaction. The first report was that the British were not too upset and that most Englishmen wanted the company to solve its financial difficulties by means other than a monopoly of tea sales in America. This too optimistic early assessment was soon replaced by news of the debates in Parliament over how to chastize errant Boston and secure the dependence of all the colonies upon Great Britain. Dependence on the mother country was an unknown characteristic in Pennsylvania and the possibility of it being imposed was not a pleasant one.

When passage of the Boston Port Act was reported in The Pennsylvania Gazette on May 11, 1774, it was followed by an article predicting that Philadelphia, New York, and Charleston would be treated similarly. The writer argued that the action against Boston could not be regarded as an isolated case. Since what had happened to Boston was probably in store for other American cities, the colonies must adopt a united front to assure their maximum strength. His words fell on receptive citizens who took the action that had become familiar to them in previous tax crises; they formed committees of correspondence to find out the opinions of other counties and colonies and to arrange for coordinated action.

An express arrived from Boston May 20 with news that a copy of the Boston Port Act had reached that city

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May 10, followed shortly by General Gage who had relieved Governor Hutchinson and apparently possessed wide powers to establish British control. A letter from the Boston town meeting called on all of the colonists to support the city with a renewal of non-importation. The evening of the arrival of the express in Philadelphia, the letters transmitted thereby were read to a hastily assembled mass meeting of some 200 to 300 persons at the City Tavern. A temporary Committee of Correspondence was appointed by this meeting to serve until altered by a wider representation of Philadelphians. In the meantime, this committee was authorized to send the sympathies of the city to their beleaguered fellow colonists in Boston "whom they considered as suffering for the common Cause" and to announce future meetings of the citizens when needed. They were also to ask the Governor to call a special meeting of the General Assembly, which had been elected the previous October, but after meeting had adjourned until September. The group concluded that the calling of a Continental Congress was "absolutely necessary."¹ This committee, formed in haste in response to the first of the Intolerable Acts, would pass on its authority to successors until Pennsylvania was one of the United States and there was no more need for its existence. As the leader of the opposition to the British, the committee would find itself responsible for preventing Tory interference.

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The Tory opposition at this point consisted mainly of two groups: those who supported the Proprietor and the Quakers who realized that trouble was coming and wanted to avoid it because of their principles against war. Although motivated differently, the aim of both was to prevent anything being done that might farther involve Pennsylvania in the controversy. The Quaker and Proprietary parties had for years traditionally opposed one another but now, under the pressure of Whig activity, they drew together in order to hold down the firebrands, urging caution and the presentation by the Assemblies of humble petitions to the King instead of the calling of committees and congresses. For example, at the meeting May 20, this group opposed an immediate declaration in favor of Boston and proposed instead to respond to Boston's letter only with sympathy. When the proposition was made to form a committee, two lists of names were immediately drawn up representing both points of view. A compromise combined the two to form the final group.

The decision to ask the Governor to call the General Assembly was also taken as a compromise measure "in order to prevent farther divisions in the city, and to convince the pacific that it was not the intention of the warm spirits to involve the province in the dispute without the consent of the representatives of the people. The address was drawn up and signed by the leading men of

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both parties and presented to the Governor," along with a petition signed by some 900 citizens. The Governor in consultation with his Council refused the request as unnecessary but then a few days later discovered that the pressing Indian threat on the frontier made such a meeting essential after all.² It is not known why Governor Penn changed his mind. It is possible, however, that he hoped to use the conservative views believed prevalent in the House to counteract the attempts to bring Pennsylvania into the dispute.

The letter from the Committee of the City of Philadelphia to the Committee of Boston, written by the moderate Tory the Reverend William Smith, provost of the College of Philadelphia, also demonstrated the influence of the Tories in moderating the enthusiasm of the more active Whigs. The letter offered sympathy and then discussed the basis of the dispute in terms of the right of the colonists to tax themselves.

If satisfying the East India Company for the damage they have sustained would put an end to this unhappy controversy, and leave us on the footing of constitutional liberty for the future, it is presumed that neither you nor we could continue a moment in doubt what part to act; for it is not the value of the tea, but the indefeasible right of giving and granting our own money; a right from which we never can recede. That is the matter now in consideration.

As for the question of what to do next, the letter urged a petition to the King as the course of action most agreeable to the people of Pennsylvania and the first step that

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ought to be taken. If this should not bring relief, then perhaps non-importation and non-exportation should be initiated.³

The Tory approach to the dispute with Great Britain may be seen in an extract of a letter to Boston from Philadelphia written shortly after the receipt of news of Gage's arrival. The writer hoped that his correspondent would find quiet and security and that the town and province would "at length, learn a little wisdom and moderation. . . . Your patriots will find themselves deceived in the general support of the other Provinces; from this they will find none." He pointed out that Pennsylvania had her share of problems on her frontiers where an Indian war was expected momentarily.⁴

Just one week later the Whig position was included in a letter to the Boston Committee from a citizen of Philadelphia. The writer sympathized with Boston and judged that "Great Britain must be out of her senses." He believed that Boston's cause was "the common cause of all the colonies" and that confrontation was unavoidable. "We must have a push for it, with all our strength against the whole strength of Great Britain; by sea they will beat us; by land, they will not attempt us; [therefore] we must try it out in a way of commerce." He recommended not only the suspension of all trade with Great Britain and the West Indies but the non-exportation of flax seed to Ireland

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as well. These trade strictures would cause such economic problems that Britain would be forced to terms. He concluded that a general congress should be convened as soon as possible to initiate the boycott.⁵

During the next few weeks, reports arrived of similar activities in other colonies as word spread of the impending shut-down of the port of Boston. There were meetings in New York City, in Annapolis, in Williamsburg. Some colonists wanted a return to the trade restrictions that had worked against the Stamp Act; others called for a Continental Congress. The newspapers were full of letters condemning British measures as unconstitutional, arbitrary, and oppressive.

By mid-June a copy of the Administration of Justice Bill had been published and Pennsylvanian reaction was increasing in tempo. A larger mass meeting attended by approximately 1,200 mechanics had met at the State House to hear reports from New York but had taken no action because the Committee had called for a general meeting on June 18 of all citizens qualified to vote for representatives.⁶ Even though the Quakers generally opposed town meetings they were induced to participate in the one scheduled for June 18. They helped prepare an agenda, agreed on those who should preside and those who should speak, and a Quaker was one of the three chairmen. The provision was made that the speakers must

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submit written copies of their speeches for the revision of the chairmen,⁷ but we have no record of the effect of this requirement. This June 18 gathering, said to have numbered many thousands, resolved that the Boston Port Act was unconstitutional and that the best defense of the colonies would be found in a Continental Congress. Another committee of forty-four persons was elected by this larger representation to correspond with the other colonies and Pennsylvania counties, to consult on the best way to "collect the sense of the province," and to appoint delegates to a Continental Congress.⁸

The newly elected Philadelphia Committee prepared and circulated to the different counties in the province a letter forwarding the resolves of June 18 and asking their opinions. This letter reported that when the Governor had refused to call a meeting of the Assembly, the Speaker of the House of Representatives had been requested and had agreed to invite the members of the Assembly to meet in Philadelphia in a private capacity as soon as possible but no later than August 1. Now that the Governor had decided to order writs summoning a General Assembly to meet July 18, the Philadelphia Committee recommended that each county make arrangements to appoint a local committee and suggested that representatives from these committees should meet in Philadelphia at the same time as the Assembly in order to prepare instructions for

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their representatives on the best method for selecting delegates to a Continental Congress.⁹

The pattern used in Philadelphia to organize dissent was duplicated in the other counties as well--a mass meeting of concerned citizens decided upon a need for action and appointed a temporary committee that took whatever action was immediately required and issued a call for the formal election of a county committee. The franchise in these elections included the same citizens who were qualified to vote for Assemblymen under the existing election laws. Whenever possible, the traditional methods were used to elect the leaders of the opposition to the British. In addition, there was continuous recognition of the need to "gather the sense of the people" and in a day of poor communications reliance had to be placed on word of mouth and on instructions given to representatives who, in many cases, were personally known by their constituents. These representatives were expected to carefully report the views of their constituents to the other delegates and to work for their adoption.

Because Philadelphia received news of British acts before the outlying counties and therefore was the first to realize the need for colonial action, leadership in Pennsylvania automatically was assumed by that city. In most cases Philadelphia only pointed out the problem and the other counties acted shortly thereafter. Thus,

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Philadelphia had its first meeting May 20, followed by the gathering of qualified voters June 18. Lancaster inhabitants met June 15 recommending non-intercourse, appointing a committee of correspondence, and scheduling a meeting of the voters for July 9.¹⁰ A group of freeholders of Chester County met June 18, resolving that the Boston Port Act was oppressive and calling for the meeting of a provincial conference in Philadelphia not later than August 1 to appoint deputies to a Continental Congress. Because notice for the June 18 meeting had been short, all those qualified to vote for Assemblymen were asked to gather June 25 to choose a committee of correspondence and decide how best to secure relief.¹¹ Northampton citizens assembled at Easton June 21 to form a Committee of Correspondence and call for a Continental Congress.¹² York inhabitants met the same day at York Town and issued a call for qualified voters to assemble July 4. At that time they appointed a Committee of Correspondence and arranged for delegates to the proposed Provincial Conference meeting in Philadelphia July 15. On July 2, the Berks colonists met at Reading and appointed a committee.¹³ Both Lancaster and Bucks counties held meetings July 9 and appointed representatives to the Philadelphia meeting. Cumberland and Bedford counties, both west of the Susquehanna, held their meetings July 12, appointing county committees and delegates to the Provincial

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Conference. All of these meetings issued resolves that expressed sympathy for Boston, determination to resist unjust British measures, and support of the decision to call a Continental Congress. Some began their resolves with a statement of loyalty to the King but this did not deter them in their opposition to acts they considered unconstitutional and cruel.

During this period of committee formation, the Tories were in an ambivalent position. On the one hand, they agreed that British tax measures were oppressive and must be ended. But on the other, they were appalled by the way their fellow colonists were expressing dissent and they particularly disapproved of any extra-legal actions. This joint antagonism to both British taxation and colonial violence may be seen in a letter written by Joseph Galloway, speaker of the Pennsylvania House of Representatives, to the Massachusetts Committee of Correspondence. He said that he had received a copy of the Boston Port Act and would lay it before the Assembly at the earliest opportunity. He considered the act to be "further proof of a resolution in the mother state to draw a revenue from the subject in America without his consent." He urged the colonies "coolly and dispassionately to meditate on the consequences, and to leave no rational or probable means unessayed to avoid them, and to obtain that relief which our rights as English subjects entitle

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us to demand." But he believed that the legislatures should determine the proper means to secure relief. Until that course was tried he could not imagine that the dispute between Great Britain and her colonies could be ended with propriety by any other person or group. Order, reason, and policy must prevail and every act of violence should be avoided. Specifically, he suggested that a Continental Congress should be the first step with delegates chosen by the colonial legislatures.¹⁵

Tory activity during these early months may be described as a holding operation, trying to prevent Pennsylvania's involvement in Boston's predicament. They opposed the formation of committees and once formed they denied that those committees had any authority in the colony. We cannot determine the extent and effectiveness of Tory opposition because the election returns are not extant and contemporary newspapers reported only the committee members elected with no mention of an opposing slate. In addition to opposing Whig committees, the Tories wrote letters of complaint to friends in England and in other colonies and to newspapers in which they emphasized, as had Galloway, law, order, and the need for legal redress of admitted grievances.

Some of the Whigs believed that the Tories could be brought around to support the colonial measures. Charles Thomson, who was very active in Whig circles, believed that "by prudent management, and an improvement

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of occurrences as they happened, there was reason to hope that the Assembly, and consequently the whole province might be brought into the dispute without any considerable opposition." Many of the members of the Assembly had held their seats for a long time and wanted to continue. Rather than give them up, Thomson believed that they could be led on farther and farther until it was too late to retreat. If this cautious, tactful line had been followed perhaps much of the dissension in Pennsylvania would have been avoided. For the next two years, the legislature did agree to the various resolves of the Continental Congress. It is true that the agreement was often very reluctant but nevertheless they did eventually consent to all the measures of the Congress.

Thomson argued that the Philadelphia City Committee was the body responsible for the divisions that arose between the colonists. Many of the committeemen, having been suddenly raised to power and an uncontrolled authority over their fellow citizens, were impatient of any kind of opposition. "The cautious conduct of the patriots in Assembly [they] attributed to lukewarmness, and the backwardness of others which was owing partly to a natural timidity of temper, partly to the influence of religious principles and old prejudices, they constructed into disaffection."¹⁶ Ultimately they managed to end the provincial government and create a new one. But this

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government proved so controversial that it caused trouble until it was finally replaced.

Thus, within two months of receiving the news of the passage of the Boston Port Act, the province of Pennsylvania had held county meetings, elected local committees, and sent representatives to attend a Provincial Conference in Philadelphia July 15. The Governor, who originally denied the need for a special sitting of the General Assembly, had changed his mind and called one for July 18. The two representative bodies, then, were both meeting in the city at the same time. The Assembly had been elected at the regular time in early October. The Conference delegates had been chosen by the county committees, generally from among themselves, and these committees had been selected by the same electorate that had chosen the Assemblymen.

The Provincial Conference passed sixteen resolves proposing certain concessions on the part of the colonists in return for the repeal of the hated British acts. They declared their allegiance to Great Britain and abhorrence of the idea of independence but pointed out that differences between the two were "destructive of the interests of both." Parliament had erred in passing unconstitutional acts and so a Continental Congress was necessary to obtain relief peacefully. Pennsylvania would be willing to join in a non-importation and non-exportation

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boycott and to do all in its power to carry out any other measures that such a Continental Congress should recommend. A list of instructions was drawn up, discussed, approved, and presented to the General Assembly. These instructions, beginning "The dissension between Great Britain and her Colonies on this Continent, commencing about ten years ago" and containing a statement of allegiance to the King, asked the General Assembly to appoint delegates to attend a Continental Congress where they were to work for a solution of the problems that had interfered for those ten years between Great Britain and her colonies. Specifically, they wanted Congress to obtain from England a renunciation of certain powers such as internal legislation, quartering of troops, regulation of trade, levying of duties, and the closing of Boston. In return, they were willing to obey the Navigation Acts voluntarily, to repay the East India Tea Company, and to pay an annual revenue to the King. The Provincial Conference concluded by making the Committee for the City of Philadelphia a Committee of Correspondence for the whole province and authorizing it to call a subsequent conference when necessary.¹⁷

By the time the General Assembly convened, delegates from the Provincial Conference were ready to present their statement of American grievances, their instructions for the Assembly, and a list of recommended

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delegates to a Continental Congress. The night before the Assembly was scheduled to discuss these communications from the Conference, a letter signed "A Freeman" was circulated among the representatives, questioning the legality of the Provincial Conference. The writer argued that the "gentlemen chosen by ballot on the first of October, are the only persons before whom every grievance should come; you are the men; you are chosen to represent us on every occasion." In addition, he questioned the elections of the committeemen, accusing them of being selected by less than one-fourth of the freeholders. Furthermore, the resolutions issued by those committees were drawn up in advance by "some zealous partizan, perhaps by some fiery spirit, ambitiously solicitous of forcing himself into publick notice" who was able to win their acceptance by means of his persuasive oratory. He concluded that no legal authority could be derived from such committees.¹⁸

The next day, the Assembly unanimously resolved that a Continental Congress should be held and appointed representatives from Pennsylvania to attend such a Congress. The formal instructions given by the Assembly to these delegates, however, ignored the suggestions of the Conference. Instead, they very generally authorized the delegates to consult on the critical situation and adopt a plan to obtain redress of their grievances. In their selection of delegates, the Assembly chose from among

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themselves thus presenting another rebuff to the Conference who had proposed other names. Among the seven selected was Tory Joseph Galloway, Speaker of the House, who would become an arch Loyalist, an aid to General Howe, and a refugee in England. His influence may be seen in the handling of this matter for in his letter to the Massachusetts Committee he had recommended a Congress representing the legislatures. Contemporary John Young has left us his report on the reaction to this choice: "I believe the Committees, and, indeed, people in general, are not well pleased at the Assembly's chusing the members of ye Congress out of their own house; indeed, I think it is a reflection on them that the Farmer [John Dickinson] was not one of their number." John Dickinson and James Wilson had been two of the men recommended by the Conference but since they were not Assemblymen they were omitted by the Representatives.¹⁹ Charles Thomson said that the reason the Assembly appointed delegates was to prevent the Conference from taking matters into their own hands and making their own selection.²⁰ Dickinson was not left out for long, however; he was chosen a member of the Assembly at the next election in October and was added to the list of delegates when that Assembly met.

By September 5, when the First Continental Congress convened, details of all the Intolerable Acts had been widely circulated and the views of the colonists,

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either condemning Great Britain or criticizing colonial reaction, had been thoroughly aired in the newspapers. Many of the resolves passed by Congress re-stated the well discussed Whig opinions but the Continental Association adopted by Congress required action on the part of the individual colonies, action that led to conflicts between Whig and Tory. Rather than rely on voluntary colonial enforcement of its non-export and non-import agreement, the Association provided for enforcement by local committees. Enforcement in turn led to much activity against those suspected of Tory sympathies, action taken not only by the elected committees but also occasionally by the mobs who believed that committee enforcement was too lax.

Article 11 of the Association resolved that a committee should be chosen in every county, city, and town by those qualified to vote for representatives. The business of these committees was to "observe the conduct of all the persons touching this association" and when violators were discovered, their cases were to be published in the newspapers, and all dealings with them by other citizens were to be suspended. These county committees were also to "frequently inspect the entries of their customhouses, and inform each other, from time to time, of the true state thereof, and of every other material circumstance that may occur relative to this

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association."²¹ Thus, the name Committee of Inspection and Observation was applied to the county committees that would be set up to enforce the terms of the Continental Association. These were extra-legal organizations with no power to operate through the courts, having to rely on the force of group persuasion of one sort or another. Under this authority many Tories were harangued and criticized for their behavior or incurred actual loss of property or physical harassment.

In order to carry out Article 11 of the Association, the various Pennsylvania counties proceeded to arrange for election of their Committees of Inspection and Observation in the same manner as representatives to the Assembly had been chosen in the past. The counties, one by one, elected their committees--Philadelphia City on November 12, Philadelphia County November 26, Berks December 5, Bucks December 15, York December 16, Chester December 20, Northampton December 21. In some cases a large committee was elected first and this in turn selected from among themselves a smaller Committee of Inspection and Observation. In others, only the one group was chosen. These had definite time limits and were periodically re-elected, either every six months or every year. The legal experience and orderly procedures of almost one hundred years of colonial status were used at that time to set up these extra-legal bodies thought

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necessary to combat unconstitutional and oppressive measures of the British. As each new step was taken away from the mother country, the colonists made every effort to base their moves on traditional laws and time honored institutions.

The emphasis on orderly, traditional procedures was clearly demonstrated in the election in Philadelphia. The Committee that had been selected on June 18 first called for the election of its own replacement on November 12. Then, on November 7, pursuant to a notice in The Pennsylvania Packet, the freeholders were asked to meet at the State House to consider "the propriety of electing, by ballot, a Committee according to the recommendation of the Congress; and for adopting a plan for the same, as near as may be to the mode of electing members of the Assembly."²² At the meeting, it was voted to conduct the election by ballot, to create separate committees for the city and county of Philadelphia, and to have the city committee number sixty men who would continue in office until the close of the next session of the Continental Congress. A detailed plan was prepared for the election, providing for prior election of inspectors who would in turn appoint election judges. These judges were required to declare on their honor that they would superintend the election in a way conforming as nearly as possible to the requirements of the act of

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Assembly for regulating elections.²³ Unfortunately, the returns of these elections are not available and we are left with many questions unanswered; thus we do not know how many people voted, who were the losers, or how close was the election vote. However, anyone who had previously voted for Assemblyman was entitled to vote; if he did not chose to do so, it was his own decision.

Meanwhile, the Pennsylvania Assembly was elected the first of October, convened October 14, and on December 10, unanimously approved all the proceedings and resolves of the Continental Congress. Thomson reported that this was accomplished through the efforts of John Dickinson in spite of Joseph Galloway's disapproval.²⁴ Galloway, however, must have worked behind the scenes because he did not formally appear on the floor of the House until December 13. Perhaps his absence explains how the vote was unanimous. Counties that elected committees after receiving notice of this approval of the Assembly could claim the Assembly's action as legal justification for their committees. Before adjourning, the Assembly chose the Pennsylvania delegates to the second Continental Congress scheduled to meet May 10, 1775, at Philadelphia. Again we find Joseph Galloway's name among those selected although he would not serve. Apparently the newly elected Assembly still wanted a Tory voice among the Pennsylvania delegates to Congress. It is interesting to note that even though the Assemblymen were selected by the same

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electorate and the same procedures were followed, yet the type of man elected to the committees was of a more venturesome sort than the majority of those in the Assembly.

The first Continental Congress had given to the county committees the job of enforcing the trade association by assuring that the boycott was observed by the merchants and that they did not take advantage of the ensuing shortages to raise prices. As Philadelphia was the principal depot for the export and import of goods into the state, the main responsibility for enforcing the trade boycott would fall to that city's committee. In order to carry out their jobs, the Philadelphia City Committee divided the populous area under its supervision into six districts and allocated inspectors to each. To check on imports, all ship captains had to report to the Philadelphia City Committee by noon of the day following their arrival in port. All imported merchandise was to be inspected and any articles coming into the city contrary to the provisions of the Association were to be sold by the city vendue master under the direction of the committee. In addition, an attempt to control prices would be made, manufacturing was to be encouraged, and because a shortage of wool was anticipated, the Committee tried to discourage the killing of sheep for food. These were all measures that had been recommended by Congress in the Articles of Association.

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There must have been only a few instances of importation contrary to the Association for the names of just a handful of merchants were published in the papers as carrying on practices contrary to public welfare, and a few of these were living in England. Some colonists, however, did run afoul of these import and price restrictions and suffered the criticism of their neighbors. For example, Thomas and James Fisher of the merchant firm of Joshua Fisher & Sons locked horns with the Philadelphia City Committee over the commodity salt. About 4,000 bushels of that item belonging to Joshua Fisher & Sons imported in December, 1774, contrary to the Continental Association, were taken from the Fishers and stored under the care of the Committee of the City of Philadelphia. But that body did not know what to do with it. It was not returned to its original debarkation point and the Fishers refused to sell it themselves under Committee controls so the salt lay in the storehouse all during 1775.²⁵ During these months, other items belonging to the Fishers followed their salt into the storehouses of the Philadelphia City Committee, the Fishers refusing to sell them under any situation where the province might be able to buy them. The colonists were very respectful of private property and apparently during 1774 and 1775 the public need was not great enough for the Committee to feel justified in actually selling these goods without the permission of the Fishers.

By December 22, 1774, the Philadelphia City Committee was writing to all the other county committees suggesting that another Provincial Conference be convened January 23, 1775, in order to determine how best to carry out the Association. Most of the counties responded favorably to this proposal. Bucks County alone demurred. They believed that Congress had clearly stated what was necessary to carry out the Association; therefore, another Provincial Conference was unnecessary.²⁶ Bedford County representatives also missed the Conference, in their case because of the shortness of the time provided, but in February they wrote their approval of the resolves of the Conference.²⁷

There is a suggestion that the real reason the Philadelphia City Committee called for this Provincial Conference was to arrange for the formation of militia units. A Tory writing to New York reported that several of the counties sent delegates to the Conference only to oppose the mustering of a militia. When the Philadelphia Committee became aware of this opposition, they agreed not to propose it. He wrote that without this issue the Committee would have difficulty justifying calling a conference during the winter season and he predicted that "their transactions will consist of pious Resolves to kill no Wethers, and to encourage the industrious Farmer to make his own coat, and a hearty approbation of the

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Congressional Proceedings will be artfully brought about. This, and a little inflammatory matter to keep sedition alive, now almost expiring, will take up their whole time." He concluded with the hope that the Assembly at their next meeting would rescind their approval of the resolves of Congress. "Nothing but a shameful fear of popular resentment ever could have extorted from them such a Resolve."²⁸ This letter illustrates the important role exercised by popular opinion in the various measures taken by both the Pennsylvania Assembly and the Provincial Conference. The Assembly, on the one hand, was forced by the public to approve of the proceedings of Congress. But, on the other hand, when the people decided that the Philadelphia City Committee was moving too fast, they forced that group to retreat from its advanced position. The committees could lead only as fast as public opinion would permit.

Incidentally, the Tory writer fairly accurately forecast the accomplishments of the Provincial Conference. All that meeting produced was a set of resolves reinforcing the provisions of the Continental Association.

In February, Governor Penn tried to direct Assembly action into channels more acceptable to the British. In January, he had received a circular letter from the Earl of Dartmouth telling the governors to prevent the appointment of deputies to the second Continental Congress.²⁹

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But the Pennsylvania Assembly had already taken this action before Penn received these instructions. There really was not much the Governor could do but he recommended that the House send a respectful petition to the King asking for redress of grievances. If successful, such a petition would have made a second Congress unnecessary. There was considerable debate in the Assembly over this proposal and action had to be postponed ten days. When a vote was taken on March 9, a majority of 22-15 decided against a petition from Pennsylvania. Their answer to the Governor pointed out that a respectful petition from all the colonies had been sent and was at that moment before the King.³⁰ This vote, although denying the Governor's suggestion, nevertheless shows the strength of Tory representation in the Assembly. Thus, better than a third of the House was urging the state to take action separate from the united colonies to communicate with the King. If Gage had never ordered his forces out to Lexington and Concord, there might never have been a war between Pennsylvania and the mother country.

Towards the end of April, however, news of Concord and Lexington stirred the colonists to further actions. On April 25 a mass meeting assembled nearly 8,000 inhabitants to consider what further action should be taken in the light of this new evidence that England was determined

to oppress them. York County had shown them the way several months before when some citizens of that area had formed themselves into a military association. They had offered to discontinue if their county committee disapproved but that body refused to discourage them, believing that military training would contribute to their mutual security.³¹ And so at the end of April, the citizens of Philadelphia at their mass meeting agreed unanimously "to associate for the purpose of defending with arms their Property, Liberty, and Lives."³² The Pennsylvanians were willing to take whatever measures were necessary to defend the way of life they had known for nearly a century against threatening British actions. In order for these decisions to have been passed unanimously, the Tories must either have not attended the meetings which were open to all voters or, if they did attend, neglected to vote. Perhaps they were intimidated by the mass pressure of their fellow citizens who wanted colonial resistance to accelerate at the same pace as British oppression. Thus, if the British used force the Whigs wanted the colonists to resist with force.

Other counties soon followed suit. Northampton County Committee met May 6 and unanimously resolved that the several townships in the county should form militia companies, choose officers, and provide each man with powder, lead, flints, cartridges, and one good firelock.³³

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The report of the proceedings of the Bucks County Committee for May 8 make interesting reading in the light of their refusal to send delegates to the Provincial Conference in January.

Notwithstanding the disapprobation we have hitherto shown to the prosecution of any violent measures or opposition, arising from the hopes and expectations that . . . the British Nation would not fail of affording us relief; being now convinced that all our most dutiful applications have hitherto been fruitless and vain; and that attempts are now making to carry the oppressive Acts of Parliament into execution by military force, we do therefore earnestly recommend to the people of this County to form themselves into Associations in their respective Townships, to improve themselves in the military art, that they may be rendered capable of affording their Country that aid which the particular necessities may at any time require. . . .³⁴

In January the Bucks County Committee had refused to send delegates to a meeting at which the Philadelphia City Committee might possibly propose mustering a militia, something never done before in Pennsylvania. But by May they deemed such action necessary. Each new measure of the British brought about a reaction from the colonists. Even though Pennsylvania had not been directly affected, her citizens believed that it was just a matter of time before British policy in Massachusetts would be applied to all the colonies. If the British could attack colonists in Lexington and Concord, they might attack them in Easton and Lancaster.

Chester County committeemen met May 15 and resolved that all Chester residents should arm themselves

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and form into groups to learn the military art. Thenceforth, no powder was to be used in the county except for emergencies. When they convened again May 31, they made a specific proposal to their fellow colonists of a military association to be signed. In this association, the signee promised to learn the military art, obey his officers, support the civil magistrates, and be ready to defend himself and his countrymen. The idea of a pledged military commitment to be made by all patriots spread over the state and was eventually recognized by a resolve of the Assembly. Because they would refuse to join this association, the Tories would be more clearly distinguished from their fellow citizens. Whigs would now be meeting for training sessions and those who did not attend would be branded as Tories. From this time on, when the words Association or Associator are used, they refer to a military organization rather than to the economic boycott established by the first Continental Congress.

Westmoreland County, out on the far western edge of Pennsylvania, was finally heard from in August. County delegates had met May 16, resolved to form militia companies and had drawn up articles of association for their people to sign.³⁵ Westmoreland and the other frontier counties mustered not so much from fear of British Redcoats as from fear of British Indian allies. For them, military association was a deadly serious matter, for

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these counties on the frontier would suffer more than any other area during the Revolution, continuously receiving violent visits from Indians led by Loyalists so that many townships had to be totally evacuated before peace was finally established.

On June 14, 1775, The Pennsylvania Gazette carried the bad news that had been anticipated by its correspondent more than a year before. Word arrived of the passage of an act restricting the trade of New England to Great Britain, Ireland, and the British West Indies to become effective July 1, and of a similar act directed to the middle colonies to take effect July 20. A contemporary described July 20 in his diary as the "memorable day in which an unjust and cruel ministry took away all our Sea Trade as far as their Inveterate malice could reach. . . . All the houses and shops in our neighborhood were Shut and to appearance more Still than a First day produced."³⁶

In June, the Philadelphia City Committee petitioned the Assembly about the state of unpreparedness of Pennsylvania while the British ministry was threatening American liberties. They reported that they had recommended and helped their fellow citizens in the city to form a military association. But they needed the aid of the Assembly, particularly to provide the money for soldiers' pay and equipment. In addition, they saw a need for an administrative agency to coordinate defense measures and act in

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an emergency. This petition was seconded by another from the Officers of the Association of Philadelphia and, essentially, the Philadelphia City Committee got what it wanted. The Assembly recognized and approved of the military association and agreed to pay its expenses if it became necessary to call it out for duty. Arrangements were made to issue bills of credit for £35,000 to provide the money and a twenty-five man Committee of Safety for the state was appointed to provide the direction. The Assembly concluded that many good people of Pennsylvania were "conscientiously scrupulous of bearing arms" and recommended to the Associators and others "that they bear a tender and brotherly regard towards this class of their fellow subjects." This conformed with the colony's long history of toleration of religious scruples against violence. However, the Assembly suggested that pacifists should cheerfully assist in proportion to their abilities by voluntary subscription.³⁷

In mid-July, after the battle of Bunker Hill, Congress made military association its official policy when it recommended that all able-bodied men between 16 and 50 immediately form themselves into regular companies of militia. Congress, too, promised not to violate the consciences of the pacifists and recommended that they contribute to the relief of the needy. Each colony was told to store ammunition and appoint a Committee of Safety

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to direct matters. Furthermore, Congress wanted a list of all qualified persons who refused to associate and who did not have conscientious objections.³⁸ Thus Congress at this stage distinguished between the Tories and the conscientious objectors recognizing that those with religious principles against violence constituted a separate classification.

During this period, there was no large scale Tory dissension on an organized basis. They gathered together in groups to discuss the news, to pass on word from Tories in other colonies, and to discuss their mutual disapproval of Whig measures. They spoke of what they would or could do, but never seemed to get around to actually doing very much other than writing letters and singing British songs in loud voices to aggravate the Whigs. In a democracy the role of the conservative in a time of action is a difficult one. His is essentially a negative position, one of opposing what others suggest, and this was the Tory problem. As a result, they were not effective and succeeded only in getting into trouble with the Whig majority and alienating themselves from the rest of society.

One of the largest groups of Tories was identified in the summer of 1776 by Isaac Atwood, a comb maker, who came from England to Philadelphia in 1773. He related that soon after his arrival in this country, he had met

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Dr. John Kearsley, also a native Englishman but one who had lived in Pennsylvania some forty years. Kearsley frequently asked Atwood to attend Tory meetings beginning in the spring of 1775 and Atwood disclosed the names of about fifty men whom he had met at these functions. The design of these meetings, said Atwood, was for all Englishmen to associate together and join the British forces when they should arrive. They confined their activities at that time to wishing and drinking success to the British military although they boasted to Atwood that, if they only had arms, they could get 3,000 men within three miles of the Court House.³⁹

Pennsylvania's Committee of Safety, appointed by the Assembly, held its first meeting July 3, and from then until the new government was established, Pennsylvania was ruled by two different systems. The Assembly was the legally constituted legislature with the Governor as its executive arm. For the normal domestic problems of the colony, the legislature passed acts that were sent to Governor Penn for approval and then forwarded to England to the King and his advisors. But at the same time, the Committee of Safety was serving as the executive in all matters pertaining to the troubles with Great Britain and for these problems the Assembly acted by resolves, without consulting the Governor. The county committees reported to the Philadelphia City Committee which had been made a

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Committee of Correspondence for all the colonies, or to the Committee of Safety, or by petition to the Assembly. The traditional local state officers at the county or township level attempted to satisfy everyone. To complicate matters further, committees also sprang up among the militiamen, responsible only to the men who elected them.

Now that the state was organizing itself into military units and the possibility of actually having to take the field was becoming a probability, the question of the conscientious objector and of the Tory became troublesome. Eventually, the state would stop trying to distinguish between them but at first an effort was made to respect the religious views of the pacifist. The chairman of the York County Committee wrote a letter to the state's delegates in Congress reporting a meeting they had held to consider how the recommendations of the Assembly and Congress about the pacifists should be carried out. This letter stated the problem very well. "On one hand any harsh measures might tend to infringe the rights of conscience and be construed to be taking money out of our brethren's pockets without their consent." On the other, it seemed unfair for one part of the community to defend the whole "in a struggle where everything dear to freedom is at stake." In addition, there was the danger that the militia might refuse to fight "finding the burden so unequally born." The

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Committee asked direction from Congress because they felt incapable of solving the problem.⁴⁰

As each county committee was writing its own Articles of Association, enumerating the obligations and responsibilities of the Associators, the Pennsylvania Committee of Safety on August 19 drew up Articles to be signed by all the colony's Associators. These Articles comprised the rules to be followed by the Associators, what constituted an offense, and how that offense would be punished. They contained no apparent controversial items but were straightforward military regulations such as injunctions against drunk or disorderly behavior, against refusing commands, and against sleeping on guard duty.⁴¹

But not all of the militiamen accepted these proposals. The privates of some thirty companies from Philadelphia refused to sign them. When their officers asked their reasons for refusing, the privates drew up an address to be presented to their officers by a General Committee of the Privates, and the officers in turn passed it along to the Assembly. In their address the privates objected to a rule committing one section of society to dangerous actions which did not commit others who nevertheless reaped advantages from those actions. In the past, a man could hire a substitute or pay a tax if he found personal service inconvenient and the privates

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wanted to know the rules for exemption in this war. They wanted it clearly stated how much had to be paid in tax instead of service, so that each one could decide whether to serve or pay the tax. In addition, they questioned the right of the Assembly to give any body of men the power to legislate, "this being an unalienable essential right belonging to the whole body of the freemen of which society is composed." The Committee of Safety was not subject to the control of the people. Therefore, they wanted the House of Representatives to make the provisions for carrying out the recommendations of Congress.⁴²

Apparently the Assembly was not impressed by the arguments of the privates because they re-appointed the Committee of Safety October 19, adding some new members. Perhaps they hoped that by increasing the membership, the Committee would be considered more representative of the people, and thereby satisfy its critics.

But those who agreed with the privates were not to be silenced. The next day a petition was presented to the Assembly by the Philadelphia Committee. The Continental Congress had recommended to the inhabitants of all the United English colonies in North America that all able-bodied effective men between 16 and 50 immediately form themselves into companies of militia. The Committee pointed out that this recommendation had not been fully complied with and should be. Furthermore, the House of

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Representatives was the body from which the people wanted to receive the regulations to carry these recommendations of Congress into effect.⁴³

The Committee of Chester County added its voice to the complaints through a petition presented October 26 to the Assembly,⁴⁴ and the same day the Quakers, as the chief pacifist group, decided to defend themselves. In their address, they argued that the other petitioners were trying to persuade the House of Representatives to pass acts that would be contrary to the basic laws of the province. "For above One Hundred Years past we, as a religious Society, have declared to the world, that we could not for conscience Sake bear Arms, nor be concerned in warlike Preparations, either by personal Service or by paying any Fines, Penalties, or Assessments, imposed in Consideration of our Exemption from such Services." They reminded the legislators that their ancestors came to Pennsylvania to escape persecution and had received a solemn promise from William Penn that their views would be protected.⁴⁵

The Committee of Philadelphia answered the address of the Quakers with another of their own in which they declared that if the "friends of liberty" succeeded in their aims, the Quakers and all their posterity would enjoy the rewards although not contributing to it at all. If they failed, the Quakers would have risked nothing.

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The privates and also their officers echoed the sentiments of the Committee in new petitions arguing against any exemptions from taxes for the Quakers.⁴⁶

The Assembly finally succumbed to all this pressure and appointed representatives to consider a new set of articles for the governance of the military association. On November 25, the Assembly passed its Rules and Regulations for Governing the Associators and also Articles of Association to be signed by all Associators. The Assembly required the preparation of an exact list of all males capable of bearing arms. Every person who chose not to associate should be charged £2.10. This tax for not turning out for militia duty would be raised to £100 and in October, 1779, the Assembly raised it to a maximum of £1,000 and a minimum of £100.⁴⁷ There was no distinction made between Tory and pacifist. All non-Associators were subject to the fine because all citizens would profit from the sacrifices of the Associators and, therefore, those who did not contribute their services should contribute their treasure.

This action had not been taken hastily by the legislature or without the application of great pressure by interested groups. The York County Committee had raised the question of the Tories and pacifists in July, 1775, yet the Assembly did not take corrective action until November 25 and only then after many arguments and

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petitions. It should be noted that the people were not content to have the extra-legal appointed Committee of Safety exercise legislative authority. They wanted their legally elected Assembly to take any action thought necessary because this body was directly responsible to the people who elected its members. Again and again we find the emphasis upon following the traditional, orderly procedures as much as possible. When a new route was taken, it was always because there was no feasible alternative in precedent.

As the Assembly was being forced to grant legality to more and more of the controls over the opponents of the colonial measures, the Tories found themselves being forced into commitment one way or the other. They either joined the military association or paid the fine or did neither and suffered confiscation of their property to cover the fee. And yet they received no leadership or official encouragement from the British; they stood or fell on their own without even any organized support from other Tories.

One of the earliest victims of both mob activity and committee punishment was Dr. John Kearsley, the man who had befriended Isaac Atwood. Kearsley's troubles with his fellow citizens began in September, 1775. On the morning of September 6 about thirty Associators in Philadelphia picked up Isaac Hunt, a lawyer defending a

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merchant accused of importing goods contrary to the boycott. Hunt was taken from his home to the Coffee House where the Associators placed him in a cart, in which position Hunt then "politely" acknowledged he had said and acted wrong. He asked pardon of the public and placed himself under the protection of the Associators to defend him against any assaults from the populace. They then led him with drum beating and fife playing "The Rogue's March" through the principal streets, Hunt acknowledging his misbehavior in different places. When they reached Kearsley's corner, they stopped so that Hunt could make his declaration. Hearing the noise, Dr. Kearsley threw open his window and threatened the crowd with a pistol. They seized him, taking his gun, and in the scuffle Kearsley was wounded in the hand by a bayonet. Hunt was then taken out of the cart, conducted safely home, and Kearsley put in Hunt's place in the cart. The doctor was carried to the Coffee House where efforts to make him admit the error of his beliefs were unsuccessful. Then with drums beating, the crowd carted Kearsley through the streets, proclaiming him an enemy of the people and their liberties. Eventually, they took him back home and left him. The mob had been prevented from tarring and feathering him by the Associators who guarded him but after they were gone, the mob broke his windows and "abused the house."⁴⁸

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This rough treatment did not intimidate Kearsley, who now determined to let the British know what was happening in Pennsylvania. The approaching trip to England of Christopher Carter presented him with the necessary courier. Kearsley, Leonard Snowden, a brewer who had come to Pennsylvania in 1767 from England, Snowden's son Myles, and John Brooks (sometimes called James) prepared a report on the state of the province of Pennsylvania "respecting its political strength, opinions, and particular circumstances" to be presented by Carter to Charles Jenkinson on his arrival in England. But a servant of Kearsley's saw the papers given to Carter and informed the Committee of Safety who followed Carter to Chester, brought him back to shore, and found the papers in his baggage. They then returned to Philadelphia and seized everyone concerned except Myles Snowden who escaped from Dr. Kearsley's home.⁴⁹ The papers were described by Christopher Marshall, member of the Philadelphia City Committee, as "base and cruel invectives against the liberties of America and calculated by wicked men to enflame the minds of the people in England against the colonists in general."⁵⁰

The Committee did not know what to do with the men they had captured and consulted Congress who obliged by resolving on October 6 that all those who endanger the safety of the colony should be arrested and secured.

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That same day the Council of Safety issued warrants for the arrest of Kearsley, Brooks, and Snowden and two days later for Carter. All four men were tried by the Committee of Safety. Kearsley was sent to jail in Yorktown but he became too popular there, the people petitioning for his release so that he could serve them as a physician. For this reason, the Council of Safety decided it would be better to move him to Carlisle in October, 1776, and it was there that he died a year later.⁵¹ Christopher Carter was found guilty of aiding Kearsley but he was offered his freedom if he would pay £500 security for his future good behavior. Apparently this was more than he could afford because in November the Council of Safety offered him his freedom from the Philadelphia jail if he would put up £100 security. In January, 1776, the Committee of Safety resolved that Carter be discharged on paying jail fees and immediately leaving the continent.⁵² John Brooks was also sent to jail, to Lancaster, where he was still confined in August, 1776.⁵³ In October, 1777, Brooks escaped from jail and made his way to British occupied Philadelphia.⁵⁴ The information about Leonard Snowden is not completely clear. He was in jail with Carter in November, 1775, and was given the choice of release if he paid the £100 in security. In January, the Committee of Safety told Snowden that he as well as Carter could have his freedom if he would pay his fees and give his word that

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his future conduct would not be "inimical to the American cause." A few days later the Committee even offered to pay Snowden's fees as he was incapable of doing it. He must have balked at promising future good behavior because eleven days later the Committee resolved that Snowden be discharged if he would pay jail fees for that period. The Council of Safety minutes contain no further mention of Snowden but his son Myles claimed after the war that his father remained in prison for seventeen months where he "totally lost the use of his mental faculties," that he was then released to his friends and remained in that condition until he died in October, 1778.⁵⁵ Considering the offers of the Committee of Safety, if Snowden remained in jail it must have been by choice. Isaac Hunt who first drew the ire of the crowd went to the West Indies en route to England in October, 1775. After a stay in Jamaica to recover from illness he arrived in England in the summer of 1776 and entered into holy orders, becoming an Anglican minister.⁵⁶

Although mob action of the kind taken against Hunt and Kearsley did occur, particularly in the early years of transition, the leaders of the Revolution did not countenance mob violence for its own sake. On September 19, 1775, less than two weeks after Hunt and Kearsley were roughed up by the crowd, the Philadelphia City Committee issued a statement warning that all persons

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accused of being unfriendly to the cause of liberty should be properly heard by the Committee. No person should be "held out to his fellow citizens as an object of indignation and contempt, without full and sufficient evidence of guilt, after a fair and impartial examination." However, the Committee's statement concluded ambiguously that even though they believed in free speech,

no person has a right to the protection of a community or society he wishes to destroy: And that if any inhabitant, by speeches or writings, evidences a disposition to aid and assist our enemies, or endeavours to persuade others to break the Association, or by force or fraud, to oppose the friends of liberty and the constitution in the present virtuous struggle, such persons being duly convicted thereof before the Committee, ought to be deemed a foe to the rights of British America, and unworthy of those blessings, which it is hoped, will yet be secured to this and succeeding generations, by the strenuous and noble efforts of the United Colonies.⁵⁷

This was only the first of several such warnings that were issued to the people. The leaders of the independence movement constantly tried to justify their actions, to explain to world opinion and to the court of history that their replacement of British authority with that of the people alone was forced on them by the British and that the procedures followed were just. Congress added its injunction against mob activity on June 18, 1776, resolving that no man charged with being a Tory, or "unfriendly to the cause of American liberty," should be injured in his person or property unless by order of Congress or the Assembly, Convention, Council, or

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Committee of Safety of the colony, or committee of inspection of the district where he lived.⁵⁸

The following fall, this warning of Congress was forwarded by the Committee of Safety to the Berks County Committee because of reported acts of violence being perpetrated upon persons in Berks accused on very weak evidence of being inimical. The Committee of Safety pointed out that "every outrageous proceedings by Mob is disreputable and tends to destroy all order and good Government and furnishes our Enemies with too much occasion to reproach the wisest measures that have been adopted for the best of purposes."⁵⁹ Nevertheless, in spite of declarations opposing mob violence, it must be added that I found no evidence of any punitive measures against the mobs that did form. Those who broke Dr. Kearsley's windows were not identified nor was he reimbursed for the damages suffered.

Shortly after the Kearsley group was confined, the problem of the goods of the merchant house, Joshua Fisher & Sons, reached a climax. During 1775, merchandise belonging to the firm that the colony wanted and the Fishers refused to sell to the Committee of Safety was stored in the warehouses of the Philadelphia City Committee. Finally, in January of 1776, the Pennsylvania Committee of Safety asked the Philadelphia group for an inventory of the stored goods of Joshua Fisher & Sons. The Fishers,

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when asked if they would sell these items needed by the Committee of Safety for the use of the public, positively refused to consent. The Committee of Safety then informed the Philadelphia City Committee that certain articles such as pig lead, sheeting, duck, linen, and sail cloth, were necessary for public use and obtainable in Philadelphia only from Joshua Fisher & Sons. Therefore, the Philadelphia Committee was ordered to deliver the goods to the vendue master to be immediately sold at public vendue so that the Committee of Safety might have the opportunity of purchasing them for the public use.⁶⁰ This order, so contrary to colonial emphasis upon the sanctity of private property, was not obeyed without considerable discussion. When the Philadelphia Committee received this request they were in a quandry as to how best to carry it out. On January 17, 1776, about thirty members met to discuss the problem but broke up without a solution. Finally, on January 23, it was concluded at a meeting to break the lock that Fisher & Sons had put on the store door, to take out their goods, and to sell them the next day at public vendue.⁶¹

The Fisher brothers presented the Committee of Philadelphia with another problem before the month was over because of their refusal to accept the bills of credit issued by the Continental Congress. On January 11, Congress had resolved that if anyone was convicted of

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refusing this money or discouraging its circulation, they, too, should be treated as enemies of their country.⁶² On January 31, when the Fishers and John Drinker, a hatter, were called before the Philadelphia City Committee charged with the offense, they readily admitted the truth of the charge alleging in their defense that they, being Quakers, could not have anything to do with money emitted for purposes of war. The Committee pointed out that they had taken in the past, and continued to accept, the money of Pennsylvania and other colonies although it was frequently issued for purposes of war. Therefore, the Committee decided that their defense was not well founded and all three were declared enemies to their country and precluded from all intercourse with others.⁶³

By mid-February, the sentence against the Fishers had not been carried out but the powers of the Philadelphia Committee to execute it had expired with the time for which they had been elected. Until a new city committee could be chosen by the people, the Committee of Safety stepped into the breach and took action against the Fishers. They were not willing to trust the public to punish the guilty by voluntarily discontinuing all dealings with them. Instead the Committee made sure no future business would be possible. All the books and papers of Drinker and the Fishers were deposited in trunks, chests, or desks, then locked, sealed, and left in some of their stores. All

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doors and windows of their stores and warehouses containing their goods and merchandise were locked and fastened on the outside by a wooden bar being nailed across.⁶⁴

The Fisher brothers would continue to be a trial for the Committee as long as it existed and would transfer their troublesomeness to the new government. In May, 1776, the rigging belonging to them was sold at public vendue so that the Committee of Safety might buy it for public use. Also that month, by letter dated May 8, the Fishers proposed to the Committee of the city that if their salt was turned over to them they would sell it in small quantities to the consumer at a low price. However, before officially sending this proposal to the Committee on the 11th, they spread word of their intent throughout the county. When the Committee heard of it, they declared that the Fishers were trying to make people think that the Committee itself had "some sinister plan for the salt." They reminded their fellow citizens that since Thomas and James Fisher had been advertised as enemies of the people and incapable of all trade and intercourse with other colonists, the salt could not be delivered to them. Even if the Fishers had the salt, it could not be bought from them by any "friend of American liberty" because of the sentence passed against them.⁶⁵

In August, Stephen and Joseph Shewell were declared enemies of their country for profiteering in

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salt, their product joining that of the Fishers.⁶⁶ The disposition of the whole was finally decreed by the Provincial Convention that was called to prepare a new government. The salt was divided and a share distributed to each county, to be sold at a nominal rate.⁶⁷ The price was that of salt in normal times so that the Fishers and Shewells probably made a fair merchant's mark-up, their loss consisting in the difference between that and the inflated price due to supposed shortage. The irony of the punishment was that by December 9, 1776, the Council of Safety had decided that salt regulations were no longer necessary and that it might be sold freely.⁶⁸

In November of 1775, the Assembly passed another measure that would turn out to be very controversial although at the time it probably mirrored the views of the majority of the citizens of the colony. Instructions to Pennsylvania's delegates in Congress were drafted and approved by the House, instructions binding those delegates to work for the restoration of union and harmony with Great Britain and specifically ordering them not to agree to independence.⁶⁹ Within less than six months, these instructions would come under very heavy criticism from those in the state and in Congress who believed independence to be not only inevitable but eminently desirable. These advocates saw Pennsylvania as a key state, for without the middle colonies, the north and south would have trouble maintaining union.

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Before 1776 was hardly begun, the Continental Congress passed several other resolves that would be carried out by the state and county committees against men accused of being enemies to their country. First of all, it was resolved that those who opposed the measures being taken in the colonies against Great Britain should be disarmed and the more dangerous should either be kept in custody or bound with a large monetary guarantee for their future good behavior. To help the provinces carry out this resolve, Congress would allow Continental troops to enforce it.⁷⁰ The second resolve resulted from the need to have the newly issued continental currency accepted as legal tender. Congress voted that the name of anyone convicted of refusing to receive the bills of credit issued by Congress or obstructing or discouraging its circulation should be published and the person treated as an enemy of the country and excluded from all trade or intercourse with their fellow citizens.⁷¹ These resolves of Congress would serve as the justification for their enforcement within Pennsylvania by the various county committees and the state Committee of Safety.

Unfortunately, research into the activities of the county committees is hampered by the absence of full records of the operations of these organizations. Very sketchy minutes have been assembled in The Pennsylvania Archives for several of the counties, the minute books

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for Northumberland and Northampton counties are available at the Historical Society of Pennsylvania, and that of Bucks County may be found in The Pennsylvania Magazine of History and Biography. There is a note in the archives that the record of the Committee of Westmoreland County no longer exists, probably having been destroyed in the burning of the county seat in July, 1782. Perhaps the other missing records have similarly been lost to historians or perhaps they will surface in time. For now, the researcher must piece together his own record of committee activities through other sources such as newspaper accounts, letters, diaries, and the correspondence of the Committee of Safety.

The county committees were mainly concerned with those who spoke out against the measures being taken, with convincing non-Associators to sell their guns, and with various requirements of setting up the battalions of Associators, equipping them, and settling arguments about choice of officers. Thus, in connection with Tory activity, the Minutes of the Committee of Bucks County from July, 1774, to July, 1776 (when they end), show that sixteen men were charged with varying innocuous offenses, twelve having spoken disrespectfully of the Congress, Committees, or Associators. Of these twelve, two were acquitted, six were found guilty and apologized, one was believed guilty but deemed too insignificant to deserve further attention,

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one was found guilty but successfully stalled punishment, and two were judged so dangerous that they had to be taken to the Committee of Safety. Four others were reluctant to part with their weapons but were persuaded to do so. If the minutes are anywhere near complete, either Bucks County did not take much action during this two-year period against those in opposition, or there were not many to take action against.

I have not found the records of the important Philadelphia County and City Committees. Perhaps those who remained in the city during the British occupation took care to see that they were destroyed along with their condemnations. These organizations, then, have to be reported on the basis of records kept by others. Newspaper articles and the diary of Christopher Marshall who was an active member of the city committee have been helpful. During the period from March, 1775, to February, 1777, a total of forty-eight men from all over the state were reported in the newspapers as being guilty of different offenses classified broadly as inimical to America--twenty-three for speaking disrespectfully, eleven for refusing Continental currency, and seven for refusing to give up their arms. Only twelve refused to recant and be reinstated in the good graces of their fellow citizens. The city could claim the names of twenty men and Philadelphia County only two--nine for speaking disrespectfully, nine for currency refusal, three for profiteering,

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In Northampton County, eighteen men were charged before the Committee during 1775 and 1776. Of these, twelve had to be persuaded to part with their arms (three choosing jail first). Six were found guilty of speaking disrespectfully, four of them being jailed for a few days before they apologized and paid security for their future good behavior. In most cases, those charged were treated as we would someone disrupting the peace today, and sometimes it is difficult to decide whether the opposition was inspired by genuine political dissension or whether it was based on personal differences with committeemen or associates.

Frequently during the war, and especially towards the end, Loyalists demonstrated their devotion to the King by releasing his soldiers who were prisoners of war in Pennsylvania. The first case may have been the escape of Colonel Moses Kirkland from jail in Philadelphia. Kirkland was a forty- to fifty-year-old South Carolina Tory who had been jailed in the Quaker City. On May 8, 1776, he escaped via a rope ladder, and a horse, equipped with all the necessities including a bottle of brandy. All went well until June 10 when another citizen was brought before the Philadelphia Committee for cursing Congress and expressing willingness to fight against them.

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In order to clear himself, he informed against Arthur Thomas as having arranged Kirkland's escape. Thomas had been frequently complained of to the Committee ever since the affair of Dr. Kearsley with whom it was said he still corresponded. When the mob heard of Thomas as Kirkland's accomplice, they attacked his home but Thomas and his two sons avoided seizure by running away. Late in July, Thomas was caught hiding in Bucks County and brought back to Philadelphia to jail. After five or six weeks of confinement he was discharged on bail, and towards the end of 1776 he fled to New York. When he learned that the British were in possession of Philadelphia, he returned and assisted in barracking and quartering the troops, only to flee again on the British evacuation. In 1786 he was living in Delaware, Maryland, in order to be near a son settled in Philadelphia and a few years later he petitioned the Pennsylvania Council for permission to return to his home state. A number of respectable citizens wrote in his favor and the resolution pardoning him was granted in February, 1790.⁷²

Although the non-Associators of Pennsylvania, both Tory and pacifist, had to pay a tax for exemption from militia duty that would eventually reach \$1,000 and had to give up their arms, the Associators were not content. In February, 1776, the Committee of Privates of Philadelphia petitioned the Committee of Safety to give preference to Associators in the granting of war contracts.⁷³

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That same month, the officers of the Battalions of Berks County and the privates of the city both petitioned the Assembly asking that non-Associators pay another special tax to be used for expenses incurred by the Associators in time lost from their occupations on training days. Furthermore, they wanted persons alleging scruples of conscience to be required to take a test oath or affirmation before they were excused. Their officers also sent in a petition agreeing with the sentiments of the privates,⁷⁴ as did the Bucks County Committee of Inspection which argued that the present tax on the non-Associator was merely the equivalent for performed services. The expenses of the Associators, they declared, must be paid by an additional property tax. The Committee of Safety was calling for the raising of 2,000 men for the defense of Pennsylvania and they, too, insisted that the Assembly do something to satisfy the complaints of the Associators who bore an unequal burden.⁷⁵

For the last months of its existence, the Pennsylvania colonial Assembly would consider many questions but the two most serious concerned the demand that the non-Associators be forced to contribute more to the common cause and the rapidly accelerating drive towards independence. The former was a thorny problem because it was directed mainly at the Quakers. The other pacifist groups in Pennsylvania, while agreeing with the Quaker philosophy

of non-violence, did believe in rendering to Caesar his just due. Although they refused to fight themselves, they were willing to either hire substitutes or pay an extra tax. But the Quakers would neither fight nor contribute in any way to the war effort claiming exemption on the basis of religious persuasion. Pennsylvania had been founded as a Quaker refuge from persecution and there had always been strong sympathy for religious tolerance. This had caused conflict between the apparent needs of self-defense and the consciences of the Quakers during much of Pennsylvania's history, but by the time of the Revolution, the Quakers were so outnumbered that ultimately they were unable to defend their beliefs from the onslaughts of their fellow citizens.

Satisfaction not forthcoming from the Assembly which was dominated by the Quakers, the Philadelphia City Committee decided that the situation in Pennsylvania was desperate enough to warrant the calling of a provincial conference. In a letter dated March 5, 1776, to all the county committees, they explained why they had believed another conference was needed. Their first source of complaint was the distribution of representation in the Assembly. According to the committee, the reason the Assembly was not more actively following the lead of Congress and the committees was that the members representing three counties opposed them. These three had more representation than their population entitled them to so

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that "the proceedings of the Assembly might more properly be said to be the proceedings of those three counties than of the province in general." If this situation were equalized, the Committee believed their problems would be solved. Their other questions concerned the burden not being carried by the non-Associators, the slowness of the state's mobilization, the character of the appointed Committee of Safety with its wide sweeping powers not directly accountable to the people, and the instructions given to Pennsylvania's delegates in Congress.⁷⁶

The Committee disclosed in their letter that they had voted to call a provincial conference for the above reasons but a conference being held with several members of the House, they found that the Assembly planned to act on the question of representation. Several petitions had been received by that body and the matter would be taken care of, along with the other problems. The Committee therefore decided not to call a conference although they did want to disclose to the other counties what had happened.⁷⁷

True to their word, on March 14 the Assembly passed a bill allowing four more representatives for the city of Philadelphia, two more each for Lancaster, York, Cumberland, Berks, and Northampton, and one more each for Bedford, Northumberland, and Westmoreland. The three counties which were ignored in this largesse were Philadelphia, Bucks, and Chester, the three original counties

established in the province of Pennsylvania.⁷⁸ The Committee had indicated that it believed the base of all its problems lay in the unequal representation in the Assembly. But if they thought they had successfully intimidated the House or that the addition of seventeen new members would drastically change the proceedings of that body, the future would prove them mistaken.

As Congress assumed the powers of a central government and as the members of that body became increasingly dedicated to the proposition that independence should be proclaimed as well as practiced, the people within Pennsylvania had to drive the Assembly by mass meetings, by committees, and by petitions down the same road. The Assembly could be made to provide for a military establishment, to support the Continental currency, and to make the non-Associators bear a share of the burden, but the one measure they refused to swallow until it was too late for their self-preservation, and the one that would cause a new frame of government to be written in Pennsylvania, was the final step of declaring independence.

The Assembly gave appearance of cooperation when it began reconsideration of its Rules and Regulations for the Association and on April 5 passed revisions incorporating some of the suggestions from petitions, i.e., that arms would be provided the Associators at public expense. But the fines levied on the non-Associators were

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increased only one pound to £3.10 and there was no new tax placed on their property assessment.⁷⁹ The next day, the Assembly finally provided for the disarming of the disaffected in the state. This had been recommended by Congress in January and the committees had been carrying it out in spite of the lack of formal Assembly approval. The arms were not to be taken without recompense, however, their owners being reimbursed an assessed valuation.⁸⁰

In the afternoon of April 6, at the last possible moment, when all other business had been completed, the House took up a memorial of the Committee of the City of Philadelphia asking them to change their instructions to the Pennsylvania delegates in Congress so that those representatives would not be forbidden to vote for independence. This was carried in the negative "by a great majority" and the Assembly immediately adjourned for six weeks, perhaps hoping the question would disappear during their adjournment.⁸¹

During this adjournment period, the elections of the new members were scheduled and as time approached for the choice of the extra representatives from Philadelphia, Congress was also debating the question of independence. As support for that measure increasingly built up in Pennsylvania, so did opposition. Paine's Common Sense, published in January, 1776, served as the focal point for the discussions, critics trying to refute it and supporters

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adding their favorable arguments. Paine's pamphlet, in conjunction with the attempts of the Philadelphia City Committee to get the Assembly to change their instructions to the Pennsylvania delegates in Congress, brought on a barrage of anonymous articles in all the Pennsylvania newspapers during April. By May, when the elections were held for the additional Assemblymen, parties had been formed over this question of independence.

On election day, the most votes were cast for Samuel Howell, with George Clymer and Andrew Allen tied for second. Allen had recently resigned his seat in the Governor's Council and was considered a proprietary dependent. Howell, although not falling in that category, nevertheless was considered against independence. George Clymer was the leading contender of the party favoring independence. Thus those opposing independence made a very reasonable showing, indicating that many in Philadelphia still did not favor independence. "The Forrester" (said to have been Paine) in The Pennsylvania Packet of May 20 explained the failure of the independence party to capture all the seats as due to the absence of many of their supporters in the army. Of those who remained, many could not vote because they were either minors or newly arrived.

On May 15, Congress took the step that would give the Pennsylvania committeemen the necessary justification

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for creating a new state government, one they hoped would be more responsive to their demands. Congress recommended to the colonial assemblies and conventions that when no government "sufficient to the exigencies of the times" had been established, they adopt such a government.⁸² This was all the committees needed to force out the foot-dragging Assembly. They turned to the medium of mass meetings and petitions and issued their call for a Provincial Convention to decide on a new government for Pennsylvania.

But the opposition party did not give up without a struggle. The Committee of Philadelphia County, that had been elected on February 10, had opposed the calling of a convention when it had been proposed in March by the city committee.⁸³ Now they again opposed such a convention, arguing that the Pennsylvania Assembly was "sufficient to the exigencies of the times," and held a mass meeting May 18 at which a remonstrance was drawn up to be circulated for signatures. Some 6,000 names were reported to have been collected in the Philadelphia area and bundles were sent out to selected individuals in other counties.⁸⁴

The Philadelphia City Committee responded to this challenge by holding a mass meeting May 20, said to have numbered more than 4,000, to discuss the resolve of Congress. The instructions given by the Assembly to

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Pennsylvania's delegates in Congress were read and it was emphasized that the people of the state were represented by men instructed to oppose independence. When petitioned to change these instructions, the Assembly had refused and then adjourned. The meeting resolved that these instructions were dangerous because they tended to isolate Pennsylvania from other colonies. They unanimously agreed that the present government was not competent to deal with the exigencies of affairs because the Assemblymen were required to take oaths of allegiance to the crown and the approval of the King or his agent was required for all acts. But the present Assembly had not been elected to form a new government and could not do so without assuming arbitrary powers. Therefore, the meeting resolved that a Provincial Conference ought to be chosen by the people for the express purpose of carrying out the resolve of Congress. The meeting directed the Philadelphia City Committee to call such a convention and submitted a protest to the Assembly outlining that body's incompetence.⁸⁵

The next day the Committee of the City of Philadelphia, in accordance with the orders of the meeting, prepared a circular letter to send to all the different counties explaining that because of their instructions, the Pennsylvania delegates in Congress were unable to vote on the question of independence. By declining to

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vote, they withdrew the province "from the Union of the Colonies both in council and actions." The City Committee thought the subject important enough to send "some of our Committee and fellow-citizens into each county, to invite such of the good people as are friends to liberty, and determined to oppose the cruelty and injustice of Great Britain," to meet June 18 in Provincial Conference. This conference was given the job of deciding on the number and method of electing delegates to a convention to establish a new government for Pennsylvania "on the authority of the People only."⁸⁶

The arguments of the citizens of the city meeting were not necessarily those of all Pennsylvanians. The committeemen of Philadelphia County, who had held the May 18 meeting remonstrating against independence, now addressed the Assembly trying to stiffen that body's resistance to independence. They wanted to eliminate the injustices and despotism of Great Britain but not break the ties with that country, and they urged the Assembly to adhere to the instructions given to the Pennsylvania delegates in Congress.⁸⁷

Copies of their petition sent out to citizens in other counties to be circulated led to action being taken by local committees against a number of so-called Tories, the biggest altercation occurring in York Town. There a Philadelphia attorney named Charles Stedman came into

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town and foolishly disclosed to his host that he had "certain papers tending to the confirmation of the powers of Government in the hands of the present Assembly." This citizen immediately informed the local committee of his discovery and Stedman was picked up for examination. He readily confessed to having three copies of the remonstrance, declaring that he had been given them at his father's house in Philadelphia with orders to carry them to Sunbury in Northumberland County. Stedman escaped from the York Committee but was published in the newspapers as an enemy to his country.⁸⁸ In July, Stedman would be named by Isaac Atwood as an habitué of the Tory meetings during 1775, and in 1777 he was arrested twice for high treason, finally being released by the British upon their entry into Philadelphia in the fall of that year. He worked for the English army in various capacities, was with Cornwallis when he surrendered, and eventually went to England in 1783.⁸⁹

Stedman's disclosures in York Town alerted the committee who intercepted couriers coming into town from the east and discovered that James Rankin, one of the York County representatives in the Assembly, had sent letters and bundles of remonstrances to seven inhabitants of the county for signature by citizens and transmittal back to Philadelphia.⁹⁰ Rankin's letters were opened and the remonstrances confiscated. In a meeting of the York

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Committee on May 30 with fifty-five members present, it was resolved that Rankin had violated the trust reposed in him by the people of the county and that he was no longer their representative. Furthermore, anyone who attempted to get signatures on the remonstrances was to be considered an enemy to the liberties of America.

This verdict of the York County Committee was published in The Pennsylvania Gazette of June 12, followed by a letter from Rankin defending himself. He maintained that the resolve of Congress of May 15 did not absolutely order the establishment of new governments in all the colonies, but on the contrary, left the Assembly of Pennsylvania to judge whether any changes in government were necessary. The only specific change recommended by Congress, according to Rankin, was the elimination of the usual oaths and affirmations to the King which they considered as standing in the way of opposition to the measures of Parliament. He pointed out that the York Committee should have known that the Pennsylvania Assembly had dispensed with these oaths and was absolved from them by the Crown's declaring the colonies no longer under its protection. Rankin thought it his duty to send this information to his constituents and, furthermore, the Committee had violated his rights by having his correspondence opened. Rankin did not agree that the committee had the authority to command the representative of the

people to leave his post and since he had been overwhelmingly elected by receiving nearly twice as many votes as his opposition, he intended to continue to discharge his duty.⁹¹

Within a few months, Rankin's belligerence had dissipated and on July 31 his recantation of error appeared in the newspapers.⁹² Perhaps if the British had never entered Pennsylvania, Rankin would have continued his normal life, a prominent citizen of York County, gradually becoming reconciled to the idea of independence. But this was not to be. Howe left New York City, landed at the head of the Elk, and marched into Philadelphia, gathering Loyalists along the way. In September of 1777, the Supreme Executive Council received intelligence that Rankin and others planned to destroy the public stores at York and that Rankin was claiming to be able to raise 500 men for Howe's army.⁹³ Orders were sent out for his apprehension but it was too late. He had joined Howe in Philadelphia and would fight with the British until the evacuation of New York at which time he emigrated to Nova Scotia.⁹⁴

The voices of the Philadelphia County Committee and of Rankin and other supporters were but weak reeds among many loud ones and not destined to prevail. An avalanche of contrary petitions deluged the House of Representatives. First the militia sent in their addresses and then the

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county committees began to assemble one by one to add their support of Congress' resolve of May 15 and to appoint representatives for the Provincial Conference in June.

It is not completely clear in the sources but apparently the Committee of Privates of the City and Liberties of Philadelphia sent copies of their protest and of other pertinent documents to a number, if not all, of the various Pennsylvania military units. These units in turn held meetings and passed resolves supporting the Pennsylvania group, generally following the same wording for their own protests. For example, The Committee of Privates of Colonel Bartraim Galbraith's Battalion met May 27 and returned to Philadelphia this message: "We join with you gentlemen in your protest and the late resolve of Congress. We will support you in the measures you have now adopted at all hazards." They were seconded by the Associators of the Second Battalion and also those of the Fourth Battalion, each promising to support the measures now adopted "at all hazards."⁹⁵ If these had been from representatives of a professional military establishment their words would have been threatening indeed but we have to remember that for the most part the Associators were colonial farmers whose only claim to military classification was their participation in a short term of service. In some cases this was the only way the men could make their views known. For example, Galbraith's

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Battalion was stationed in Elizabeth Town and therefore was unable to participate in elections. Many of the strongest supporters of colonial resistance had marched off to face the British leaving behind either the lukewarm or strongly pro-British colonist.

By June 8, several of the counties had elected and the others had scheduled elections for delegates to attend a provincial conference June 18-25 in Philadelphia to decide how best to prepare a new government. The Assembly realized that it had lost the battle, and perhaps hoping to extend its own life, gave Pennsylvania's delegates in Congress new instructions removing the restrictions placed on them in November. After enumerating various acts of Great Britain in the previous seven months that had extinguished all hope for reconciliation on reasonable terms, they authorized their representatives to "concur with the other delegates in Congress, in forming such further compacts between the United Colonies, concluding such treaties with foreign kingdoms and states, and in adopting such other measures as shall be judged necessary for promoting the liberty, safety and interests of America."⁹⁶

It was too late, however. The Provincial Conference resolved to call for the election of representatives to a convention to prepare a constitution. The voters were to be all taxable Associators over 21 who had

lived in Pennsylvania one year and also any others who had been qualified by provincial law to vote for Assemblymen, provided they would first take an oath abjuring allegiance to the King and promising not to oppose the establishment of a free government by the convention to be elected. Anyone qualified to vote could be elected a member of the Convention but all members had to take the voter's oath and make a religious statement professing faith in the Trinity and belief in the Bible as divine revelation. Procedures for the election by ballot were to be the same as before under the provincial law. They declared the conference's willingness to concur in a Congressional declaration of independence and a statement to the people of Pennsylvania announced the approaching elections on July 8. It is clear that the Whigs were determined to avoid a repetition of the May election in which they had been unable to win all the new seats in the Assembly. They made sure that the delegates to the constitutional convention would represent only Pennsylvanians who favored independence. Since the members of the pacifist sects would neither bear arms nor take a test, they, as well as the Tories who would not abjure their allegiance to the King, were disfranchised. In addition, to secure the document produced by the convention, no provision was made for submitting the convention's constitution to the people for ratification or rejection.⁹⁷ This whole

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undemocratic procedure would be a source of much criticism in the years to come.

Within a few days, the members of the Continental Congress finally took the step they had been debating for over a year; they declared the separation of the colonies from Great Britain. Henceforth, the colonist had to decide whether he was American or British. If British, he was termed a traitor by his fellow citizens and treated accordingly.

The two previous years had been a time of indecision, of determination to resist oppression mixed with vacillation over method, of hope that the controversy with the mother country could be settled amicably, of anger over Britain's use of her military against them, and finally of despair for a just peace without recourse to war. It was a period of indecision because the initiative lay with England; the role of the colonies was largely that of response. Each new British tactic caused a corresponding reaction in Pennsylvania, each forcing the other to increase the intensity of their measures. Since they took the first step, the advantage of planning lay with the British. Therefore, we find hesitation and division in much of colonial opposition in the two years before the declaration. There is no clear cut pattern of colonial action because none was possible.

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At first, there was no stigma attached to being a Tory. It was a difference of degree; most citizens opposed British taxation, differing only over how to obtain redress. But as England applied political and military pressure to win her way, the colonists also turned to these tools for their opposition. During this transition from emphasis on petitions and economic pressure to political separation and use of the militia, the Tories divorced themselves from the rest of the colonists. Where they had once influenced the decision-making process in Pennsylvania, by 1776 they were ignored and silenced. In large part this was due to their lack of coordinated opposition.

The Tory response to accelerating colonial opposition was sporadic and mainly individual; hence, their influence decreased in effectiveness. The only effort that indicated even inter-county organization was the attempt in May of 1776 to gain the election of Tory candidates to the newly assigned Assembly seats and to prevent Pennsylvania's delegates in Congress from voting for independence. Other than this, Tory opposition usually expressed itself in insults tendered the committees, the Associators, and Congress, and refusal to obey their resolves. Actually the Tories, in their opposition to colonial measures, were in roughly the same relationship to the Whigs as the Whigs were to the British. In each case, the opponents took the first step which in turn

brought about varying responses. Fortunately for the colonies, the Tories were less effective in their resistance than the Whigs.

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FOOTNOTES--CHAPTER II

¹The Pennsylvania Gazette (hereafter referred to as Gazette), May 25, 1774 and June 8, 1776; also, Pennsylvania Packet (Packet), June 6, 1774.

²Charles Thomson, "Early Days of the Revolution in Philadelphia," Pennsylvania Magazine of History and Biography (PMHB), II (1878), 413-15. This analysis was suggested by Thomson and is supported by a letter from Penn to the Earl of Dartmouth in December, 1774, in which he admitted surprise over the Assembly's unanimous approval of the transactions of the first Continental Congress. (See Am. Arch., Series 4, I, 1081).

³American Archives (Am. Arch.), Series 4, Vol. I (May 21, 1774), 344-45.

⁴Ibid. (May 17, 1774), 332.

⁵Ibid. (May 24, 1774), 347.

⁶Packet, June 13, 1774.

⁷PMHB, II (1878), 415-16.

⁸Gazette, June 22, 1774; also Packet, June 20, 1774.

⁹Gazette, July 6, 1774.

¹⁰Ibid., June 29, 1774.

¹¹Packet, June 20, 1774.

¹²Gazette, June 29, 1774.

¹³Gazette, July 6, 1774.

¹⁴Packet, July 18, 1774 and July 25, 1774.

¹⁵Am. Arch., 4, I (June 28, 1774), 485-86.

¹⁶PMHB, II (1878), 419-21.

¹⁷Gazette, July 27, 1774; also Pennsylvania Archives (Pa. Arch.), Series 2, Vol. III, 478-90.

¹⁸Am. Arch., 4, I (July 23, 1774), 607-08.

¹⁹PMHB, II, 418, note quoting letter of John Young to his aunt Mrs. Ferguson of Graeme Park.

²⁰PMHB, II (1878), 418.

²¹Henry Steele Commager, Documents of American History (New York: Appleton-Century-Crofts, 1968), pp. 86-87.

²²Am. Arch., 4, I (November 7, 1774), 956-57.

²³Ibid. (November 7, 1774), 965-66.

²⁴PMHB, II (1878), 419.

²⁵Gazette, May 22, 1776.

²⁶Pa. Arch., 2, XIV (January 16, 1775), 237-38.

²⁷Gazette, February 22, 1775.

²⁸Am. Arch., 4, I (January 25, 1775), 1180.

²⁹Ibid. (January 4, 1775), 1085.

³⁰Ibid. (February 21, 1775-March 9, 1775), 1275-

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³¹Packet, February 27, 1775.

- ³²Packet, May 1, 1775.
- ³³Pa. Arch., 2, XIV (May 6, 1775), 592-93.
- ³⁴Ibid. (May 8, 1775), 238-39.
- ³⁵Gazette, August 9, 1775.
- ³⁶Christopher Marshall Diary (Historical Society of Pennsylvania), July 20, 1775.
- ³⁷Pa. Arch., 8, VIII (June 23-24, 1775), 7237-41; (June 30, 1775), 7245-49.
- ³⁸Gazette, July 26, 1775.
- ³⁹Pa. Arch., 2, I (July 11, 1776), 653-58; Marshall Diary, July 1, 1776.
- ⁴⁰Pa. Arch., 1, IV (August 1, 1775), 640-41.
- ⁴¹Colonial Records (Col. Rec.), X (August 19, 1775), 308-12.
- ⁴²Gazette, October 11, 1775.
- ⁴³Pa. Arch., 8, VIII (October 20, 1775), 7311-12.
- ⁴⁴Ibid. (October 26, 1775), 7323-26.
- ⁴⁵Ibid.
- ⁴⁶Ibid. (October 31, 1775), 7333-44.
- ⁴⁷Ibid. (November 25, 1775), 7369-84.
- ⁴⁸Marshall Diary, September 6, 1775.
- ⁴⁹Loyalist Transcripts (Loy. Tr.), Vol. 51, 5-11.
- ⁵⁰Marshall Diary, October 6, 1775.

⁵¹Col. Rec., X (October 7, 1775), 359; (October 15, 1775), 367; (October 8, 1775), 360-61; (October 31, 1776), 773; Loy. Tr., 49, 417-45.

⁵²Col. Rec., X (October 18, 1775), 372; (November 7, 1775), 397; (January 12, 1776), 455; Pa. Arch., 2, I (January 16, 1776), 607.

⁵³Col. Rec., X (March 4, 1776), 503; (August 24, 1776), 698.

⁵⁴Pennsylvania Ledger (Ledger), October 22, 1777.

⁵⁵Loy. Tr., 51, 5-11; Col. Rec., X (January 12, 1776), 455; (January 22, 1776), 467.

⁵⁶Loy. Tr., 51, 20-28.

⁵⁷Packet, September 25, 1776.

⁵⁸Ledger, June 22, 1776.

⁵⁹Letter of Council of Safety to Committee of Inspection and Observation of Berks County, October 1, 1776 (HSP, Soc. Mis. Coll.).

⁶⁰Col. Rec., X (January 9, 1776), 451; (January 10, 1776), 453; (January 11, 1776), 454; (January 18, 1776), 460.

⁶¹Marshall Diary, January 17, 1776 and January 23, 1776.

⁶²Gazette, January 17, 1776.

⁶³Ibid., February 14, 1776; Marshall Diary, January 31, 1776.

⁶⁴Col. Rec., X (February 15, 1776), 486-87.

⁶⁵Gazette, May 22, 1776.

⁶⁶Ibid., August 28, 1776.

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⁶⁷Col. Rec., XI (November 23, 1776), 13-14.

⁶⁸Ibid., XI (December 9, 1776), 41.

⁶⁹Pa. Arch., 8, VIII (November 9, 1775), 7352-53.

⁷⁰Gazette, January 10, 1776.

⁷¹Ibid., January 17, 1776.

⁷²Col. Rec., X (July 31, 1776), 662-64; Marshall
Diary, June 10, 1776 and August 2, 1776.

⁷³Gazette, February 14, 1776.

⁷⁴Pa. Arch., 8, VIII (February 23, 1776), 7396-
7410.

⁷⁵Ibid. (March 1, 1776), 7422-27.

⁷⁶Packet, March 11, 1776.

⁷⁷Ibid.

⁷⁸Pa. Arch., 8, VIII (March 14, 1776), 7446.

⁷⁹Ibid. (April 5, 1776), 7473-90.

⁸⁰Ibid. (April 6, 1776), 7505-06.

⁸¹Pa. Arch., 8, VIII (April 6, 1776), 7513.

⁸²Gazette, May 22, 1776.

⁸³Gazette, March 27, 1776.

⁸⁴Gazette, May 29, 1776; June 12, 1776.

⁸⁵Gazette, May 22, 1776.

⁸⁶Ledger, June 15, 1776.

⁸⁷Packet, May 27, 1776.

⁸⁸Pa. Arch., 2, XIV (May 28, 1776), 543-45.

⁸⁹Loy. Tr., 50, 499-513.

⁹⁰Pa. Arch., 2, XIV (May 30, 1776), 545-46.

⁹¹Gazette, June 12, 1776.

⁹²Gazette, July 31, 1776.

⁹³Pa. Arch., 1, V (September 15, 1776), 624-25.

⁹⁴Loy. Tr., 50, 307-59.

⁹⁵Gazette, June 5, 1776.

⁹⁶Pa. Arch., 8, VIII (June 8, 1776), 7539.

⁹⁷Proceedings of the Provincial Conference of Committees, June 18-25, 1776 (Philadelphia: Bradfords, 1776).

CHAPTER III

LOYALIST v. PATRIOT, JULY, 1776-JUNE, 1778

When Thomas Paine wrote of the times that try men's souls, he accurately described the situation in Pennsylvania during the two years from July, 1776, to June, 1778. The period began with a discredited government trying to stay alive, included the occupation of Philadelphia by the British, and ended with a new government struggling to gain acceptance from its citizens. Conditions were disorganized, the future looked bleak, and the state government was unable to suggest viable solutions to the many problems that beset the state. Within this context, it is not surprising that the number of citizens choosing British allegiance reached a peak during this period.

The adoption by Congress of the Declaration of Independence accompanied by the increasing danger posed by the British army headquartered in New York City by early fall meant that any Tory recommendations for reconciliation with the enemy would be construed by the Patriots as not only ideological or political opposition

but as containing a possible threat to their survival. As the British forces moved into New Jersey in November, 1776, apparently heading for Philadelphia, the fears of Pennsylvanians increased. The Associators resented having to jeopardize their lives for the common good while the non-Associators stayed home and, furthermore, they were afraid to drain the countryside of Patriots leaving it an easy prey to attack by British sympathizers. For example, James Thomson of Oxford Township had to be disciplined by the Philadelphia County Committee for threatening violence to his neighbors' property and families while they were absent in the militia. Then, even though he apologized and promised future good behavior, his neighbors' wrath made him afraid to go home until the Committee issued a statement to the inhabitants of Oxford asking them to forgive Thomson.¹

Over the next year, first the Pennsylvania Constitutional Convention and then the new General Assembly passed increasingly more restrictive laws against the non-Associators, designed to force them to contribute to the community effort and to render them impotent to harm that community. Among the first measures taken by the Convention were several ordinances directed to these two problems. The Convention gathered July 15, spent the first few days in organizing itself, and on July 23, announced that they would take the necessary steps to more

equitably distribute the burden of the Associators over the whole population. They pointed out that "The Associators have freely and bravely gone into the field for the defence of the common liberties of America while the non-associators remain at home in peace and security."² This promise was redeemed by an ordinance passed September 14 fining every non-Associator between 16 and 50 years of age twenty shillings for every month of his non-participation until the end of the first session of the next Assembly. In addition, every non-Associator over 21 had to pay four shillings per pound on the annual value of his estate as rated under the laws for raising provincial taxes. Since men over 50 were often the most financially able, those who were not Associators themselves or did not have an Associator son living at home had to pay the four shillings per pound valuation of their property. All of the money to be collected was allocated for the relief of the families of Associators who were poor, disabled, or killed in action.³

Three ordinances were designed to render the non-Associators harmless by disarming them and defining what they could not do. Both Congress and the Pennsylvania Assembly had ordered them to turn in their arms for the use of the militia. Since they were not complying voluntarily, the Convention on July 26 passed an ordinance authorizing the militia colonels to collect all arms still in the possession of the non-Associators.⁴

On September 5, another ordinance defined and set the punishment for treason and misprision of treason. Any-one convicted in a court of Oyer and Terminer of waging war against Pennsylvania or of aiding the King of Great Britain or the enemies of either the state or the United States was guilty of high treason. His punishment would be imprisonment for a period no greater than the duration of hostilities and forfeiture of all his lands and other possessions to the state. The penalty for concealing knowledge of treason or assisting a traitor, termed misprision of treason, was forfeiture of one-third of one's possessions and imprisonment for a term not exceeding the duration of the war. In cases of high treason, the judges were enjoined to make provision for the wife and children out of the confiscated estate.⁵

Not only were the delegates concerned with taking arms from the non-Associators and defining actual treason, they were also determined to prevent British sympathizers from converting any of their fellow citizens to their point of view. By ordinance passed September 12, those who tried by speaking or writing "to obstruct or oppose, or endeavour so to do, the measures carrying on by the United States of America, for the defence and support of the freedom and independence of the said States, such person or persons, on complaint and proof made on oath or affirmation before any Justice of the Peace of the

city or county where the offence shall be committed, shall be held to give security for his or their good behavior" or in default shall be jailed until they do give security. If the offenders were judged too dangerous, they could be committed for the duration of hostilities.⁶ Thus, by these last two ordinances, Tories, who had been in opposition within society, now became Loyalists whose actions were punishable by law.

Meanwhile, the Pennsylvania colonial Assembly was struggling along towards its demise, much of the time without a quorum and therefore unable to act. They accomplished little but the settlement of their financial accounts before ending their session and their existence September 26. The last day, however, with only twenty-three members present, they lashed out against the Convention. They resolved that:

. . . it is the sacred Right of Freemen to give and grant their own Money; and that all Taxes, levied without their Consent, are arbitrary and oppressive; And that no Freeman can be constitutionally restrained of his Liberty, or be sentenced to any Penalties or Punishment whatsoever, but by the Judgement of his Peers, and a Trial had by a Jury of his Country. Resolved, the Convention have derived no authority from the good People of Pennsylvania to levy Taxes and dispose of their Property: And therefore, that the late Ordinance, for imposing a Rate of Twenty Shillings per Month, and Four Shillings in the Pound on the Estates of Non-Associators, is illegal, and the said Sums ought not to be paid. Resolved, That the late Ordinance of the Convention empowering two or more Justices of the Peace to imprison, for an indefinite Time, at their Discretion, all Persons whom they shall judge to be guilty of the Offenses therein specified, is, in the Opinion of this House, a dangerous Attack on the Liberties of the good People

of Pennsylvania, and a Violation of their most sacred Rights; and therefore ought not to be considered as obligatory.⁷

The Convention ignored this reprimand from the Assembly and on September 28 called for a general election November 5 using the same methods as followed hitherto for selection of Provincial Assemblymen with one important exception. Every elector, before voting, had to take an oath or affirmation of allegiance to Pennsylvania and swear not to "do any act or thing prejudicial or injurious to the constitution or government thereof, as established by the convention." This oath was not a part of the constitution but was a condition laid down in the resolve setting the date for that year's election. The convention then unanimously approved of a new constitution for the state and dissolved itself.⁸

This constitution devised by the convention continued the unicameral legislature of colonial days and provided for the executive functions to be carried out by a president and council. The House of Representatives was to be elected by freemen who were at least 21 years old and had lived in Pennsylvania for one year paying public taxes during that time. Each county regardless of size was to elect six representatives for the first Assembly but provision was made for a census of taxables to serve as the basis for future proportional representation. Elections were to be held annually and no

representative could sit for more than two consecutive years. One councillor was to be elected from the city and from each county to serve for three years. The General Assembly and Council together were to select the president and vice-president from among the council members. The Supreme Court judges were to be appointed by the Council for seven-year terms and be removable for misbehavior by the Assembly.

The feature of the constitution that was most unique and would raise the greatest criticism was the creation of a Council of Censors to be elected every seven years, to sit for one year, and to decide "whether the legislative and executive branches of government have performed their duty, as guardians of the people, or assumed to themselves or exercised other or greater power than they are entitled to by the constitution . . . and to recommend to the legislature the repealing such laws as appear to have been enacted contrary to the principles of the constitution." In addition, the Council of Censors controlled the amending process. The constitution could be changed only by two-thirds of the Council of Censors agreeing to call a convention to meet within two years of their sitting.

Every representative was required to take an oath or affirmation not to agree to any measures injurious to the people or having a "tendency to lessen or abridge

their rights and privileges as declared in the constitution of this state." In addition, there was a mandatory religious declaration of faith in one God and in the divine origin of the Bible. No provision was made for the people to approve the constitution.⁹

If the members of the Convention, as they rode homeward, congratulated themselves upon the completion of a good two months work, they were premature. The ink was barely dry on the Pennsylvania constitution of 1776 before the objections began. This time, the supporters of the Convention and its product found themselves to be the subject of petitions of protest and mass meetings rather than their instigators. This opposition to the state constitution raises some difficulties in connection with the identification of Loyalists. There were many men who were firm supporters of the concept of independence, but who vigorously opposed the new government. In order for a man to take office under this constitution, he had to swear allegiance to the state and its government. But those who wanted to change the constitution did not believe that they should take the oath and then try to subvert the government they had sworn to uphold, and so they refused office. The researcher has to be careful to find out why a man would not support the new government, whether he was opposed to independence or just to features of the state constitution. The

anti-constitutionalists were themselves very anxious to avoid identification with the Loyalists. Thus, at a meeting on October 17, every person present was asked to sign a declaration stating that all he wanted was a good government for Pennsylvania and that he would not do anything prejudicial to the independence of Pennsylvania or the United States.¹⁰ Another meeting November 2 issued a clear denial of British sympathies, declaring that it was not true that those who wanted to change the constitution were Tories for they did not want a return of royal power.¹¹ The constitutionalists, of course, would have liked to make this identification in order to discredit their opponents.

The objections of the anti-constitutionalists were stated in a series of resolutions passed by a majority of those citizens of Philadelphia attending a mass meeting on October 21 and 22, 1776. They pointed out that the people had expected the Convention to continue their familiar style of government with the elimination of king, parliament, and proprietor and the allocation of their powers to the people. Instead the Convention had created a government differing not only from its predecessor but from every government established by the other states. Yet in spite of its novelty the people were not given adequate time to consider it nor opportunity to express their preferences. On September 5 the Convention

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had ordered 400 copies of the proposed plan to be distributed for consideration and on September 16 they had confirmed it. In addition, the document could only be changed by two-thirds of the Censors, not scheduled to meet until 1783, agreeing to call a convention. The meeting concluded, "The conduct of the late convention, in prescribing oaths and affirmations to be taken for the support of a constitution unprecedented on this continent, not to be altered or amended for more than seven years . . . and which the people have had no experience of, nor have been allowed time to take into consideration, was a high violation of the rights of the freemen of this State."¹²

The resolutions also criticized many specific features of the Constitution. They objected especially to the creation of a single legislative body upon which the other two branches were dependent, thus failing to provide for a separation of powers within the government. The Assembly could remove any judge from office without trial "for anything they please to call misbehavior." The President and Vice President were dependent on the Assembly for both their pay and their election each year and they could be impeached by the Assembly before six of the Council. Other features found objectionable were the failure to erect a Court of Appeals and to provide the number of judges in the Common Pleas and Orphans Courts, and to specify which laws should be in force.¹³

Christopher Marshall, an active member of the Committee of the City of Philadelphia, was an example of the men who favored independence but did not care for the new government. He tells in his diary that on October 17, 1776, he was invited by printed ticket to meet at the Philosophical Hall with a large number of citizens "in order to consider of a mode and method to set aside sundry improper and unconstitutional rules laid down by the Late Convention in what they call their plan or frame of Government." Marshall was particularly disturbed because the religious statement required of representatives declared only a belief in one God, not in the Trinity.¹⁴

George Campbell refused an appointment he wanted because of his dislike of the constitution. He had applied for and received the position of prothonotary of Philadelphia County without carefully reading the forms he would have to sign. In March of 1777 he wrote to the Council that he would be happy to accept the office and was willing to

. . . make an Oath to support the Freedom and Independence of the United States of America, and renouncing all allegiance to the British King. . . . [He was] also willing to take the Oath to the Government of the State, leaving out "as Established by the late Convention," being firmly convinced that Alterations are absolutely necessary to be made in the said Constitution and Form of Government.¹⁵

In order to fight the constitution, several meetings were held during October in which the voters were urged to refuse to take the oath in the forthcoming

elections and to vote only for Assemblymen, not Councillors. These representatives would then be instructed to consider their meeting not an Assembly, but another Convention to revise the constitution. After voting through the desired revisions, they should call for another election for government officials and dissolve themselves.¹⁶

When election day arrived, the anti-constitution-alists were successful in both the city and county of Philadelphia where the oath was not taken and Assemblymen only were elected. These representatives were instructed by a meeting of the citizens on November 8 to do everything they could to prevent the execution of the new government and to alter the constitution.¹⁷ It was not until February, 1777, that the people of the city and county of Philadelphia would finally go to the polls to vote for councillors.

The minutes for the first General Assembly under the new constitution began November 28 by listing the names of seventy-two men who had been elected as Assemblymen. But election did not guarantee their attendance and on many days the house was without a quorum. The first act was not passed until January 21 and it enabled a smaller number of the Assemblymen than a quorum to send a messenger for absent members and to call for elections to fill vacancies. Three days before the bill was enacted, a messenger had been sent to Bucks County to

request the attendance of absent members from that area, probably needed to make the necessary quorum to pass the act. In February, Philadelphia City and County not only chose councillors but also elected replacements for several of their Assemblymen who were not serving. In March a petition was received from York County inhabitants advising the Assembly that the Councillor and two of the Assemblymen chosen for that county had refused their offices. The same month Bedford County citizens petitioned for a new election of representatives from that county.¹⁸

By the end of February, the Supreme Executive Council had not met at all and the Assembly asked those councillors present in the city to a conference on the best means of convening the Council as soon as possible. This resulted in the two groups meeting March 4 to elect the first president and vice-president for the state, and the minutes for the Supreme Executive Council finally began on that date. Thus, the state of Pennsylvania was without an effective, legal government from July 4, 1776, to March 4, 1777, and it would be even longer before all the courts were functioning properly.

On March 21, the Assembly adjourned until May 12 during which time the threat of a British invasion of the state that summer increased greatly. James Molesworth, the first man to die in Pennsylvania as a traitor and spy, was hung in April. He had been sent from New

York to procure pilots to bring the British fleet up the Delaware River to Philadelphia. In Congress, many were disturbed because both the legislative and executive branches of the Pennsylvania government were adjourned in spite of the threat of immediate invasion. Three members of Congress met with the President of the state, members of the Council who were available, the state Board of War, and the Pennsylvania delegates to Congress, and reported that "the Executive authority of the Commonwealth of Pennsylvania is incapable of any exertion, adequate to the present crisis, and that it is of the greatest importance, that every power should be called forth into action." Therefore, they recommended that the President, as many members of Council as could be convened, the Board of War, and the Navy Board should exercise authority until the Assembly can be convened and that the people submit to their authority.¹⁹

This interference by Congress in the government of Pennsylvania provided the anti-constitutionalists with further arguments. In May they circulated for signatures a memorial pointing out that languor in the Pennsylvania government at a time of crisis had necessitated the involvement of Congress in the affairs of the state "in order to save it from anarchy and ruin." They blamed all the troubles of Pennsylvania on the new government and urged the calling of a convention to change the

constitution. At the same time they addressed a message containing similar arguments to the President and the Board of War urging them to intervene with the Assembly to convince that body of the necessity of constitutional changes. An invasion of the state was expected, they pointed out, but there was no regular administration of justice; prices of goods were exorbitant, but no effective measures were being taken to support the public credit. The Board of War agreed with the address and replied that they would recommend the calling of a convention when the Assembly re-convened.²⁰

During May and June the battle of the petitions covered the Assembly tables with remonstrances either for or against the calling of a convention. On June 17, the Assembly approved an Address to the People of Pennsylvania to be bound up with copies of the constitution and circulated through the state. The address explained to the people that since the numbers of citizens requesting a convention was less than those supporting the constitution, they would not call for a convention but they would arrange to have the "sense of the people" taken on the matter during the fall. The results of this poll would be turned over to the next Assembly for action.²¹ This solution did not please either side but by that time the British were on the move in New Jersey, and July 3 The Pennsylvania Evening Post carried the news that the enemy

had left New York by water headed for Philadelphia. Changes in government would have to wait until the enemy was no longer threatening.

Thus, even though the Convention had adopted a state constitution September 28, 1776, and elections had been held in early November, by June, 1777, the new government had only a tenuous hold on the people. Many citizens did not like it and this would be one of Pennsylvania's biggest political issues until a new document was written in 1789.

Just as confusion and disorganization marked the first year of statehood for Pennsylvania, so both Loyalist opposition and its punishment were disorganized and uneven. The law was clear, all able-bodied white men between 16 and 50 who refused to associate were to be disarmed and fined. Anyone who advocated support for the British was liable to imprisonment and anyone who helped the British directly or indirectly could be found guilty of treason or misprision of treason, punishable by imprisonment and forfeiture of possessions. But with courts not functioning, with appointees refusing offices because of their dislike of the constitution, local government in many areas degenerated into a squabble between opposing political forces. The faithful among the civil employees had their hands full trying to equip and organize their quota of militia. Many who had willingly signed the

Articles of Association lost their interest in serving when faced with live British troops in the field and by 1777, not only were the county lieutenants having trouble persuading the men to march, but desertions became a problem as well. In spite of the law, the status of the Loyalist during these unsettled times was blurred and poorly defined in actual practice.

Occasionally a mob formed and took over the punishment of suspected Loyalists. In August, 1776, Lawrence Fegen, a tavern owner in Philadelphia County, was rumored to have aided a British prisoner of war to escape. Subsequently, a riot occurred in Philadelphia during which the mob, remembering their suspicions about Fegen, attacked his home. In the ensuing fray, Mrs. Fegen was wounded, their home robbed, and some of their property destroyed. The Council of Safety inveighed against the violence and offered a \$50 reward for the capture of the culprits. Ironically, however, after the war, in his statement to the British claims commissioners, Fegen took credit for the escape.²²

Thus the lack of an established, orderly government allowed the guilty in some cases to avoid prosecution, aggravating the people who formed mobs and executed their own kind of justice. The Justices of the Peace for Northumberland County, for example, complained to the Supreme Executive Council that, although there were judges

in that county, there was no attorney to prosecute for the commonwealth as late as August, 1778. Many persons were bailed out who should have been tried. They reported that the "long suspension of justice in this County, from February, 1776, to November, 1777, had rendered the People licentious."²³

Throughout the war, whenever the British army was threatening invasion of the state, the people, in their fright, would tighten up controls over suspected Loyalists who previously had been tolerated. In the fall of 1776, as Howe's army marched through New Jersey with the Continentals retreating before him, it seemed certain that Philadelphia was their target. Congress left the state and fled to Baltimore and many Philadelphians deserted to the country. There was no city government, the corporation having ended with the Declaration of Independence, and no grand jury was held between March, 1776, and September, 1779.²⁴ The people, therefore, began to round up suspected Loyalists and try them before impromptu courts. In November, 1776, for example, a meeting of seventy-three citizens at the Indian Queen Tavern in Philadelphia called before them and examined several men accused of being traitors. It was moved that the people present should collect the names of persons suspected of being "inimical to the cause of America" and meet again. A few evenings later they again convened and accused two

other men, Joel Arpin and James Prescott. Isaac Atwood was the main witness, charging Arpin with riding express once or twice for the Loyalists and of bringing to a Loyalist meeting a paper containing a list of the persons in New York who had sworn allegiance to King George. Arpin admitted that he would just as soon take up arms on one side as the other. Prescott acknowledged that he had thought and had often said that it was "unjustifiable to make opposition to the King of Great Britain in any case whatsoever." Atwood informed the group that Prescott and Arpin both had attended Tory meetings where they sang loyal songs and drank success to the British arms against America. When any news came to town, Prescott went about to collect the Loyalist group who rejoiced to hear of any successes of the British forces. Both men were carried off to the Council of Safety, where unfortunately we lose them. No mention of them is to be found in the Council minutes. After the war, Arpin filed a claim with the British commissioners in which he said that he was kept in jail for five months. He was in Philadelphia with the British and went to England on the evacuation.²⁵

Another man imprisoned by this meeting was Joseph Stansbury, dealer in Delph ware and Loyalist poet, who was charged with singing "God Save the King" in his home with a number of other people. After five days in jail, Stansbury petitioned the Council of Safety about his

treatment. He claimed that he had been previously examined and dismissed by the Council of Safety on the same charge for which he was now imprisoned by the meeting; he complained that he expected to be protected in his property and liberty by the government. Four days later on December 10, Stansbury wrote again to the Council of Safety asking why he was still confined and demanding to be cleared. This time the Council appointed a committee to investigate the commitment of Stansbury and he was released on condition that he would hold no correspondence with the enemy.²⁶

These spontaneous meetings of the people left no formal minutes of their proceedings; no court records remain for historians to read. It should be pointed out, however, that in this case, the chairman of the first meeting was Thomas McKean, a lawyer, jurist, future chief justice, and governor of Pennsylvania, and there was a clerk appointed as well. At least some attempt was made to preserve the usual forms and decorum, although the notes of the clerk do not remain.

Around the same time that Stansbury was trying to extricate himself from confinement, it was rumored that some 200 suspected Loyalists were to be seized and sent off to North Carolina. On this list were supposed to be the names of all four sons of William Allen, Chief Justice of Pennsylvania and reputedly the richest man in the

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state. Under this threat, the brothers left Philadelphia and went to Union where their family had iron interests. Shortly thereafter, Andrew, William, Jr., and John went to Trenton, then under control of Howe's forces, and from there to New York. It was Andrew who had resigned from the Governor's Council to successfully run for Assemblyman from Philadelphia in May, 1776, as an agent of those who opposed independence. When Howe landed at the head of the Elk, Andrew and William, Jr., were with him and on the evacuation of Philadelphia in June, 1778, Andrew went to England. William, however, took up arms with the English, raising a troop of cavalry called the Pennsylvania Loyalists which he commanded during the war.²⁷

The victories of the British army in New Jersey in the late fall of 1776 encouraged colonial supporters to join them or to move their residence behind the British lines. This exodus began with just a few Loyalists, swelled in numbers during the British occupation of Philadelphia, and trickled off again when it became more and more apparent that the British were not going to win the war. Another group who fled the state in early 1777 were not as successful as the Allens. In March, their boat was caught in a storm and tossed up on shore where they were discovered by militiamen. When brought back to Philadelphia for examination, the Captain explained that he had planned to go to Lewis Town for oysters, and people

hearing of his projected trip had offered him money to take them along as passengers. En route they had tried to get him to take them to New York but he had refused. They were a motley collection of individuals, far different from the socially prominent, well-educated Allens. One was a peddler and shoemaker, one a minister, two were tailors, one a bread baker, and the occupation of one was not specified. The first of these, when questioned, disclosed that he had been traveling as a peddler through Virginia, Maryland, and Pennsylvania, and that he had planned to either follow his trade at Egg Harbour or go to New York. To the question, "Where is your property?", he answered, "I have not much."²⁸

Many individuals were examined by the Council of Safety on charges brought against them. The record sometimes includes only their names and the decisions taken, with no explanation of their misdeeds. Where the charge is explained, the disposition of the case is frequently incomplete. Reading the minutes for the Pennsylvania committees where available and even of the General Assembly is a very frustrating experience for the historian. There is so much left unsaid; people are inadequately identified and their actions incompletely described.

In connection with the Assembly and the Constitutional Convention, the official minutes for both are

very sparse in information recorded. Speeches for or against proposals were not included. Even some approved measures are not recorded, and most of those that are described have no record of the result of the votes. For example, none of the ordinances passed by the Provincial Convention of July 15 to September 28 are mentioned in the minutes as published in the Pennsylvania Archives. For August 5 through 10 and 12, the statement is given that "The Convention was occupied in the consideration of legislative and executive business." The same general statement appears for September 5 to 16. The record gives no suspicion of any dissent to mar the unanimity. The General Assembly, from June 1 on, had difficulty raising a quorum. Apparently there were members who were trying to prevent action being taken but the minutes are silent as to their identification and reasoning.

Perhaps the ordinances of the Convention were not included in the minutes because it was not clear that that body had the right to pass them. There were those who believed that these ordinances were of doubtful legality since that body had not been given the authority to take such measures. This had been one of the arguments of the last Provincial Assembly. The new Assembly, therefore, on February 11, 1777, passed an act declaring what would be treason and misprision of treason. The definitions were much the same as those in the Convention ordinances

but the punishments were greatly increased. Instead of imprisonment for the duration of hostilities, the traitor would lose his life, as well as forfeit all his possessions to the state. In cases of misprision of treason, the guilty would suffer forfeiture of half of his estate instead of one-third, as well as imprisonment for the duration. The definition of misprision of treason was broadened to include trying to persuade others to return to their allegiance to the King, or opposing the measures in support of independence, as well as contributing silence or help in actual treason. In the Assembly minutes, there is no recognition of the prior ordinances nor any explanation of why the punishments were increased.

Three days later, an act specified the method of collecting the fine imposed on persons who refused to meet and exercise in order to learn the "Art Military." Again, the act ignored the measure taken by the Convention, referring instead to a resolve of the last Provincial Assembly passed April 5, 1776. It said that the fine previously imposed had not been collected making it necessary to establish new regulations. Provision was made for the county commissioners to appoint someone from each township to draw up lists of all able-bodied men who were between 16 and 50. Everyone who was not an Associator was to be fined £3.10. Everyone who had signed the Articles of Association after the end of February, 1777,

was to be fined three shillings six pence for every appointed parade day before he did sign. The figure £3.10 is the same as passed by the Provincial Assembly, much less than the fine of one pound per month of non-participation levied by the Convention. In addition, the Assembly law laid no further tax on assessed property nor on those over 50.²⁹

It would be interesting to know what debates transpired in developing these two acts but the documents are silent. The British threat may have been the cause of the death penalty for treason and perhaps the increasing desertion or refusal to march on the part of the Associators made any stiff penalty against the non-Associators seem unreasonable.

The most controversial measure taken by the first state Assembly was the passage of the so-called Test Act in June, 1777. All white male inhabitants over 18 were required before July 1 to take an oath or affirmation of allegiance to the state. The oath required the taker to renounce allegiance to the King of England, promise not to do anything prejudicial to the freedom and independence of Pennsylvania, and report all treasons or conspiracies. The Justices of the Peace, before whom the oath was to be taken, were required to keep lists of all those who had sworn and to provide each juror with a certificate declaring that he had taken the oath. Anyone refusing to take

the oath became incapable of holding any office in the state, serving on juries, suing for any debts, electing or being elected, buying, selling, or transferring lands, and was to be disarmed. A non-juror who traveled out of his home township took the chance of being suspected of spying and could be jailed if he refused to take the oath when tendered.³⁰

This Test Act was widely opposed in Pennsylvania, even by those who supported independence. It joined the Pennsylvania constitution of 1776 as a political issue for the next ten years and usually the same people were against both measures. Many opposed the Test because of its divisive tendencies; they would have preferred to win over the Loyalists instead of driving them deeper into opposition. Some refused to take it because they did not want to commit themselves at a time when it looked as if the British might win. The Germans argued that when they came over they had sworn allegiance to the King when naturalized. "The world cant make them believe they are clear of their oath to the King. . . . Some say it is persecution and that they should not take any test until they know who is master in the situation."³¹ It was reported in the fall that matters were in a "deplorable and most discouraging situation" in York County. The Test Act had weakened the case of the new government,

. . . not one fourth part of the Inhabitants hath, or will take it; nay, they spurn at it, yet say they are Friendly to the Cause in General. . . . All the Principal Men of the County hang back, and do nothing except exclaiming against the Frame of Government. . . . The Test Law will produce bad Effects, as great Numbers who say they are well effected to the General Cause, are disaffected therewith.³²

The number of electors in York County in the annual election in October was very small, even among those who had qualified themselves by taking the required oath.³³ Northampton County was left without magistrates when both men who had been appointed refused to take the oaths.³⁴

One correspondent wrote to President Wharton from Lancaster bemoaning the fact that just as differences were being reconciled about the constitution, the oath of allegiance and abjuration was passed, serving as the foundation on which new objections would arise. He predicted that "you will hear a loud cry against this Tiranical Oath, that it was intended for naught but to hinder substantial, good disposed People to elect or be elected; depriving them of the rights of Freeman."³⁵

In the late fall of 1777, the Council had written to two men in Pextang, Lancaster County, who had intercepted a salt merchant because he was not a colonial supporter. The Council advised the men to view the matter in the larger context of the needs of the state.

The disaffected are numerous, & men disposed to act in the direct service much taken up, and not to be spared for other purposes. The Tories may be made serviceable in many respects, & to a very great degree. Interest will dispose them to plow & raise corn; to fatten Cattle & other beasts; to make leather; & so on, others among them induced by gain, have set up Salt works; Ventured their substance at Sea, & in various other modes indirectly & undesignedly promoted our affairs. If then they carry on any business, that may be eventually advantageous, in God's name, let them go on. The country it appears are very slow in finding the way to numerous Salt works on the sea side. Should we stop the disaffected among others from going, salt will cease coming, & the Country suffer beyond what it has already done. . . . Tories it is true do not merit the privileges of Citizens; but good policy does not perhaps call us further, than the length of the Act of Assembly, which only incapacitates from buying & selling lands, not goods.³⁶

The Council was, therefore, advising citizens to use the harsh laws against those who were employed in business detrimental to the people, but to ignore those who were just disgruntled in the hopes that they would be won over to the colonial cause or, in any case, be used to further that cause.

When the British marched into Pennsylvania in the late summer, 1777, their former colony was much divided. Anti-constitutionalists withheld support from the government because they wanted changes in the state constitution; opponents of the Test Act suffered loss of franchise and other disabilities rather than take an oath they believed oppressive; justice was difficult to obtain because the courts were not completely established; laws enacted were not enforced due to the weak executive branch. Even the Associators who had been so willing to

promise military support for the new state now hung back in increasing numbers, making it difficult for Pennsylvania to fulfill her quota of troops. In October, 1777, Washington wrote to President Wharton that it was "a matter of astonishment to every part of the Continent, to hear that Pennsylvania, the most opulent and populous of all the States, has but Twelve hundred Militia in the Field, at a time when the Eneny are endeavoring to make themselves completely masters of, and to fix their Winter Quarters at her Capital."³⁷ Any Pennsylvanian with misgivings about independence who was also disturbed about the lack of orderly government might be strongly tempted to defect to the British army as it drew near, especially if he had suffered from arbitrary measures or mob activity. It is no wonder that so many joined the British during their occupation of Philadelphia.

Congress reacted to the news of the departure of the British army from New York, rumored to be headed for Philadelphia, by issuing recommendations in the form of resolves to the surrounding states, including its host, Pennsylvania. On July 30, 1777, it suggested to Delaware, New Jersey, and Pennsylvania that all wagons, carts, and livestock located in areas likely to be in the path of the invaders be removed to the interior.³⁸ The next day Congress turned its attention from possibly useful provisions to possibly dangerous people and recommended that the Supreme Executive Council make prisoners of the late

crown and proprietary officers and other persons, near Philadelphia, who were disaffected, and send them back into the country.³⁹ But it was one thing to issue general recommendations and quite another to cope with particular individuals. The following week the Supreme Executive Council complied, arresting some forty men who had served the King and releasing them on paroles, considering them as prisoners of war but not requiring them to renounce the King or pledge allegiance to the state. The late Governor, John Penn, and Benjamin Chew, Chief Justice and one of the Governor's Council, however, refused to sign paroles of any kind. The Council turned to Congress and asked that body to have the two men removed out of the state. Congress ordered Penn and Chew under guard to Fredericksburg, Virginia, where the Governor of Virginia was asked to provide a proper place for those gentlemen to live.⁴⁰

But the matter was not settled. Again on the 13th, Congress debated the disposition of Chew and Penn, and the journals show that several motions allowing the two men to be released on paroles were proposed and defeated. One sentence that is crossed out reported that the Supreme Executive Council had transferred the prisoners to Congress because they did not choose to have anything more to do with them. Although this comment was ordered expunged on August 15, it was probably true. Congress had recommended that the men be arrested and the Council

was determined not to take the responsibility except as agent for that body. The next day a letter from Penn and a memorial from Chew asking to be admitted to parole were read and again there was debate and a motion proposed and defeated. Finally, Congress agreed to their request, rescinding the order to remove the two men to Virginia.⁴¹

When Howe's forces landed at the head of the Elk on August 25 and started north towards Philadelphia, Congress took note of this threat and on August 26 asked the executive authorities of Pennsylvania and Delaware to secure all persons "notoriously disaffected . . . till such time as the respective states think they may be released without injury to the common cause." It was particularly recommended to the Supreme Executive Council of Pennsylvania to search the houses of all citizens of Philadelphia who had not shown proper support for independence for fire arms, bayonets, and swords to be given to unarmed Pennsylvania militia.⁴²

Before the Council had carried out this recommendation, Congress issued another, this time listing specific names and focusing their animus on the Quakers in particular. Congress acted on the basis of documents sent to them by General Sullivan from Hanover, New Jersey, said to have been found in baggage captured on Staten Island. These papers, supposedly drawn up by a Yearly Meeting of Friends held at Spanktown, a suburb of Rahway,

New Jersey, contained information about the movement, numbers, and equipment of the American army, implying that the Quakers were spying for General Howe. These papers have a number of inconsistencies and appear to be spurious but Congress was either ignorant of Quaker practices or looking for an excuse to take action against them. Sullivan's letter and its enclosures were referred September 20 to a committee of three, John Adams of Massachusetts, Richard Henry Lee of Virginia, and William Duer of New York, none calculated to be very sympathetic to Quaker ideology.⁴³

The Committee reported late that same day, condemning the various testimonies published by the Quakers since the outbreak of war, particularly one dated December 20, 1776, and addressed to fellow Friends in adjacent states. This testimony was a re-statement of Quaker pacifist principles and urged all adherents to remain firm in their opposition to violent measures. The Committee judged that this testimony which they called "a seditious paper" plus the "uniform tenor of the conduct, and conversation of a number of persons of considerable wealth, who profess themselves to belong to the society of people commonly called Quakers, render it certain and notorious, that those persons are, with much rancour and bitterness, disaffected to the American cause: that, as these persons will have it in their power, so

there is no doubt it will be their inclination, to communicate intelligence to the enemy, and, in various other ways, to injure the councils and arms of America." Therefore, it was recommended to the Supreme Executive Council that they secure eleven leading Quakers together with all of their papers of a political nature. Because of the danger of British supporters acting as informers for the British, it was also recommended that all the states secure everyone believed to be "inimical to the cause of America." This report was adopted by Congress which also ordered the Board of War to remove Penn and Chew from the state.⁴⁴

When the Council received word of this resolve, they asked David Rittenhouse and a few others to help them augment Congress' list with the names of any others suspected of being dangerous to the state. The list, so compiled, contained the names of forty-one men, most of whom were Quakers, although two Episcopal ministers were also included among those of other faiths. Thirty-three of these men were asked to promise to remain in their homes, appear on demand of Council, and to refrain from doing anything injurious to the United States. The other eight plus anyone who refused would have to be confined under guard.⁴⁵

From September 2 to 5, thirty men were confined in the Free Masons' Lodge. Of these, twenty had refused

to make the offered promise and three were men whose names had not been on the original list. Among the prisoners were some well educated, articulate men, representing a numerous segment of society with a tradition of service to Pennsylvania. They immediately began to petition both the Council and Congress, demanding to be heard in their own defense, comparing their arbitrary arrests to the worst practices of the British.

Israel Pemberton, John Hunt, and Samuel Pleasants refused to leave Pemberton's home unless arrested by a civil officer; the town major had to be ordered to seize and conduct them to the Free Masons' Lodge. The next day they sent word to the Council that they wished to be heard, that as freemen they had the right of defense before the Council. Council replied that since their arrest had been ordered by Congress, it would not be proper for them to be heard by the state executive.⁴⁶ Again, as in the cases of Penn and Chew, the Supreme Executive Council seemed to be reluctant to take the action recommended by Congress and determined not to be responsible.

On September 3, Vice-President Bryan sent a progress report to Congress asking where the prisoners should be confined. Congress responded that Staunton, Virginia, would be a good place of detention for the Quakers and that the Council could do what it thought best with the others. The next day the Council resolved to send all the prisoners to Staunton, there to be secured and treated

"consistent with their respective Characters & the security of their persons."⁴⁷

By September 5, it was obvious that this recommendation of Congress was not going to be carried out quietly. The Council reported to the President of Congress that they had received a remonstrance from the men in the Lodge and advised that "Some account of this transaction should be given to the public as these people mean to publish and raise a ferment." Permission was asked and granted for the discharge of any who would take a very simple oath or affirmation of allegiance to the state containing no abjuration of the King, but promising to be faithful "to the Common Wealth of Pennsylvania as a free and independent State."⁴⁸ If they had agreed to make the promise originally offered, they would not even have had to swear allegiance, only to promise not to do anything injurious.

After starting this whole business, Congress recommended that the Pennsylvania Council hear what the prisoners in the Lodge had to say in their own defense. The Council replied that they could not very well hear some of them without being accused of partiality towards the others. And they were much too busy in the emergency to hear them all. Perhaps they recognized the validity of the criticisms of the proceedings as arbitrary. Whatever the condition of their consciences, the Council was anxious to get rid of their prisoners before they

themselves had to flee before the British. They urged Congress to hear and dispose of the prisoners and also of those on promise or parole however they decided best. But Congress claimed that it would be improper for them to conduct hearings because the prisoners were inhabitants of Pennsylvania. Therefore, they recommended to the Supreme Executive Council to order the immediate departure of those prisoners who refused to swear allegiance to Pennsylvania.

On September 9, the Council resolved that the twenty-two remaining prisoners should be sent to Staunton. They had "manifested by their general conduct and conversation a Disposition highly inimical to the cause of America, imprisoned in the Free Masons' lodge in this City, they refusing to confine themselves to their several dwellings, & thereby making the restraint of their persons in another manner necessary, & having refused to promise to refrain from corresponding with the Enemy, & also declined giving any Assurance of Allegiance to this State, as of right they ought, do hereby renounce all the privileges of Citizenship, & that it appears they consider themselves as subjects of the King of Great Britain, the enemy of this, & the other United States of America, & that they ought to be proceeded with accordingly." With twenty of the prisoners refusing the proposed oath, and with the British fast approaching, the Council resolved

to send them immediately to Virginia. The records show considerable attention paid to providing for their comforts on the trip and concern that they be treated with dignity.⁴⁹

One last attempt was made to free these accused Loyalists when Chief Justice McKean was persuaded to grant them writs of habeas corpus. Two days later, however, the Assembly passed an act specifically justifying the actions taken by the Supreme Executive Council. McKean then advised a representative of the prisoners "that the late law for stopping the Operation of the Habeas Corpus Writs would prevent his giving [them] the Hearing which he fully proposed to doo had not the Assembly pass'd that Law, to restrain proceedings thereon."⁵⁰ Empowered by the act of Assembly, President Wharton ignored the writs of habeas corpus and issued a second order of the prisoners to Virginia, this time to Winchester.

Although the prisoners themselves found their exile very difficult, they were treated better than the average political prisoner might expect. By December, they had been allowed to live in the homes of Quakers in the vicinity of Winchester. That same month they sent a memorial to Council and Congress asking to have their punishment removed and defending themselves against the accusations. The Council passed the memorial along to Congress January 5 with the comment that because these

were prisoners of Congress, Council did not feel it could interfere but it implied that further detention might not be wise. Finally, on March 16, Congress relented and ordered them released. It was not until the end of April, however, that they were returned to Philadelphia, all, that is, except for John Hunt and Thomas Gilpin who died during their banishment. Two others had taken advantage of their loose confinement in Winchester to escape behind the British lines.⁵¹ Of the sixteen who were restored to their families in April, 1778, only two eventually defected to the British. The others returned to their homes where they stayed for the rest of the war.

Although the treatment of the Quakers was cruel and unjust, it becomes at least understandable when placed in the context of contemporary events. Washington managed to clear the British out of most of New Jersey before settling into winter quarters at Morristown in January, 1777, but it was obvious to all observers that this was only a temporary set back for Howe's forces and that he would be back in the field during the summer of 1777, probably pushing towards Philadelphia. True to this prediction, the British left New York on July 23 and landed at the head of the Elk River on August 25 with 15,000 troops. Washington with only 10,500 men placed himself between the British and Philadelphia at Brandywine Creek. But on September 11 the Americans were forced

to retreat towards Philadelphia. The British won another victory at Paoli September 21 and entered Philadelphia unopposed on September 26. The Battle of Germantown on October 4 secured the position of the British and Washington withdrew to winter quarters at Valley Forge. Thus, with the exception of the battles at Trenton and Princeton, the American military performance did not generate great feelings of optimism about the eventual outcome. Not only the future of American freedom was at stake but the lives of her leaders as well. Every leader of the Continental army and government knew that if the British won, their own future would include a turn on the gallows.

In Pennsylvania, the state leadership was not only faced with the immediate problem of the British but they were divided themselves into the opponents and supporters of the new state constitution, with many of the state's most competent men refusing to serve under that document because of the oath required. Several of the county lieutenants found that their attempts to organize the militia met with either reluctance or outright refusal. For example, the trials of Richard McAllister of York County are illustrative of difficulties encountered by all the lieutenants. McAllister wrote to President Wharton in June, 1777, that he thought the task of organizing the militia would be too hard for him

. . . as many Parts of it will not meet together to
Do any thing. I have waited on several Batalions

time after time; Can't get them to Choose an Officer; Others is in Pretty Good forwardness. . . . but am shure of failing with at least the half or more.⁵²

By July, he had done everything he could but still could not get several parts of the country arranged. The inhabitants would not meet to choose officers, threatening the lives of the officers who had agreed to serve.⁵³ In August, McAllister reported to the Executive Council about a meeting of the opponents to militia duty. "Not many days past 200 of the Germans Assembled not more than a mile from this place, its said to bind themselves to each other that they would not muster nor go in the Militia any way, nor suffer their effects to be sold to pay any fines, and to stand by [each] other at the Risque of their lives, to kill every man who would Distress them, they say themselves there is upwards of 500 in this combination. . . ."⁵⁴

In September the plot led by James Rankin to destroy the continental magazines at York Town, Lancaster, and elsewhere was discovered, adding to McAllister's troubles. Some ten other men were implicated besides Rankin, including Reverend Daniel Batwell, an Anglican minister who had been sent by the Society for the Propagation of the Gospel as a missionary to the churches in York and Cumberland counties. By October, with Congress meeting at York Town, McAllister still complained of his problems, maintaining that the large numbers of Quakers, Menonites, and Dunkers in the county made it hard to fill up the militia

companies. Moreover, with so many pacifists, it was difficult to find substitutes for those who refused.⁵⁵ Again in January he wrote, "The Militia of this County seems determined not to march, or at least the Greatest Part of them, there being Grate Complaints made by those Classes that have Marched respecting their pay, which they say they have not Rec'd, and many of them poor & not able to bear it--at least it afoards to those Called an Excuse that they will not be paid after Marching in the Extremity of wether."⁵⁶

This opposition to the militia requirements was most vocal in York County, yet it occurred everywhere. Other county lieutenants also wrote to the Council of their difficulties. The situation was so bad that members of the continental army complained to the Council of the lack of manpower and materials from Pennsylvania. Thus, a letter from Thomas Hartley in October, 1777, wonders at the lack of vigorous action among his fellow Pennsylvanians.

If there was a true spirit of liberty in this State, the army under General Howe would be in a more dangerous situation than Burgoine ever was. They have, it seems, but 18 Transports on this side New-castle. A Lethargy seems to prevail among the people, can neither honour, glory or Interest rouse them to join in expelling these invaders?⁵⁷

In January, Washington complained from Valley Forge about the need for supplies for Pennsylvania troops. "From the quantity of raw materials and the number of workmen among

your people, who being principally ag. arms, remain at home, and manufacture, I should suppose you had it more in your power to cover your Troops well than any other State."⁵⁸ One other indication of the lethargy prevailing in the state over this winter of despair was contained in a letter from Valley Forge to President Wharton, discussing the trade between the country people and the British in Philadelphia.

The Supply of Provisions to recruit and refresh our Enemies; I count the least pernicious. The Minds of the Inhabitants are seduced, their Principles tainted, & opposition enfeebled; a familiarity with the Enemy lessens their Abhorrence of them & their Measures--even good Whigs begin to think Peace at some Expence desirable.⁵⁹

During 1777, Pennsylvania was taking hesitant steps towards the confiscation of the property of those Loyalists who fled to the British. Among the first to suggest such a move was "A Civilian" who reported to the readers of The Pennsylvania Evening Post in May, 1777, that several Tories had sought protection from Howe. He called these people outlaws and said that "all property held under that tenure is considered as British property and subject to the same fate as if at sea."⁶⁰ In June, the Council sought the opinion of Chief Justice McKean on several questions concerning departed Loyalists; among these was whether there was any process under the laws of Pennsylvania for outlawing a person who would not appear for trial, and whether there were measures for

seizure of the estates of such people. McKean's reply established the method ultimately followed by the state. McKean said that the freeholder of Pennsylvania might be indicted for the crime and a warrant issued for his arrest. If he could not be found, the Sheriff should proclaim this fact in the Quarter Sessions and upon non-appearance, the court could proceed to attain him and his whole estate would be forfeited to the commonwealth.⁶¹

In August, the Post reported that the people of New Jersey were considering a law for confiscating and selling the estates of Loyalists who helped the British,⁶² but nothing would be done by Pennsylvania until fall. The Assembly had adjourned until September 3 and by then the British were advancing. On September 17, a committee was appointed to draft a bill for confiscating Loyalist estates⁶³ but six months would elapse before such a law would be passed.

To provide for emergencies that might arise during the regular interval between the ending of the present Assembly and the meeting of the group to be elected in October, 1777, the House set up a Council of Safety, composed of the members of the Executive Council plus some others. The Council of Safety was to take whatever action was necessary to protect the state, by summary means if necessary but using the laws and courts where available. One of the first acts of this council was to pass an

ordinance declaring the property of inhabitants who left their homes to join or aid the British to be forfeited. Commissioners were appointed to seize such property, to inventory it, and to hold it subject to the future disposition of the Assembly.⁶⁴ Therefore, when the new Assembly convened in Lancaster the first steps had already been taken. In November, a new committee was appointed to draft a law providing for the confiscation and early in December the ordinance passed by the Council of Safety was officially approved by the Assembly.⁶⁵ That same month Congress meeting in York Town passed a resolve concerning the need to sustain public credit that concluded with the recommendation that the states confiscate and sell the property of those who had forfeited it and use the money to buy continental loan office certificates.⁶⁶ A proposed law brought in by the committee was read for the first time in Assembly on the morning of December 23, and for the second time that afternoon, and ordered to be published for public consideration.⁶⁷ With that burst of activity the matter was allowed to rest until the next session of the Assembly. Finally, February 27 and 28 it was read for the third time, debated, and on March 6 became law. This act declared that thirteen men "have most traiterously and wickedly, and contrary to the allegiance they owe to the said State, joined and adhered to, and still do adhere to, and knowingly and willingly

aid and assist the army of the King of Great Britain . . . and yet remain with the said enemies in the City and County of Philadelphia, where they daily commit divers and treasonable acts." They were ordered to present themselves on or before April 20, 1777, for trial or they would be attainted of high treason. In the future, the Supreme Executive Council was empowered to proclaim the names of any inhabitants suspected of helping the enemy and require that they appear for trial. If they did not surrender before a stated date, they would suffer attainder. The estates, both real and personal, of attainted persons was forfeited to the state to be sold and the proceeds, after payment of any debts due by that estate, were to go into the state treasury. The justices might make provision for the support of the wives and children of the attainted from the appropriated estates.⁶⁸

In spite of the proximity of the British military leaders, Loyalist opposition during the occupation of Philadelphia continued without forceful leadership or coordinated planning in an occasional and largely individual fashion. This activity, although presenting no serious challenge to the Patriots, nevertheless was at times destructive of property and threatening to humans. On the simplest level, certain residents of Philadelphia aided in the governance of the city under the British. Joseph Galloway, for example, became Superintendent

General of Police, and Samuel Shoemaker, Daniel Coxe, and John Potts served as magistrates. Galloway was also Superintendent of the Port with John Smith as his deputy, and Enoch Story served as Inspector of Prohibited Articles.⁶⁹ All of these men would flee on the British evacuation. Appointed as nightly watch were George Roberts, James Reynolds, James Sparks, Joseph Stansbury, John Hart, Francis Jeyes, and Josiah Hewes; John Morton, Jacob Barge, Thomas Morris, and Thomas Canby were city wardens.⁷⁰ Any of these men who remained in Philadelphia after June, 1778, would have to explain their support of the British to their fellow Pennsylvanians.

Two men, Captains Jacob James and Richard Hovenden, raised cavalry troops, the Chester County Dragoons and the Philadelphia County Dragoons, to raid the surrounding countryside. They kidnapped inhabitants and any army officers who fell into their hands, and stole horses, cattle, and other provisions from those who did not agree with them. These were hit-and-run attacks, rather than a sustained military push, and were particularly serious in Philadelphia, Bucks, and Chester counties.⁷¹ Incidentally, the failure of these attackers to distinguish between Patriot and Loyalist lost for the British the affection of some of their earlier supporters.

Another kind of Tory irritation was the passing of counterfeit money. In January, 1778, one of the wagon

drivers, bringing supplies from Philadelphia to the British prisoners of war behind the Continental lines, passed a counterfeit continental bill in Lancaster. After his arrest, a search revealed five other similar bills in his possession and also several held by three of those in his party.⁷² With inflation running unchecked and the value of continental bills dropping constantly, the possibility of counterfeit copies made acceptance of that money even more risky and, therefore, tended to further discredit them.

In the realm of ideas rather than action, there were two Loyalist publishers in business under the British in Philadelphia, James Humphreys, Jr., and Benjamin Towne. Humphreys began publication of The Pennsylvania Ledger in January, 1775. In November, 1776, he was called before the Council of Safety to explain how he received the news of the arrival of the British troops in New York City and of the burning of that city. Shortly thereafter he discontinued his paper, moving to the country where he remained until the British army arrived. Returning to Philadelphia, Humphreys resumed publication in October, 1777, under British protection.⁷³

The other newspaper published under the British was The Pennsylvania Evening Post which had originally begun in March, 1777, supposedly as a Whig paper in opposition to Humphreys. Through September 23, 1777,

Towne produced a typical Patriot newspaper three times a week; when he used the word "enemy" he meant the British. From September 23 to October 11, there were no issues of the paper. When it began again it contained an article describing the arrival of the British in Philadelphia, speaking of the

. . . fine appearance of the soldiery, the strictness of their discipline, the politeness of the officers, and the orderly behavior of the whole body. . . . Numbers who had been obliged to hide themselves from the former tyranny . . . have appeared to share the general satisfaction, and to welcome the dawn of returning liberty.⁷⁴

In January, Towne reported that "The pains taken by the leaders in the present rebellion, with a view solely to the promotion of their own ambition, and the establishment of their intolerable tyranny, is not to be paralleled in any history."⁷⁵

When the British evacuated Philadelphia Humphreys went with them but Towne continued in the city turning out The Pennsylvania Evening Post as though nothing had happened. The paper went to press Tuesday, June 16; the British left Thursday, June 18; and the Post appeared again on Saturday reporting that the British army had completed the evacuation. King George was now described as the "British tyrant" and his army once again became the "enemy." Towne reported that "The British arms having proven ineffectual to subdue America, the arts of negotiation are now to be tried."⁷⁶ Towne's name had been

included in the proclamation of June 15, 1778, ordering certain men to appear for treason trial before August 1 or stand attainted. Towne appeared, was discharged, and continued to publish the Post, although he was no longer trusted by the Patriots. In his case expediency was clearly the controlling motive rather than a true loyalty to England.

In addition to the Loyalist raids carried out by James' and Hovenden's troopers, the British sent agents out into the state to encourage enlistments in the British army and to buy or steal horses. Among these was Henry Mansin. His case is also illustrative of the very casual character of the use made by the British of their would-be supporters. Mansin had left his native Prussia in 1770, spending time first in London, then in Philadelphia, North Carolina, and Florida. He arrived in New York in August, 1777, where he obtained a commission in the Queen's Rangers, traveling with Howe's forces to Philadelphia. One day while visiting Howe's headquarters on other business, Mansin struck up a conversation with Englehart Holtsinger of Lancaster County. A British major joined in and asked if there were any good horses available in Lancaster. Holtsinger conceded that there were and it was agreed that Mansin would go home with him to buy horses from British sympathizers or to steal them from the rebels. While on his mission to secure horses, Mansin

tried to attract men as well, promising them 50 acres of land if they would go to Howe in Philadelphia. This promise was in conformance with a proclamation that had been issued by Howe in September to attract enlistments in a provincial corps. The British offered to every non-commissioned officer 200 acres of land and to every private 50 acres, with no fees or quit rents for ten years.⁷⁷

Eventually some sixteen men were implicated in varying degrees with Mansin in procuring horses for the British army. He made one successful round trip but on his second journey back into Philadelphia, the owner of one of the stolen horses from Lancaster tracked him down and captured him. Mansin confessed, implicating the others. He and one other man were executed for their exploits; one died in jail; one was jailed for the duration; two were caught but escaped and joined two others behind the British lines; and one was tried and acquitted.⁷⁸

Rumors of an impending British withdrawal appeared first as denials of such a possibility. In March, Towne published a letter supposedly from London saying that the King would sell all of Hanover before he would desert the cause of his loyal American subjects. Both predictions proved wrong; the King did not sell Hanover but the British did desert their American supporters. Many of those who had committed themselves most deeply to the British cause left with the army. Historian Wilbur

Siebert quoted Captain Johann Heinrichs of the Hessian Jager Corps as writing to his brother that "about one thousand royally inclined families" in Philadelphia wanted to leave. When the British peace commissioners arrived in the city, Siebert reported that Lord Carlisle found "about three thousand of the miserable inhabitants embarked on board our ships, to convey them from a place where they thought they would receive no mercy from those who will take possession after us."⁷⁹ Siebert, however, gives no breakdown of these 1,000 families or 3,000 individuals. Without a list identifying the émigrés these figures will have to remain suspect. For several months after the British cleared the Delaware River and trade was resumed, immigrants or camp followers from New York, Boston, and London arrived in the city. New businesses were opened, eager to capture the trade of colonists who had been without British products for three years. Both the Post and Ledger in January, February, and March contained as much or more advertising as news. It might be predicted that these newly arrived people, who had moved into the possessions and professions of those who had evacuated, would wish to leave the city rather than face irate returning Philadelphians. Therefore, the figure 3,000 needs to be broken down into new immigrants, camp followers, and Pennsylvanians before we can decide how many were Loyalists.

By the time the British evacuated Philadelphia in June, 1778, never to advance again into Pennsylvania, the various ways by which that state's Loyalists would indicate their affection for the mother country had been demonstrated. In addition, the legal framework to be employed by the state to combat those activities was also established in its broad outlines. Neither one was very effective; the Loyalists lacked leadership, planning, and supplies; and, the laws of Pennsylvania were only partially enforced in many areas due to the unwillingness of local officials to support the new constitution.

FOOTNOTES--CHAPTER III

- ¹Packet, August 27, 1776.
- ²Gazette, July 24, 1776.
- ³Ibid., September 18, 1776.
- ⁴Ibid., August 7, 1776.
- ⁵Ibid., September 11, 1776.
- ⁶Ibid., September 25, 1776.
- ⁷Pa. Arch., 8, VIII (September 26, 1776), 7586;
Gazette, October 2, 1776.
- ⁸Pa. Arch., 3, X (September 28, 1776), 767.
- ⁹Ibid. (September 28, 1776), 771-82.
- ¹⁰Packet, October 22, 1776.
- ¹¹Ibid., November 5, 1776.
- ¹²Gazette, October 23, 1776.
- ¹³Ibid.
- ¹⁴Marshall Diary, October 17, 1776.
- ¹⁵Pa. Arch., 1, V (March 30, 1777), 269.
- ¹⁶Gazette, October 23, 1776.

¹⁷Packet, November 12, 1776.

¹⁸Journals and Proceedings of the General Assembly of the Commonwealth of Pennsylvania (Philadelphia: John Dunlap, 1777).

¹⁹Gazette, April 23, 1777.

²⁰Ibid., May 21, 1777.

²¹Journals and Proceedings of the General Assembly of the Commonwealth of Pennsylvania (Philadelphia: John Dunlap, 1777).

²²Col. Rec., X (August 27, 1776), 701; Loy. Tr., 50, 94-107.

²³Pa. Arch., 1, VII (August 25, 1778), 72-73.

²⁴Quarter Sessions Court Docket, Philadelphia Archives.

²⁵Pa. Arch., 1, V (November 25, 1776), 74-75; Loy. Tr., 6, 540-41.

²⁶Pa. Arch., 1, V (November 25, 1776), 73-75; (December 16, 1776), 94-95; (December 10, 1776), 98-99; (December 13, 1776), 106, 145; Col. Rec., XI (December 10, 1776), 43.

²⁷Edward F. De Lancey, "Chief Justice William Allen," PMHB, I (1877), 202-10.

²⁸Pa. Arch., 2, I (March 19, 1777), 790-92.

²⁹Laws Enacted in a General Assembly of the Representatives of the Freemen, of the Commonwealth of Pennsylvania, November 28, 1776-March 21, 1777 (Philadelphia: John Dunlap, 1777), February 11-14, 1777.

³⁰Ibid., June 13, 1777.

³¹Pa. Arch., 1, V (August 28, 1777), 558-60.

- ³²Ibid. (October 11, 1777), 661-62.
- ³³Ibid. (October 17, 1777), 682.
- ³⁴Col. Rec., XI (August 6, 1777), 260.
- ³⁵Pa. Arch., 1, V (July, 1777), 427.
- ³⁶Ibid. (November 8, 1777), 753-54.
- ³⁷Ibid. (October 17, 1777), 678-79.
- ³⁸Journal of the Continental Congress, VIII, 588-89.
- ³⁹Ibid., 591.
- ⁴⁰The Pennsylvania Evening Post (Post), August 14, 1777; Col. Rec., XI (August 12, 1777), 264-65; Journal of the Continental Congress, VIII (August 12, 1777), 633-34.
- ⁴¹Journal of the Continental Congress, VIII (August 14, 1777), 641-42.
- ⁴²Ibid. (August 26, 1777), 678-79.
- ⁴³Ibid. (August 28, 1777), 688-89; Thomas Gilpin, Exiles in Virginia . . . (Philadelphia: C. Sherman, 1848), pp. 61-63.
- ⁴⁴Journal of the Continental Congress, VIII (August 28, 1777), 694-95.
- ⁴⁵Col. Rec., XI (August 31, 1777), 283-84.
- ⁴⁶Gilpin, Exiles, pp. 92-94.
- ⁴⁷Journal of the Continental Congress, VIII (September 3, 1777), 707; Col. Rec., XI (September 4, 1777), 290.
- ⁴⁸Pa. Arch., 1, V (September 5, 1777), 586, 589.

⁴⁹Ibid. (September 10, 1777), 607-12; Col. Rec., XI (September 9, 1777), 296; Journal of the Continental Congress, VIII (September 8, 1777), 720, 722-23.

⁵⁰In General Assembly, Monday, September 15, 1777 (Philadelphia: Styner & Cist, 1777), Broadside; Letter Enoch Story to Henry Drinker September 22, 1777 (HSP Soc. Mis. Coll.). McKean wrote a letter to John Adams explaining why he issued the writs (see McKean Papers, Vol. I, September 18, 1777, p. 11, HSP).

⁵¹Pa. Arch., 1, VI (December 8, 1777), 74-75; (December 19, 1777), 111-15; (January 5, 1778), 158; Gilpin, Exiles, pp. 209, 214.

⁵²Pa. Arch., 1, V (June 16, 1777), 369.

⁵³Ibid. (July 4, 1777), 412.

⁵⁴Ibid. (August 28, 1777), 558-60.

⁵⁵Ibid. (November 12, 1777), 767-68.

⁵⁶Ibid., 1, VI (January 22, 1778), 196.

⁵⁷Ibid., 1, V (October 24, 1777), 697-98.

⁵⁸Ibid., 1, VI (January 19, 1778), 189.

⁵⁹Ibid. (February 1, 1778), 219.

⁶⁰Post, May 6, 1777.

⁶¹Pa. Arch., 1, V (June 23, 1777), 400.

⁶²Post, August 23, 1777.

⁶³Journals and Proceedings of the General Assembly of the Commonwealth of Pennsylvania (Philadelphia: John Dunlap, 1777), September 17, 1777.

⁶⁴Col. Rec., XI (October 21, 1777), 329-30; In Council of Safety (Lancaster: Francis Bailey, 1777), Broadside.

⁶⁵Minutes of the Second General Assembly of the Commonwealth of Pennsylvania, October 27, 1777 (Lancaster: John Dunlap, 1778), November 22, 27, 1777 and December 8, 1777.

⁶⁶Pa. Arch., 1, VI (December 29, 1777), 145.

⁶⁷Minutes of the Second General Assembly of the Commonwealth of Pennsylvania, October 27, 1777 (Lancaster: John Dunlap, 1778), December 23, 1777.

⁶⁸Laws Enacted in the Second Sitting of the Second General Assembly of the Commonwealth of Pennsylvania, February 18, 1778 (Lancaster, 1778), March 6, 1778.

⁶⁹Letter Howe to Clinton, May 18, 1778, William Clements Library.

⁷⁰Ledger, October 22, 1777.

⁷¹Pa. Arch., 1, VI (February 23, 1778), 291; (April 22, 1778), 432; (June 11, 1778), 595.

⁷²Ibid. (January 22, 1778), 200.

⁷³Ibid., 2, I (n.d.), 542; Loy. Tr., 49, 163-72.

⁷⁴Post, October 11, 1777.

⁷⁵Ibid., January 3, 1778.

⁷⁶Ibid., June 20, 1778.

⁷⁷Ibid., October 14, 1777.

⁷⁸"A List of Persons Tried Before the General Court Martial at Lancaster . . . ," HSP, Soc. Mis. Coll.

⁷⁹Wilbur H. Siebert, The Loyalists of Pennsylvania, Vol. XXIV, No. 23 (Columbus, Ohio: The Ohio State University Press, April 1, 1920), p. 52.

CHAPTER IV

FRONTIER LOYALISTS--RED AND WHITE

The Loyalist activity described in the previous chapters was irritating, destructive, and occasionally dangerous but it did not present any serious threat to the colonial position. The same may not be said for attacks on the frontier settlements by Indians in conjunction with refugee Loyalists. These depredations were so menacing to the lives and property of the settlers that whole townships were evacuated, counties were faced with a similar fate, and the lines of westward advancement were halted and even temporarily moved back towards the east. Howe and his Redcoats were out of Pennsylvania less than a year after they entered, but the Indians and frontier Loyalists threatened the state for the better part of five years. In terms of actual damage inflicted on citizens of Pennsylvania, the Indian and Loyalist attacks on the frontiers challenged in magnitude the sufferings caused by Howe and his large British army.

Pennsylvanian supporters of the King in the older counties joined his troops in New York, New Jersey, or

Philadelphia but those in the frontier counties usually went to Niagara or Detroit. To recognize and encourage this westward exodus that had already begun the governor of Detroit in June of 1777 issued a proclamation offering amnesty and protection to colonists who would withdraw to Detroit.¹ The number of Loyalists from the western sections of the state who took advantage of this proclamation or of those from the northern frontier regions who went to Niagara may have been much greater than has been recognized in the past.

The frontier may be roughly divided into three troublesome sections and in two of these territorial disputes with neighboring states muddled the distinction between Loyalist and Patriot. The northeastern frontier clustered around the branches of the Susquehanna River. Flowing north-south through the state approximately one-third of the way across its length, the river in the northern half of the state divides into two branches, one flowing from the northwest and one from the northeast creating a rough Y-shape. On the easternmost point of the river, southwest of modern day Scranton, there is an area that was called the Wyoming settlement in colonial times. This land had originally been settled by people from Connecticut but their claims fell within the boundaries of Pennsylvania. Dispute ensued over land grants and Congress intervened, but decision was not reached

until the end of 1782. Meanwhile the settlement increased in size lining both sides of the river with prosperous farms whose settlers had been granted their lands by either state. The people from Connecticut resented the new arrivals from Pennsylvania who, in turn, regarded the others as trespassers on Pennsylvania land.

In Wyoming, as elsewhere, there were citizens who opposed independence and would have preferred reconciliation with England. Beginning in the winter of 1776 to 1777 some of these loyal residents made the trek to Niagara in order to enlist in Butler's Rangers. One of the first to leave was John Depue who arrived that winter at Niagara bringing letters from neighbors on the Susquehanna indicating their willingness to enlist in the Rangers.² Siebert says there were seventy of Depue's neighbors represented in these letters but he does not give their names or his source.³

Of those who left their homes to go within the British lines twenty-two filed claims with the British commissioners after the war. Their claims, if at all accurate, indicate that these were not impoverished farmers, fourteen of them having owned farms of 300 acres or more, some claimed under Pennsylvania, some under Connecticut, and a few under both. None, however, had more than fifty or sixty cleared acres and all who specified had taken up their land after about 1770. Most

were family men with sons enlisting at the same time as eleven of the fathers. Half of the heads of household were native Americans, two were Dutch, and seven were Germans who, with one exception, had come over at an early age. They all left their farms during 1777 and 1778. In some instances the men and older sons in the family left first to enlist in the British army, their wives and young children remaining behind until forced by Patriot pressures to leave. In others whole families made the trip together. There is no observable ethnic or economic reason for their loyalty. The great majority comment in their claims that the Patriots were forcing them against their will to aid the colonial cause and they could not remain under these pressures.⁴

In April, 1777, the Committee of Northumberland County received reports of a plot to incite an Indian War. A letter had been intercepted written by Nicholas Pickard from Wyoming to his cousin John Pickard farther down river at the time, warning John to move out of the way of a forthcoming Indian raid. The Committee questioned both men and John admitted that the previous Christmas he had gone up to Wyoming to meet Nicholas and the two men had traveled further north to a place called Tankhannock. There they had visited Nicholas Phillips who had warned the two Pickards and several others to move with their families to a place in Indian territory where they would

be safe. Phillips had received his information from John Depue. Nicholas Pickard confessed that he had communicated with the British at Niagara and that he had taken an oath of allegiance to the King, although he claimed to have been forced to the oath.⁵

For the rest of the year there was an uneasy quiet, then in January, 1778, the Pennsylvania Patriots apprehended twenty-seven suspected Tories. Eighteen were sent to Connecticut to be dealt with and the rest were released for lack of evidence. The latter were reported to have immediately joined the enemy. Rumors that they were stirring up the Indians for an impending attack caused the people to bring scattered families into the settlements in March. In April and May, small groups of Indians and Loyalists began to attack isolated settlers and July 1 a force of nearly 1,600 men appeared under the command of Colonel John Butler of Connecticut. For five or six days they took the forts, burned houses, and destroyed crops. The settlers who were not killed or captured fled the area back to Sunbury at the junction of the west and east branches of the Susquehanna.⁶

After this dreadful stroke, the Indians periodically descended on the remaining or returning inhabitants, killing or taking captives and torturing those in isolated areas. The situation was vividly described in a letter to Vice President Bryan in July, 1778. "The

Numerous poor Ran away from their habitations & left their all, & several familys have lost part, kill^d & scalp^d; on the Retreat the most Cruel Butcheries Ever known is practised, wounded and others thrown into the fires while yet living; the Inhabitants, however, are much distressed, the Wioming people are undoubtedly . . . entirely Defeated; Northumberland county is Evacuated, not more than one hundred men with Col. Hunter, at Sunbury; the Blue Mountains is now the frontier, & I am afraid Lancaster county shortly will follow the Example of the other county."⁷

In April, 1779, Thomas Ball reported from Sunbury to the Supreme Executive Council of the exposure of a ring of correspondents with the British. Information had been sent to the enemy of the strength of the colonial forces on the frontier and some of the soldiers had been persuaded to desert to the enemy. Ball wanted the Council to assign someone to try the prisoners because the inhabitants might soon have to evacuate the town and would have to set the prisoners free rather than leave them to the Indians.⁸ Since Sunbury was the largest town in the whole county at that time, it indicates the severity of the situation on that frontier to find the inhabitants considering its evacuation.

In order to relieve the pressure, a punitive expedition under the command of General Sullivan was sent the following summer up the east branch of the Susquehanna to route out the Indians in their own territory in

New York State. This army marched from Easton, Pennsylvania, to the Wyoming settlement waiting there for the arrival of needed provisions. During this period of delay reports frequently arrived of depredations committed by the Indians and these were recorded in his journal by the chaplain of one of the brigades, Reverend William Rogers. Thus, on June 29, word was received of three women of one family living between Wyoming and Easton being carried off and a son being scalped and tomahawked; the rest of "the few scattered inhabitants were in great distress moving for safety to Sullivan's Stores leaving the principal part of their property behind them."⁹ On July 5 an express arrived from Sunbury announcing the destruction by the Indians of nine persons out of twelve working in a field at Munsey.¹⁰ July 7 brought news of Indian outrages on the western branch of the Susquehanna.¹¹ That same month the enemy captured a fort about twenty-five miles from Sunbury and the nearby town of Northumberland expected an attack momentarily. According to Rogers, there were only 150 men to protect the women and children against a reported enemy force of 250 with reserves of 100 men.¹² And so it went, every few days news arrived of further attacks on settlers, all blamed on British and Loyalist encouragement of the Indians.

While in Wyoming, Rogers visited the sites of the battles of the previous summer, describing them in his journal. In one of these, 500 Indians and Tories opposed 300 inhabitants. According to Rogers, only 100 of the Patriots escaped death, and he blames this outcome on the treachery of a Loyalist settler.

From many circumstances it appeared Wintermute's Fort proved treacherous, old Mr. Wintermute with all his sons and about twenty-five others who composed the garrison, having on the enemy's approach delivered up the fort, without the least opposition, the major part of whom immediately joined the enemy and took up arms against their friends. Moreover it was alleged that they corresponded with the enemy many months before.¹³

John Wintermute who filed a claim with the British after the war reported that he had joined Colonel Butler in 1778 although he said nothing about playing a decisive role during the Wyoming massacre.¹⁴

Sullivan's expedition was joined by another army from New York state and the combined forces marched up into the Finger Lake region laying waste to Indian farms and towns. With one exception, the Indians retreated before them, evacuating their towns and attacking only small parties, but avoiding a large confrontation. In the one exception, it was estimated that the enemy force contained about 400 Indians and 300 Loyalists of unidentified colonial origin.¹⁵

In spite of this and other expeditions, the frontier would remain in an unsettled condition with

unfriendly Indians attacking isolated settlers, picking them off in small numbers and then fading back into the forests when military units were sent against them. A year later Thomas Hewitt wrote to President Reed again of "the dismal situation of this county." He was particularly concerned about the Loyalist sentiments of the people living in an area around Fishing Creek and the town of Catawisse. Because this area was isolated by mountains, the inhabitants could correspond with the enemy without detection. Hewitt pointed out that in the most dangerous times they were never troubled and furthermore whenever the enemy made an incursion into the county all the Loyalist families would fly there for protection while the Patriots either had to evacuate the county or shut themselves up in a fort. Confessions had recently been secured from several settlers that they had been corresponding with the British and several admitted having been to Niagara.¹⁶

This situation continued throughout the war period. As late as the summer of 1782 when the war was practically over the Indians were still on the war path in Northumberland County. It was reported that from July 23 to August 8, twenty-one inhabitants were killed or captured and all those who lived above Fort Augusta on both branches were planning to move into the towns and had given up all thoughts of putting in fall crops.¹⁷

But during that summer when they should have been exerting their full strength against the Indians, the settlers instead were squabbling among themselves. Colonel Zebulon Butler from Connecticut, the leader of the colonial defense forces against Loyalist Colonel John Butler (no relation) during the Wyoming massacre and therefore a prominent figure in the area, tried in July to arouse the Connecticut claimants to resist inclusion in Pennsylvania. At this time the Congressional Commission was considering the dispute and Connecticut was using every conceivable delaying tactic including challenging the authority of the Pennsylvania delegates on the commission, refusing to agree to proposed procedures, and urging a postponement until peace would permit the consultation of documents in England. Colonel Zebulon Butler assembled the Connecticut settlers in Wyoming and instructed them to go down river to Wapwhalpen where they were to build a strong block house and take possession of that area. A large body of new settlers from Connecticut were expected to augment their numbers during the following year. Butler assured them that the trial between Connecticut and Pennsylvania would be postponed but if by chance their charter claims should be denied, they were determined to have the Wyoming section established as a new state.¹⁸

Even when the decision had been reached in Pennsylvania's favor in December, 1782, still the Connecticut people were not willing to accept it. In response to a petition from the Connecticut settlers, the Pennsylvania Assembly sent a committee to Wyoming to investigate the various differences between the two groups and decide conflicting land claims. Meanwhile, the legislature passed an act forbidding any eviction suits against the Connecticut claimants over disputed titles. The committee reported several months later that they had been unable to win the cooperation of the Connecticut people; they complained of interference from the state of Connecticut and from the Susquehanna Company so that settlement of the various claims was impossible. The legislature then rescinded its stay law throwing all controversy over land ownership into the Pennsylvania courts.¹⁹

The dispute between Connecticut and Pennsylvania settlers was not limited to Northumberland County but had also been reflected in neighboring Northampton County to the east during the first year after the Declaration. In January and February of 1777, seventeen men were in jail in Reading for communicating with the enemy. Apparently they had heard of the offer of amnesty extended by the Howes in early September, 1775, to all those who would return to allegiance to the King because they told the Northampton Committee that a proclamation had been

announced that they would have peace again, as in the year 1763, if they laid down their arms. Whoever signed a paper they were circulating might stay at home and not go to camp with the militia. There is some evidence that they believed the Wyoming people were going to attack them and that by signing this paper (unidentified) they could in some way protect themselves. At least they would not have to go off and leave their families and property prey to the intruders.²⁰ If the Pennsylvania settlers believed that the Connecticut people were planning to attack as soon as they left, of course they would not want either to march with the militia or to stay home and give up their arms to those who did. And so they were caught in the middle between the threats of the Connecticut settlers and the Northampton County Committee that had been ordered to sign up all able-bodied men between 16 and 50 as Associators and to take the arms of the non-Associators. Signing the Articles of Association had been easy in 1775 and 1776 but now Howe was on the move in Jersey and the intelligence reported that he was headed for Philadelphia. Those who had associated so readily the year before were now faced with having to fulfill their obligation and finding that it involved a difficult and unanticipated decision.

The southwestern corner of Pennsylvania around Pittsburg was a second frontier troubled by both Loyalist

activity and controversy with a neighboring state over their common border. Here the problem was with Virginia, but the questions raised were the same. Which state could grant land titles, supervise the election of local officials, and grant those officials authority once elected? This controversy was referred to a joint commission from both states who decided in favor of Pennsylvania. Although final judgment was reached in August, 1779, and ratified by the two states the following year, the actual border line was not run until 1783; meanwhile the area was disturbed by frequent altercations between supporters of the two colonies.²¹

Even under British control there had been no firm policy. As a matter of fact, Fort Pitt was abandoned as a military outpost in 1772 by order of General Gage. In 1760 there had been 201 buildings around the fort but by 1770 only 20 were left and the British decided the fort was not worth the trouble to maintain it.²²

With the British grasp loosened, in 1773 both Pennsylvania and Virginia moved to institute their own control over the forks of the Ohio. Pennsylvania formed Westmoreland County out of the western portion of Bedford, establishing the new county seat at Hanna's Town, thirty miles east of Fort Pitt, and appointing the usual contingent of county officials. But this move was not to go uncontested by Virginia. Lord Dunmore, royal governor

of Virginia, visited the area that summer rounding up supporters. His foremost agent, Dr. John Connolly, was commissioned to repair and occupy the fort, changing its name to Fort Dunmore, and to organize the district as a Virginia county.²³

The several Pennsylvania appointees initially suffered a period of repression at the hands of the Virginia authorities. The five men who had been selected as Pennsylvania magistrates reported to Governor Penn in May, 1775, that two of their number had been put in jail in February where they had been kept ever since. All of them were being sued in the Virginia courts for acting unlawfully as magistrates and even the ownership of their land was threatened, for Connolly had dispossessed one magistrate and given his land to a Virginia claimant.²⁴

Hardly had this picture been forwarded to the governor when another correspondent reported more optimistically that Dunmore's interference was coming to an end. The royal governor had seized the magazine at Williamsburg and this had brought the wrath of the eastern Virginia counties down upon him so that he was kept busy on the coast. In addition, the law under which the garrison of Fort Dunmore was supported would expire in June but Dunmore had prorogued the Assembly thereby making an extension impossible. He reported that Connolly was preparing to leave and wanted to know if

the Pennsylvania authorities should claim the fort when it was vacated.²⁵

Connolly, as a representative of the royal governor rather than of the colonial revolutionary government, was active that summer in advocating various plans of Dunmore. He explained to one of Pennsylvania's officials that he wanted to take several of the Delaware chiefs with him to England to win confirmation for them of their homeland, a great part of which lay within the area claimed by Pennsylvania. In addition to this attempt to hold Indian allegiance to Great Britain, Dunmore had personal designs on islands in the Delaware River and Connolly had been busy securing information about them.²⁶

But in July, when Congress created three Indian departments and subsequently arranged to man Fort Pitt with continental forces, Connolly left Pittsburg to consult with Dunmore who sent him to General Gage in Boston with his proposals. His return to Dunmore in October with instructions from Gage resulted in Connolly being ordered to raise a Loyalist regiment in the back country and Canada. Connolly was on his way to Detroit to pick up his commission and instructions when he was apprehended by a committee in Maryland, sent to Philadelphia, and spent the rest of the war either in various colonial jails or on parole.²⁷

With Connolly detained in the east, the most notorious western Loyalists were two men who had been employed in the Indian department before the Revolution-- Alexander McKee and Simon Girty. At the beginning of the contest, McKee, a native American, was the Deputy Superintendent of Indian Affairs for the Western District, living at Pittsburg. His father had been an Indian trader and McKee had spent his boyhood in western Pennsylvania. While still in his teens he had served as a lieutenant in the French and Indian War and during Pontiac's Rebellion he had acted as an intermediary between the Indians and the garrison at Fort Pitt. For his services he had been awarded 1,400 acres at the mouth of Chartiers Creek on the condition that he would always be available for service to the King. By 1775, McKee also owned another 2,000 acres in Kentucky and was a Pennsylvania justice of the peace, influential with both the Indians and the settlers.²⁸

Simon Girty, although not occupying the same status as McKee among the settlers, was nevertheless recognized and feared for his friendship and influence with the Indians. Girty was born on the east branch of the Susquehanna and spent several years of the French and Indian War in Indian captivity. After his release he settled down in Pittsburg where he took Virginia's side in the controversy between the two colonies. In July,

1775, Girty made a trip to convince the Indians to support the Virginia colonial government and during 1776 he worked for the colonial government at Pittsburg, first as an interpreter and then as express.²⁹

Not only was the area troubled by the dispute over its ownership, but there was the same division of loyalty between Great Britain and the Continental Congress that was polarizing in the east. In 1775 and 1776, meetings of citizens and committees were held at Pittsburg and Hanna's Town to formulate settlers' views on the troubles with Great Britain. Patriots during this period began to suspect McKee's loyalty but hesitated to antagonize him because of his friendship with the Indians. In February, 1776, Colonel John Butler, acting commander of Fort Niagara, sent McKee an invitation to attend a council at Niagara. The Pittsburg Committee found out about the letter and forced McKee to show it to them. They demanded that he give his word not to do anything injurious to the colonial position and a few months later forced him to sign a parole, although they continued to distrust him and suspected that he planned to leave for Detroit. Girty, too, during this period began to fall under colonial suspicion. He was arrested and sent to jail, from which he easily escaped, returning voluntarily to be acquitted by a magistrate of the charges against him.³⁰

Finally, early in 1778, McKee began to prepare to go to Detroit and apparently persuaded Simon Girty to go with him the end of March. McKee, Girty, and five other men who accompanied them visited Indians along their route, trying to win their support for the British. The news of their defection caused great concern along the border; these men were very influential with the Indians and the settlers feared the worst from their adherence to the British.³¹

Indian attacks already begun along the frontier did intensify, although blame for the original decision to use the Indians is properly lodged with the British. Sometime before the middle of 1777 Henry Hamilton, Lieutenant Governor and Indian Superintendent at Detroit, had proposed that the Indians be encouraged to war against the colonial settlers on the frontier. After some hesitation, Lord Germain finally gave permission provided that proper persons were sent in command of each group to restrain them from undue cruelties, a precaution rarely observed. By the end of July, 1777, war parties were attacking the frontier in Kentucky and by November of that year the Westmoreland County lieutenant reported various Indian raids, describing the people killed and scalped. "In short there is very few Days there is not some murder committed on some part of our fruntears." He predicted that the settlers would be forced to move

east and evacuate the county, a prophecy that would be repeated over and over for the next six years.³²

When the defectors arrived in Detroit in mid-August, 1778, they were immediately put to work in the Indian department. Simon Girty was sent out to live with the Indians, interpret for them, and to accompany them on war parties against the border. At first the United States obtained a treaty with the Delawares in which they agreed to help the colonists but by 1781, there was general Indian warfare. Even the Delawares helped the British and Simon Girty was constantly involved in stirring up and leading the Indians in their attacks.

The names of McKee, Girty, and other white Loyalists who worked with the Indians for the British appear frequently in the records of revolutionary Pennsylvania because of their leadership of the Indians and their cruelty to Patriots. Thus, in January, 1779, Simon Girty and a party of Mingoes attacked some men from the 8th Pennsylvania Regiment near Fort Lawrence.³³ Later in that year John Hackenwalder, missionary to the Indians, wrote that Girty was trying to stir up trouble, that preparations were being made for an assault on Fort Lawrence by Alexander McKee and 150 Shawanese.³⁴ In June, Hackenwalder reported that Simon Girty informed the commandant of Detroit that he had 800 warriors ready at his command to attack Fort Lawrence.³⁵ During the

summer of 1781, Lochry's expedition to chastize the Indians was set upon by 300 Indians under McKee.³⁶ The following summer, Crawford's expedition was decimated by Indians and a survivor, John Slover, wrote in his journal of his experiences in captivity. He mentioned McKee in Indian councils and described his home near one of the Indian villages where Slover was held. He also wrote of the cruelty of George Girty, brother of Simon, who encouraged torture.³⁷ Another survivor of the same expedition, Dr. Knight, in his narrative mentioned Simon Girty as living with the Indians and encouraging them to torture and kill American prisoners.³⁸ Except for two houses, Hanna's Town was burned to the ground in July, 1782. Fortunately, many of the inhabitants had been warned of the approach of the Indians by an earlier attack on some reapers near town and had been able to get into the fort where they were safe. The county of Bedford further east was also troubled by these men. In August, 1782, a letter to President Moore reported the bad deeds committed by Indians in that county and the distressed condition of all the frontiers. The writer said that the noted Girty had for several years past threatened the town of Bedford with destruction, the way he had Hanna's Town. Now that Hanna's Town had been leveled, the writer was afraid that Bedford would be next.³⁹

At the same time that frontiersmen were fighting Indians and Loyalists, they quarreled heatedly among themselves over whether they would be Virginians or Pennsylvanians. Even though the joint commission voted in August, 1779, to extend the Mason-Dixon Line between Pennsylvania and Maryland westward between Pennsylvania and Virginia, thus granting the contested area to Pennsylvania, the determination of the exact line required favorable weather for the astronomical observations and was a time-consuming job over the mountains. Meanwhile, residents divided their loyalty between the two states as well as between the new United States and Great Britain.

The argument of the Virginians in western Pennsylvania went something like this. The area had been under the jurisdiction of Virginia since 1774. True, the agreement between the commissioners for the two states in 1779 had awarded the area to Pennsylvania but it had been announced that the line should be run immediately and by 1781 this had not yet been done. Virginia had stopped sending orders, yet Pennsylvania's jurisdiction was not official until the boundary was defined. The officials appointed by Pennsylvania they characterized as new arrivals, unknown to most of the settlers, and they criticized the elections as being hurriedly called and held in obscure places so that less than one-third of the

people voted. Therefore, they refused to recognize Pennsylvania county officials, forming instead a committee among themselves to manage the county and call a militia for their defense.⁴⁰

Thus, even though both states had agreed the disputed area belonged to Pennsylvania, the Virginians continued to recognize the civil and military jurisdiction of Virginia, not Pennsylvania, claiming that they would do so until the border line was officially determined. James Marshall, the Pennsylvania appointed county lieutenant, reported to President Reed that some of the formerly elected members of the Virginia assembly from the west had gone to Virginia in 1781 to delay the running of the line and a committee had been formed that was assuming the government. He reported that there were "approximately 2500 effective men in the county but if they remain much longer in the state of uncertainty, they would be reduced, either by Internal or External Enemies, and perhaps by both."⁴¹

It was the intention of the Pennsylvania government to have the line run in the spring of 1781 but the year passed without its completion. First, a representative from both states was required but the invasion of Virginia prevented that state from tending to the matter. Then they discovered that it was too late in the year to make the necessary observations. Therefore, the President

of Pennsylvania suggested postponing the final determination to the spring of 1782, meanwhile running a temporary line beginning at the end of the Mason-Dixon line westward for twenty-three miles to the Ohio River. Virginia agreed to this and appointed Reverend James Madison as commissioner from that state. Pennsylvania commissioned Archibald McClean to meet the Virginia representative May 10. But Madison did not arrive at the designated place until the end of August and even then did not appear anxious to get on with the business. Either Madison was evasive or Indian raids occupied the attention of the militia assigned to guard the boundary line commissioners. In October the Pennsylvania agent reported to President Reed that Mr. Madison had refused to carry out the determinations with McClean and instead had sent a message to Virginia asking that it not be done at all. Finally, in December President Moore of Pennsylvania decided it was too late in the year and furthermore there was no point bothering about a temporary line when the permanent line would be run in the spring. But the Pennsylvania legislature and Council decided the next year that a temporary line should be run until the times were more favorable for a permanent one. The Governor of Virginia agreed and commented that he did not know why Madison had not completed the business before except that he had heard Madison had been prevented by some of the inhabitants.⁴²

The authorities at Philadelphia set June 10, 1782, as the new meeting time for the Virginia and Pennsylvania commissioners to run the line and issued instructions to McClean to proceed with or without the Virginia commissioners. The Governor of Virginia wrote President Moore that Virginia could not accept a boundary established without her representative being present and asked that a later date be set, preferably in October or November. Apparently, Pennsylvania did not agree to a further extension because McClean's orders were not changed. McClean, escorted by about seventy armed men arrived at the starting point and was preparing to cross Dunkard Creek to begin marking the line when a party of about thirty armed horsemen appeared on the opposite side of the river threatening McClean should he attempt to cross. Upon consultation, the Virginians said that McClean would not be permitted to pass unless a representative from Virginia was present. Rather than precipitate a battle, McClean did not proceed.⁴³

To complicate the picture in western Pennsylvania even further, the Assembly had passed a law requiring taxes for 1782 be paid in specie. Westerners, who never had much hard money, objected to this measure and refused to pay. The opposition to running the boundary line may thus be seen as motivated not only by attachment to Virginia but by the belief that as long as the boundary

was not fixed, Pennsylvania could not legally tax them. The Virginia supporters, as in the case of Wyoming, were urging the establishment of a new state out of western Pennsylvania. Finally, McClean was ordered to the west end of the Mason-Dixon Line on November 4 to run the line in conjunction with a new Virginia representative. By August, the Virginia Governor, Harrison, had decided the determination was inevitable and he ordered Virginia militia to attend the boundary commissioners even though the people might try to prevent it. This time the line was drawn and the matter settled, at least from the legal standpoint.⁴⁴

However, bitterness and ill will persisted even after the peace. In June, 1784, President Dickinson received a report that a number of inhabitants who had formerly been Virginians and opposed to the inclusion in Pennsylvania had turned into open robbers, committing outrages on the peaceful citizens.⁴⁵ That fall Jehu Hay wrote to Lieutenant Governor Hamilton of Canada for the authority to form a settlement of Loyalist refugees from Pennsylvania at Detroit. He claimed to have talked to many people from Fort Pitt who wanted to leave that area and he blamed this discontent on an act of Pennsylvania requiring all land holders to take out new deeds under the seal of that state before a certain time or lose their land.⁴⁶ In this case, therefore, Hay's use of the word

Loyalist did not necessarily mean that these people were particularly devoted to Great Britain; instead, they were disgruntled with the new requirements of an unwanted bureaucracy.

The third frontier area suffering from Indian attacks and Loyalist desertion was towards the center of the state, west of the Susquehanna and east of the Ohio, around the forks of the Juniata River near Huntingdon. In April, 1778, this section was in an uproar over an attempted defection of thirty-one settlers and the threat of an Indian attack. The county lieutenant reported that many disaffected persons had already left the region, several of whom had purchased guns although they had always refused in the past to turn out for militia exercises, and their neighbors feared that they would bring the savages to attack them.⁴⁷ The British sympathizers who remained behind, he reported, had banded together threatening vengeance on all who had taken the oath of allegiance to the state. Open warfare had broken out in Standing Stone Town with a reported 320 Loyalists collecting together to drive a number of the inhabitants from the town. He had been obliged to send arms and militiamen to restore order. Strangers, supposedly from Detroit, had circulated the previous winter, he wrote, encouraging settlers to leave and offering to accompany them.⁴⁸

Then in April thirty-one men had met in the woods in Sinking Spring Valley to march together to western Pennsylvania. There they expected to join four or five hundred English and Indians and return to Fort Pitt, Hanna's Town, and Sinking Spring Valley "to kill the male inhabitants capable of bearing arms, who were in any kind of fort or place of defence, and all others of any age or sex who attempted to elude or escape their search." They were promised 300 acres of their own choice if they would go and threatened with hanging or banishment if they refused and the English won the war. In their route over the Alleghenies they met a group of suspicious Indians who shot and scalped one of their number frightening the others out of their original plan. Instead they scattered, some going to Philadelphia or New York, others returning.⁴⁹ To compound their troubles, they were pursued by Patriot neighbors who caught five of them. One of those who escaped and managed to get to Philadelphia to join the British army, Henry Maggee, filed a claim with the British after the war. He said that he was a native of Ireland who had settled in America in 1773. He was a miller who denied support to the American cause from the beginning of the difficulties, refusing even to grind flour for the Boston poor. As a result, he was insulted and persecuted for two years, eventually charged with treason, and imprisoned only to escape to join the other

thirty in the mountains. Maggee claimed that 431 men had signed an agreement to join Colonel Butler.⁵⁰ Although this number seems high the Council, requesting the attendance of a judge at the trial of the prisoners, admitted that the crime appeared to have been committed by "multitudes along the frontier."⁵¹

Maggee's complaint of persecution was born out by the report of a Pennsylvania militia general to the President of the state from Sinking Spring Valley.

The confiscation of the Effects of the Disaffected in these parts, is very irregular, and the brutality offered to the Wives and children of some of them, as I have been informed, in taking from them even their wearing apparel, is shocking. I wish the Magistrates were furnished with the late law respecting confiscation, and that they were more capable Ministers of Justice.⁵²

The want of proper administration in the county was explained the following month in a report of the sub-lieutenant of Bedford County to the Supreme Executive Council in which he stated his desire to resign. He said that their county administration had been weak because it was composed of some persons "who were utterly unacquainted with public Business, little known in the County, and not of sufficient public Reputation and Influence to stand against that Resentment of the People raised even by the due Exercise of their office." Because of their opposition to the state constitution the most qualified leaders had been accused of disloyalty and kept out of positions of trust. He argued that these

men only opposed parts of the constitution and wanted its amendment by legal means and he urged their appointment to positions where their abilities were badly needed.⁵³

To sum up the frontier situation, the Indian Loyalists, encouraged and frequently led by white Loyalists, inflicted great personal and property damage upon the Patriot citizens, often forcing them to flee their farms to save their lives. Here, as everywhere in Pennsylvania, loyalism was a complicated state of mind, and motivation difficult to determine. Affection for the mother country was influenced by support for Virginia or Connecticut in their opposition to the Pennsylvania boundaries. Disgruntlement with the Pennsylvania constitution forced qualified leaders out of political life, thereby bringing to the fore inexperienced men who antagonized their fellow citizens. Sometimes it is hard to decide whether people deserted for love of the British or annoyance with the persuasive tactics of other colonists. In any case, Loyalists on the frontiers defy categorization and invite an interpretation emphasizing diversity.

FOOTNOTES--CHAPTER IV

- ¹Pa. Arch., 1, V (June 24, 1777), 402.
- ²Loy. Tr., 25, 431-35.
- ³Siebert, Loyalists of Pennsylvania, p. 19.
- ⁴Loy. Tr., 25, 26.
- ⁵Pa. Arch., 2, XIV (April 17, 1777), 364-66.
- ⁶Post, July 30, 1778.
- ⁷Pa. Arch., 1, VI (July 12, 1778), 632.
- ⁸Ibid., 2, III (April 27, 1779), 256.
- ⁹Ibid., 2, XV, 261.
- ¹⁰Ibid. (July 5, 1779), 263.
- ¹¹Ibid. (July 7, 1779), 267.
- ¹²Ibid. (July 30, 1779), 271.
- ¹³Ibid. (July 5, 1779), 264.
- ¹⁴Loy. Tr., 25, 400-04.
- ¹⁵Pa. Arch., 2, XV (August 29, 1779), 237.
- ¹⁶Ibid., 1, VIII (August 29, 1780), 528.
- ¹⁷Gazette, August 28, 1782.

¹⁸Pa. Arch., 1, IX (August 22, 1782), 622-23, 679-724.

¹⁹Ibid. (January 6, 1783), 732-33; (February 20, 1783), 754-55; Minutes of the First Session of the Seventh General Assembly of the Commonwealth of Pennsylvania, October 28, 1782 (Philadelphia: John Dunlap, 1783), September 2, 1783.

²⁰Pa. Arch., 2, XIV (January 23, 1777), 623; (February 15, 1777), 625.

²¹Ibid., 3, III, 485-504.

²²Walter R. Hoberg, "Early History of Colonel Alexander McKee," Pennsylvania Magazine of History and Biography, LVIII (1934), 26-36.

²³Consul W. Butterfield, History of the Girtys (Cincinnati: Robert Clarke and Co., 1890), pp. 23-24.

²⁴American Archives, 4, II (May 23, 1775), 684.

²⁵Ibid. (May 25, 1775), 704-05.

²⁶Pa. Arch., 1, IV (July 12, 1775), 637.

²⁷Ibid. (November 23, 1775), 682-83.

²⁸Walter R. Hoberg, "Early History of Colonel Alexander McKee," Pennsylvania Magazine of History and Biography, LVIII (1934), 26-36.

²⁹Consul W. Butterfield, History of the Girtys, pp. 34-40.

³⁰Ibid., pp. 44-45.

³¹Ibid., pp. 49-50.

³²Pa. Arch., 1, V (November 4, 1777), 741-42.

³³Ibid., 1, VII (January 29, 1779), 173.

³⁴Pa. Arch., 1, VII (May 28, 1779), 518; (June 30, 179), 525.

³⁵Ibid. (June 30, 1779), 524.

³⁶Ibid., 2, XIV, "Journal of Lieut. Anderson," 85-89.

³⁷Ibid., "Narrative of John Slover," 717-27.

³⁸Ibid., "Narrative of Dr. Knight," 708-17.

³⁹Ibid., 1, IX (August 19, 1782), 620; Gazette, July 31, 1782.

⁴⁰Pa. Arch., 1, IX (July 27, 1781), 315-21; (August 15, 1781), 355-56.

⁴¹Ibid. (June 5, 1781), 193; (June 27, 1781), 233-34.

⁴²Ibid. (March 20, 1781), 20-21; (July 23, 1781), 304-05; (September 13, 1781), 402; (November 6, 1781), 444-45; (October 19, 1781), 439; (December 17, 1781), 468; (March 2, 1782), 506-07; (March 22, 1782), 519-20.

⁴³Ibid. (March 22, 1782), 518-19; (April 26, 1782), 533; (June 29, 1782), 562; (June 27, 1782), 564-67.

⁴⁴Ibid. (July 20, 1782), 588; (August 1, 1782), 607; (March 13, 1783), 777.

⁴⁵Ibid., 1, X (June 14, 1784), 279.

⁴⁶Letter Hay to Hamilton, November 1, 1784, Otto Fisher Papers, Burton Collection, Detroit Public Library.

⁴⁷Pa. Arch., 1, VI (April 27, 1778), 447.

⁴⁸Letter from Lt. John Carothers to Pres. Wharton, April 24, 1778, Nead Papers 1776-1779, Historical Society of Pennsylvania.

⁴⁹Pa. Arch., 1, VI (April 27, 1778), 542.

⁵⁰Loy. Tr., 25, 40-51.

⁵¹Pa. Arch., 1, VI (October 19, 1778), 750.

⁵²Ibid. (April 27, 1778), 446.

⁵³Ibid. (May 15, 1778), 504-05.

CHAPTER V

FROM EVACUATION TO CAPITULATION

JUNE, 1778-1783

When the British marched out of Pennsylvania, crossing the Delaware and proceeding through New Jersey back to New York, and Philadelphians regained their city, Loyalists who remained found their position to be very difficult. Anyone who had helped the British authorities run the city was automatically suspect and was called upon to justify his conduct. For the first year, many loud voices were raised against them, mobs demanded vengeance, petitions circulated and were presented to the Assembly calling for more restrictive laws. If these outcries had been heeded, the Loyalists would have been in a very dangerous position.

But anti-Loyalist sentiment was never clear-cut and rationally defined; at all times it was confused with other emotions. Irritation with the foot-dragging pacifists whose neutrality contributed to the British cause by its negation of colonial measures became enmeshed in the traditional belief in religious freedom. Hatred of

the British and anyone who helped them was firm until that assistant turned out to be someone whose family had been friends for many years. Discontent with depreciation of the currency and skyrocketing prices demanded a scapegoat and anyone who opposed popular measures as economically unsound was labeled Tory. Constitutionalists, determined not to permit revision of the document they favored, declared that any attempt to call a convention was opposition to the whole independence movement. To consider Loyalists apart from their contemporary scene is to create a false picture of conditions. Although by omitting the swirl of events that surrounded them it is possible to see the Loyalists and their motivation in uncomplicated patterns, this is accomplished only at the sacrifice of validity. Whenever human action is under scrutiny, complications are always present and the Loyalists during the American Revolution are no exception. Their activity and treatment became entangled with all the other desires and complaints motivating citizens of Pennsylvania from the evacuation up to and long after the capitulation.

During the British occupation, Philadelphia's Patriots suffered both exile with its accompanying discomforts and property loss due to destruction and theft. Those Patriots who had been most active in the steps leading to independence fled Philadelphia ahead of the

British. An English officer writing in October, 1777, reported that although Philadelphia had been a very populous city, "at present it is very thinly inhabited, and that only by the canaille and the Quakers, whose peaceable disposition has prevented them taking up arms."¹ It has been estimated that the city by 1776 had a population of some 40,000, yet a correspondent to the Post guessed that only 23,000 inhabitants of the city were waiting for the British.² A more accurate count was made by the British shortly after they took possession. They found 5,335 males under 18, 4,996 males between 18 and 60, and 13,403 females for a total of 23,734 with males over 60 not counted.³ The low number of males as compared with females may indicate that the men fled fearing for their lives, leaving their wives to occupy their houses and hopefully prevent confiscation or theft. This was the pattern frequently followed by the Loyalists when they left Pennsylvania.

The occupation of Philadelphia by the British was a disorderly and destructive period in the city's history. The British and their loyal supporters were unable to keep order or even to keep the city clean. Both the Ledger and the Post frequently ran advertisements reporting robberies and offering rewards for the return of stolen goods. As early as November 8, Howe issued a proclamation admitting that the British soldiers were

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robbing the inhabitants and threatening serious punishment to those caught buying stolen merchandise.⁴ On December 30, he repeated this proclamation and, in January, it was necessary to establish a curfew between 8:30 P.M. and reveille. Robert Morton in his diary wrote of the "ravages and wanton destruction of the soldiery" which he predicted would soon "become irksome to the inhabitants." He reported that many were "entirely and effectually ruined by the soldiers being permitted, under the command of their officers, to ravage and destroy their property." He compared the British depredations against faithful Loyalists with the behavior of the American army, commenting that General Washington's army could not be accused of so treating the property of their friends.⁵ Even Elizabeth Drinker, who favored the British position, reported in her diary of many robberies during the unsettled times. "We daily hear of enormitys of one kind or other, being comm't'd by those from whom we ought to find protection."⁶ After the British left, one observer wrote, "Such was the filth of the city that it was impossible for us to drink a comfortable dish of tea that evening. As fast as our cups were filled, myriads of flies took possession of them."⁷

Not only was Philadelphia a dirty city when it was restored to the Patriots, but there had been much destruction of both private and public buildings. For

example, the Butchers Market House and its stalls were reported to have been destroyed by the British,⁸ and the court room in the State House was in need of repair.⁹

In August, inhabitants of the Northern Liberties and Southwark sections of Philadelphia, whose homes had been destroyed by the enemy, petitioned the Assembly asking to be compensated from money obtained by selling confiscated Loyalist estates.¹⁰ Inhabitants whose houses had been plundered and their families driven out of the city by the British also asked to be reimbursed for their losses.¹¹

After nine months away from their homes and businesses, the returning exiles found much of their property stolen in addition to a dirty city with damaged buildings. Loyalist Joseph Fox was accused of seizing and taking away four tons of blistered steel and all the apparatus of a steel furnace belonging to a Patriot.¹² Christopher Saur was said to have stolen all the printing equipment of Henry Miller.¹³

Those who had remained in Philadelphia had undoubtedly had a difficult time but there had been certain compensations. They could save their professions, protect their possessions from theft, and, once the Delaware River was cleared of obstructions, British ships sailed up to the wharves loaded with goods not seen in Philadelphia markets for nearly four years. Anyone who still had

specie could once again select luxury products not available to other Pennsylvanians.

It might reasonably be assumed that the returning exiles in the summer of 1778 would face those who had remained with considerable bitterness. The surprising fact about that summer was the absence of a large scale vendetta. It is true, the chief justice met the first week in July, 1778, at the city court house to hear charges against Loyalists accused of joining and helping the British army.¹⁴ Punishment fell on those who had fought or spied for the British armed forces and there were several executions for treason but the number was very small. The Post, publishing without cessation during 1778, reported for that year and 1779 a total of thirty-six trials. Of the fourteen found guilty, eight were executed, five were reprieved, and one was exchanged. The remaining twenty-two were acquitted. Elizabeth Drinker, in her diary, records sixteen additional names of men imprisoned for various terms usually just a few days or weeks. The Gazette for 1779 reported ten other cases, of which six produced acquittals, one an execution, one release under security payment, one imprisonment for misprision of treason, and one whose disposition was not explained. This made a total of sixty-two accusations producing nine executions for treason from June, 1778, to January, 1780, reported in these three sources.

Some contemporaries, however, not content with the pace of accusations and prosecutions, urged that Loyalists be punished with greater alacrity. Thus, on July 7, 1778, the Supreme Executive Council pointed out that it was the duty of every good citizen to report concealed enemies and complained that evidently there was "a great unwillingness in the people of the city to give the necessary information against the disaffected."¹⁵ Over the signature "Casca" a correspondent in the Post on July 16, 1778, threatened traitors who had helped the British and two days later the Post devoted the whole front page to an article against the Loyalists who remained unpunished in the city. This article recommended an association of citizens to collect evidence and support the civil magistrates. On July 25, the Post carried a statement signed by approximately one hundred names saying that some people "notoriously disaffected" to the American cause had tried to hide the evidence of their Loyalist activity before and during the British occupation of Philadelphia. The signatories pledged themselves to do everything they could to bring to justice those opposed to America. The fact that Towne would publish these statements in the Post is rather ironic considering that he was probably among those whose prosecution was demanded. During August, several petitions to the legislature signed by inhabitants of Chester and Lancaster

counties asked that Loyalists be barred from holding public office.¹⁶

Thereafter, sporadically during the war, groups of citizens would become concerned about the allegedly disaffected living within their midst and would petition the Assembly or hold meetings issuing resolutions asking that restrictive measures be taken. For example, in May, 1779, a town meeting was held in Philadelphia during which a committee was appointed to determine whether there were Loyalists still living in the city. All those who had evidence against suspected Loyalists were asked to divulge it to this committee.¹⁷ A few weeks later, the Grand Jury for the city and county of Philadelphia recommended that the wives and children of refugees behind the British lines be forced to leave the city. They were accused of relaying intelligence and false rumors through their correspondence.¹⁸ This problem of the Loyalist wives was raised periodically accompanied by demands that they be forced to leave. The Supreme Executive Council would take a strong position in general terms but never carry out their threats against individuals. A few months later the matter would again be brought up, only to be recognized as a problem, perhaps a few wives ordered to leave but the bulk suffered to remain.

The cry for blood immediately after the evacuation occasioned a letter from General Armstrong to Vice

President Bryan in which he explained that he favored lenity and forgiveness and as little sacrifice to the passions and prejudices of the populace as possible." Nevertheless, he did believe that a few examples ought to be made of the most flagrant Loyalists but the number should be few and there should be as little delay as possible.¹⁹

In August and September in response to the popular demand, a few of those suspected of aiding the British were apprehended and tried. Six men from the galleys in the state fleet were charged with deserting to the enemy. From the records of the courts martial it is difficult to discover the bases for the acquittal of two while four were convicted. Nor is it clear what redeeming features were found to permit the Council to pardon two of the four condemned men. One of those executed, a man named Samuel Ford, had been a second lieutenant on a galley. He admitted deserting, maintaining that the first lieutenant had ordered him into a boat on the pretext of visiting their wives. They were picked up by the British Scotch Guards and taken before Cornwallis at Philadelphia. During the occupation, Ford remained in the city, selling liquor. When the enemy were getting ready to go, they asked Ford to go with them but he refused. Confinement by the military police, however, changed his mind and he did go with the British as far as Monmouth Courthouse

where he escaped during the battle. He delivered himself up to the American headquarters at Brunswick and was ordered to Arnold at Philadelphia who in turn ordered him to the town major who sent him back to his Captain. For this he was executed, in spite of a petition asking his pardon.²⁰

William Hall and Thomas Inhester were also accused of deserting their post in the fleet and joining the enemy in Philadelphia and both took the oath of allegiance to the King while they were there. But the outcome of their trials was quite different from that of Ford. Hall was acquitted and returned to duty; Inhester received thirty-nine lashes before being returned to duty.²¹ One is forced to conclude from the available information that Samuel Ford may have been one of the examples called for by General Armstrong to quiet the public.

In addition to those Loyalists who remained in Pennsylvania after the British left and who were prosecuted for aiding the enemy, there was a much larger number who were proclaimed as traitors and ordered to appear before a specified date for trial. Most of these had left with the British although some did remain and submit to trial. This was the procedure specified in the act of Assembly of March 6, 1778, in which thirteen men had been accused of aiding the British and ordered to present

themselves on or before April 20 for trial. In accordance with the provision of the act empowering the Supreme Executive Council to proclaim the names of suspected traitors in the future, that body issued ten such proclamations between May, 1778, and April, 1781, on the following dates:²²

May 18, 1778	57 names	
May 21, 1778	75 names	
June 15, 1778	201 names	
October 30, 1778	64 names	
May 5, 1779	1 name	
June 22, 1779	30 names	
June 27, 1780	38 names	
October 2, 1780	10 names	
March 20, 1781	15 names	
April 27, 1781	1 name	
	<u>492</u>	
March 6, 1778	13	Act of Assembly
	<u>505</u>	names

In each case the proclamation accused the persons listed of adhering to and willingly aiding the British by having joined their armies. The first three specified that the accused had joined the British army in Philadelphia, the others said either in Pennsylvania or elsewhere. Three men were proclaimed twice and some of the names may have been duplicated due to irregular spelling. Thus the true figure is probably less than 500.

By 1783 of these 500 or less men, 23 per cent had suffered no disability:

Surrendered and discharged	88 men
Discharged (other means)	4
Tried and acquitted	14
Tried, convicted, and pardoned	4
Pardoned without trial	5
	<u>115</u> men

The number ordered to return for trial peaked in June, 1778, at the time the British were preparing to leave Philadelphia. The slight increase in June, 1780, may have been due to the scare at that time occasioned by the British army leaving New York and landing in force in Elizabethtown, New Jersey.

Those who repented their adherence to the British during the occupation and wanted reinstatement among their countrymen were sometimes rewarded by persistence. Reynold Keene is a good example of a Loyalist who discovered the fruits of determination. Although born in Barbadoes, Keene had spent most of his life in Philadelphia in mercantile pursuits. He supported the colonial resistance to British tax measures, serving as representative from the city to the Provincial Conference in January, 1775. Sometime in 1776, he moved to Reading, Pennsylvania, where he became a commissioner for Berks County in April, 1777. Early in 1778, he returned to Philadelphia, then occupied by the British, leaving a family of eight children in charge of his sister-in-law at Reading. As a result of his defection, his personal property was seized and sold on February 21, 1778, for a total of £1,689.18, and his name was included in the proclamation passed by the Assembly March 6, 1778. He was ordered to appear for trial on or before April 20 but he later claimed that because of his location in Philadelphia he had not heard of the act until after the deadline. This should have

meant an automatic declaration of Keene as a traitor and the forfeiture of all his property to the state. But in August, 1778, he presented a petition to the Assembly asking for a reversal of his attainder, or, barring that possibility, he wanted a trial. Although his petition was dismissed at that time by the Assembly, Keene tried again in November with the newly elected Assembly. This time the House partially granted his request on November 26 by ordering him to report for trial before December 1. He presented himself to the Chief Justice on November 28 and was discharged from prosecution. This order relieved him of the charge of attainder on his person but his property was still considered as subject to forfeiture. In June, 1779, the Council reminded the Agents for Forfeited Estates that they had not reported the seizure of Keene's estate. Keene argued that his estate had also been discharged by the act of November 26 and in August he petitioned the Council for postponement of the sale of his property until he could submit a memorial to the Assembly. This was done in September and finally by act of October 6, 1779, the part of his estate that had not been sold before he surrendered himself was now revested in him. Keene continued to live in Pennsylvania, taking the oath of allegiance October 11, 1779. In 1789 he was elected one of the aldermen of Philadelphia, a position he held until his death in 1800.²³

Another example of recompense for perseverance was the case of Elizabeth, wife of Henry Hugh Ferguson. She was the eldest daughter of the colonial collector of Philadelphia, the granddaughter of one of the proprietary governors. The Englishman she had married went to England in 1775, ostensibly on business, and remained there until he returned to Philadelphia with Howe. There he worked as Commissary of Prisoners, leaving with the British in 1778. He had no property of his own in Pennsylvania but had become partial owner of Elizabeth's estate on the death of her father. Ferguson was listed in the proclamation of May 18, 1778, ordering him to appear before June 25 to stand trial for treason. He did not report thus forfeiting all of the property of his wife to the state for his lifetime. She determined to fight the loss of her inheritance and beginning June 26, 1778, bombarded both the Council and the Assembly with petitions asking that her property be revested in herself. Finally her determination was rewarded by an act of Assembly of April 2, 1781, transferring the estate to Mrs. Ferguson.²⁴

The cases of both Henry Hugh Ferguson and Reynold Keene illustrate the relative futility of the reference to numbers of Loyalists to prove any argument about the American Revolution. Ferguson would have to be included in any list of Loyalists and yet his opposition to colonial independence proves nothing. He came to America

in 1769 at age 21 and married a wealthy heiress fifteen years his senior. He engaged in no business while he was here and made frequent trips back to England. His adherence to the British could almost have been forecast except for the possible stronger attraction of his wife's money. His political stand is of no significance in understanding the American Revolution.

Reynold Keene is another man who has to be called Loyalist because he helped the British during the occupation. Yet, it is not at all clear that he really opposed independence and wanted the British to win. His actions could just as logically be attributed to fear of eventual British punishment overcoming his other ties during a period when British victory seemed probable. The fact that Keene supported first American measures, then British, and then American again tells us nothing about the Revolution except that some men, then as now, were faint of heart.

For the duration of the war, two problems would continue to agitate politics in Pennsylvania, causing dissent and preventing unified action against both internal and external enemies. The first of these, the demand for revision of the Pennsylvania constitution of 1776, although not directly concerned with Loyalists, nevertheless did affect their treatment because it interfered with the execution of a firm policy against them.

The second, the controversial Test Act, directly concerned any Loyalists who remained in Pennsylvania by depriving them of some of their civil rights if they were unwilling to take the oath of allegiance to the state.

Once the British were out of firing range if not out of mind, the anti-constitutionalists decided to turn their guns on the Pennsylvania constitution. In June, 1777, the Assembly had promised to ask the people at the next election whether they wanted the House to call a new convention to revise the state constitution. By the following September, however, the British were occupying eastern Pennsylvania and an election in that area was out of the question. Now the British were gone and the anti-constitutionalists reminded the Assembly of their unfulfilled promise. In November, when the newly elected Assembly met for the first time, a number of the representatives expressed their unwillingness to take the oaths prescribed by the Constitution because they feared these oaths would keep them from working for the calling of a convention to alter that document. A compromise was proposed and accepted unanimously providing that each member should take the oaths but, before doing so, he could qualify the action with a statement reserving to himself the right to support the calling of a convention to revise, alter, or amend the Constitution. The list of representatives in the minutes indicates that twenty

out of forty-one members present took the reservation the first week. After that, as new members arrived, they were given the choice of making the reservation before taking the oaths. Among these the vote was not as close. Sixteen took the oaths as provided in the constitution, whereas only six added the reservation during the remainder of the first sitting.²⁵

On November 28 the Assembly resolved unanimously to have the people vote in April, 1779, whether they wanted a constitutional convention. At the same time, they were to select representatives to such a convention should the majority decide to call one. This resolution specifically provided that any constitutional change recommended by the convention should be submitted to the people for their approval or rejection.

A few days later, the Assembly adjourned its first sitting and the members went home for the holidays. When they resumed their deliberations in February, they found themselves the targets of many petitions asking them to rescind the resolution of November 28. Having received over 10,000 names on these petitions, the Assembly gave way to this popular demand and on February 27, 1779, rescinded its resolution by a vote of 47-7. This was the last major attempt made against the state constitution for the duration of the war, although feeling continued to run high and many qualified men refused to serve under it.

In April, 1778, the General Assembly had passed a supplement to the controversial Test Act permitting those who had not taken the oath before the previous deadline to do so before June 1. Anyone having anything to do with schools or the practicing of law, medicine, or trade were now required to take it in order to practice their profession on penalty of a maximum fine of £500. In addition, the new act provided some very harsh punishments for anyone who refused the oath. It now became lawful for any two justices to summon any male white person over 18 to appear and take the oath. If he refused, he could be jailed for three months or fined up to £10. If he refused to pay the fine it could be levied against his possessions. At the next court of Quarter Sessions he could be offered the oath again and if he still refused to take it, he had thirty days to leave the state and his property would descend to the person entitled to inherit.²⁶

The Test Oath provided no exemption for members of pacifist sects. There is, however, indication that what may have been ordered in the law was not intended to be strictly enforced in practice. In May, 1778, Vice President Bryan described in two letters the recently concluded session of the legislature. He reported that the Moravians and Swenkfelders had asked to be freed from the abjuration section of the oaths; they would then be willing to attest allegiance. Because the King of Great

Britain had not relinquished his claim to colonial allegiance, the legislature denied the request. However, Bryan said that it was not the wish of government that the laws be enforced against them. He hoped that if they were ignored, their objections might wear away but he feared that if pressed, their objections might become hardened. He recommended that the power to call delinquents before a justice be

. . . reserved for persons whose character & conduct shall threaten active mischief against the State. Among these, I trust no Moravian, Sweinkfelder or Menonist will be found. Such has been the practice in England in the execution of a like law enacted after the Revolution.

In addition, Bryan pointed out that if the pacifists should decide to qualify themselves to vote, they might use their franchise to upset the state's plans for defense. He concluded by asking the magistrates and others "to soften the harsh councils of some well meaning but over-zealous & imprudent men."²⁷

In spite of Bryan's call for a relaxation of the harsh provisions of the Test Act in the case of the pacifists, local administrators in Upper Saucon, Northampton County, did apply the law in all its severity causing great hardships to a group of people who were willing to affirm their allegiance to the state, refusing only to abjure the King. The court summoned the Mennonites and when they refused to take the test, their personal property was seized and sold in June, 1778.

They were ordered to leave the state, their real property to descend to their heirs as if they were dead. Two of the wives in behalf of the group petitioned the Assembly for relief in September, 1778, claiming that all their personal property had been sold, leaving them destitute. The court had strictly carried out the provisions of the act, either having never received the Vice President's suggestions to the contrary or, if received, ignoring them. The Assembly was appalled at the recital of the effects of its act and turned the matter over to the Council for investigation. If the facts were true, the Council was told to grant relief to the petitioners from the state treasury. Investigators found the complaints to be true; one pregnant woman, near the time of delivery, was not even left a bed and one man was delirious from the shock of being robbed of all his cash and goods.²⁸

At the same time, members of the United Brethren were facing a similar problem. The justices had issued a summons for the male inhabitants at Emmaus to appear before them at Bethlehem on September 18. When they appeared and refused to take the test or to grant security for their appearance before the next court, the justices ordered them committed. A correspondent in behalf of these people assured Council that they were good citizens of the state and urged that the Council order postponement of their prosecution.²⁹

Council responded to these appeals by letter to one of the Agents for Forfeited Estates in Northampton County reminding him that the only estates under his control were those of people charged with treason. It had been reported to Council that he had seized the estates of two men for refusing to take the oath of allegiance and abjuration. He was warned to do nothing unlawful to these men or he could be heavily criticized and sued for damages.³⁰

The Assembly that met in October was the one that permitted its members to preface their oath taking with the reservation to themselves of the liberty to support a convention to revise the constitution and this same House gave Keene his second chance. In November this group made provisions for asking the people whether they wanted a convention and on December 5 they passed a supplement to the Test Act providing a new oath that could be taken at any time and alleviating the harsher penalties for non-jurors. They were no longer to be jailed or have their property confiscated. They could only be denied the right to vote, hold office, or serve on juries. All other penalties, heretofore passed, were removed. The oath in the act of June, 1777, had provided for the juror to swear allegiance to the state, to abjure the King, to promise not to do anything prejudicial to Pennsylvania, and to report all treasons

or conspiracies. In addition to abjuring allegiance to Great Britain and promising to adhere to Pennsylvania, under the new oath the juror would have to vow that he had not aided the King or his agents and that since the declaration he had behaved himself as a faithful citizen of one of the United States. With the exception of office holders, anyone who had taken the earlier oath did not have to take the new one. Thus the penitent who had been permitted to resume citizenship under the old oath was not to be allowed this privilege.³¹ To relieve those suffering under the earlier act, the Council passed a proclamation pardoning and releasing all those imprisoned for refusing to take the test.³²

Other acts followed, modifying the original without substantially changing it. A supplementary act of April 2, 1779, relieved government officers of the need to take the new oath if they had taken the earlier one. In October, 1779, before adjourning, the Assembly passed another revision to the Test Act setting a time limit for taking the oath or the non-juror would be forever barred from electing or being elected, serving on juries, or keeping school except in private houses. This act, however, now permitted non-jurors to serve as supervisors of highways, collectors of public taxes, or overseers of the poor.³³ Altogether in sixteen months' time, the Assembly passed six revisions of the original act first making it more severe and then, in response to the injustices against

the pacifists, liberalizing its provisions. In this last form it would remain for the duration of the war.

Confusion and inconsistency marked not only the treatment of accused Loyalists, but was found in all concerns. Problems were many and the government seemed unable to offer reasonable solutions. Speculation was prevalent, goods were hoarded and sold at exorbitant prices, and the currency lost value daily. Unfortunately leadership proved corruptible as well as inept. Benedict Arnold became commander of Philadelphia upon the evacuation and maintained a high style of living untroubled by the woes of lesser folk caught in the monetary squeeze. His use of his position of authority to forward his own private gain eventually led to his court martial; meanwhile, it was a source of rumor and criticism.

Arnold's penchant for elegant parties set the pace for the rest of society. General Nathaniel Greene wrote of a dinner serving 160 dishes and General Washington was very disturbed about the conditions he found in Philadelphia at Christmas, 1778. He wrote that "speculation, speculation, and the insatiable thirst for riches seems to have got the best of every other consideration and almost every order of man." When he returned to his camp, Washington wrote to President Reed asking the cessation of the practice of granting passes to New York for visits to prisoners there. He suspected that the

real purpose for many was to bring back contraband goods to sell.³⁴

Those not in position to profit from the wartime economy, finding themselves trapped between depreciating money and rising prices, began to use traditional channels to make their dissatisfaction known. In January, 1779, the sailors of Philadelphia held a meeting to discuss their need for higher wages. Rioting broke out and several ships were unrigged and workmen employed on them were removed, forcing the Council to order the justices to suppress the violence.³⁵

For the next few months, petitions were circulated for signatures and submitted to the Assembly asking that body to do something to stabilize prices and prevent the manipulation of money. A petition from 253 inhabitants of the city and liberties of Philadelphia in March charged that "disaffected persons" were degrading Continental money by selling their products for less in specie than in paper money. Two days later another petition from 868 inhabitants of the city complained that people would rent their houses for less in specie than in paper money. This had the double advantage of giving their owner more valuable money and perhaps letting him pay less taxes since the Continental money was legal tender and therefore legally comparable to specie. At the end of the month another petition asked the Assembly to regulate

weights and measures and complained of hoarding. The committee to whom all these petitions were referred for investigation recommended the establishment of a special police force with the authority to examine the occupations and political biases of all strangers and transients in the city and when suspicious to restrain such people or expel them from the state. In connection with trade practices, the committee suggested that all products must be sold first in the open market and that specie be prohibited as a medium of trade. In spite of the people's call for action, the Assembly adjourned for the summer on April 5 without acting on the recommendations of the committee. They did manage to find time the last day, however, to vote themselves and the Councillors pay raises.³⁶

Not only was the Assembly slow to answer the complaints of the citizens but in April, 1779, President Reed chided Chief Justice McKean for the court's lenience. "We cannot help suggesting our Apprehensions that too easy an Ear has been given by the Ministers of Justice to the Applications of those who are disaffected to their Country & that from a Fear of the Imputation of Rigour or giving Offence, the contrary Error of extreme Compassion & of a Desire to avoid Offence has taken Place, which in some Cases may be laudable & in others excusable, yet had a Tendency to weaken Governmt, & encourage the political Sinners of this State."³⁷

The militia stated the position of the average citizen in Philadelphia in a memorial complaining about inflation and those who stayed home and made money rather than joining the military. "Men in these exorbitant Times can acquire more by Monopolizing, or by an under Trade in one Day, than will defray all their Expenses of Fines or Penalties in a whole year, We humbly presume the Midling and poor will still bear the Burden, and either be totally ruin'd by heavy Fines, or Risque the starving of their Families, whilst themselves are fighting the Battles of those who are Avariciously intent on Amassing Wealth by the Destruction of the more virtuous part of the Community."³⁸

By the end of May, with the Assembly adjourned until September and no avenue available within the government for redress of their grievances, the people of Philadelphia turned to the mechanism that had served them before the Declaration. A mass meeting was held May 27, 1779, directed against the practices of forestalling and price gouging. It was proposed that a committee be appointed to determine the prices of goods as of January 1, 1779, and gradually roll them back to that level. Joining the concern over Loyalists with economic problems, the meeting also resolved that no one who could be proved "inimical to the interest and independence of the United States" should be allowed to remain in Pennsylvania.³⁹

Two days later a sub-committee was authorized to inquire what persons remained in the city and suburbs who were "disaffected to the United States." They announced that they would sit at the Court House to receive evidence and hear charges.⁴⁰

With this committee authorization, the people took matters into their own hands and proceeded to arrest those suspected of Loyalist leanings. At the end of May several people were taken up and confined. Elizabeth Drinker, in her diary for May 24 and 25, identifies six men as committed and recounts that the doctor's apprentice was put in prison for laughing as the militia went by. On the 26th and 27th more than six others were jailed. And on the 26th the bell man at the behest of the committee went about the city at 10 P.M. asking all people to arm themselves with guns or clubs and search for any persons who had sent products such as flour and gun powder out of town.⁴¹ On May 28, the Council, taking note of this extra-legal activity, ordered the magistrates to investigate these cases, to receive complaints, and if necessary to order their trial at the sitting of the next court.⁴² This was obviously an attempt to regularize and legalize activities taking place outside the law. Throughout the war period, Pennsylvanians preferred to have their revolutionary activity enforced and authorized by the constitutionally created institutions rather than by extra-legal groups.

That same month, as described above, the Grand Jury of the City and County of Philadelphia had called attention to the wives of the Loyalists who had left the state and were now behind the British lines. These wives, remaining in Philadelphia, were charged with sending intelligence and spreading false rumors through their correspondence with their husbands.

On June 23, another town meeting decided that since the best way to lower prices was by committee action, all the state townships should elect committeemen. In addition, an address was sent to their fellow citizens throughout the United States reviewing the economic problems and calling them "offences against society that are not in all cases offences against the law and for the prevention of which there are no written laws." The address argued that the condition of the economy made bankruptcy imminent; something had to be done, yet no one did anything. Therefore the committees must be revived to control prices. The Philadelphia committee proposed to reduce Pennsylvania prices month by month and suggested that all the states follow suit until the level of 1774 was reached.⁴³

To begin the rollback, the committee issued a partial list of prices as of the previous April and ordered that no more should be charged for those products after July 1. The cordwainers, however, were not pleased with their inclusion on this first list. They presented

a remonstrance to the committee objecting to the prices set for their shoes, complaining of the high prices of the raw materials they used, and refusing to consider the committee's regulations binding on them until all prices were controlled, and the committee had "taken the sense" of all their fellow citizens.⁴⁴ The committee answered them very gently, perhaps realizing that their extra-legal position actually gave them only moral authority. The cordwainers had been selected to be among the first to have price controls, said the committee, because of their loyalty and honesty. The price of leather had been mistakenly omitted in the first published list but it had now been included.⁴⁵

Not only the cordwainers complained of the prices set by the committee, but some of the most prominent leaders questioned the possible success of such measures. A town meeting was called for July 26 at which price controls were agreed to, the Gazette reporting only a few dissenting votes. But the next night, however, at another meeting to determine enforcement measures, there was a sharp split in opinion. When General Cadwallader tried to speak, he was prevented from doing so by a body of men armed with clubs. Finally, he and a number of other citizens adjourned to the college yard where Robert Morris was appointed chairman. The rest remained at the State House.⁴⁶

As long as the legislature was adjourned and there was no legal recourse, the people continued the committee action. On August 2 a committee was elected for the city and liberties by what the Gazette called "the greatest number of voters ever known on such an occasion." Two tickets were presented, one received 2,115 votes and the other 281. All summer, while the Assembly was in recess, the main topics of news were inflation and depreciation and what to do about them. The counties of Philadelphia, Lancaster, and Chester also held meetings and word came that Albany and Boston had called for a price rollback.⁴⁷

Although the people were willing to use committees when necessary, nevertheless they preferred to work through the legal apparatus created and sanctioned by the constitution. Thus the Assembly, scheduled to reconvene August 30 although no quorum appeared until September 9, was soon presented with a number of petitions asking it to take the necessary measures to protect the currency, stabilize prices, and control the disaffected. Several petitions urged that greater disabilities be placed on non-jurors, that they be precluded from taking the oath in the future, and that they be required to pay double taxes. On October 1 the Assembly began to answer some of the complaints by passing an act putting a limit on the time during which citizens could take the oath but, as explained before, no further penalties were enacted. On

October 10 the Assembly assigned one of the functions of the summer committee to the Council and Supreme Court justices by empowering them to investigate suspicious persons on complaint. If they decided the person was indeed "disaffected" he could be bound with a security payment or, for want of security, be jailed. In addition, instead of the £100 fine for not turning out for militia duty, a maximum of £1,000 fine could be levied in the future.⁴⁸

Mob concern over currency problems and the possibility of unpunished Loyalists remaining in Pennsylvania came to a head in an attack on the home of James Wilson, foremost lawyer in the state, representative of Pennsylvania in Congress, and signer of the Declaration of Independence. In state politics, Wilson was an anti-constitutionalist and in his professional capacity had successfully defended several men accused of treason. These activities directed the antagonism and distrust of the people against him and resulted in an outbreak of violence.⁴⁹

Toward the end of September, the militia of Philadelphia was circulating a petition to be presented to the Assembly suggesting that it was dangerous to permit persons disaffected to the common cause to remain in Pennsylvania and also complaining of the high prices of necessities for the poor. Not content with the

possibility of Assembly action, currently being debated, they decided to banish the wives and children of departed Loyalists and to punish those guilty of monopolizing and forestalling, sins they credited to disaffection rather than to greed. A meeting of the militia was called for October 4 and during the previous night broadsides were posted around the city threatening James Wilson, Robert Morris, and others. Wilson's friends gathered at the City Tavern while the militiamen without their officers met on the commons. Several men who had been active in the May town meeting tried to get them to disband but they refused. By now they were reinforced by other citizens and squads were sent out to arrest suspected persons. John Drinker was seized as he came out of Quaker meeting and was led with two others about the town with the drums beating "The Rogues' March." As the mob approached, the thirty or forty friends of Wilson retreated to his home determined to protect him. The mob attempted to force Wilson's house, both groups exchanging shots, and the crowd was finally dispersed by President Reed and the Troop of City Cavalry who rode up at the crucial moment. Three people were killed and many wounded. Members of both groups were arrested, spent the night in jail, and were bailed out the next day. Peace was restored and neither side was prosecuted.⁵⁰ After this outbreak of violence against a man who, although not a revolutionary firebrand, was certainly no Loyalist, things quieted down

and the people seemed willing to give the legislature a chance to handle matters.

The problem of communications between residents of Philadelphia and people in New York City, either prisoners of the British or Pennsylvania refugee Loyalists, plagued the government of Pennsylvania throughout the war. Movement between the two cities was discouraged by all authorities, military or civilian, because of the possibility of transmittal of intelligence, counterfeit money, or contraband British products. For humanitarian reasons, however, correspondence between divided families apparently was tolerated with periodic restrictions designed to prevent abuses or perhaps minimize them.

Congress had assigned to the state executives the responsibility for granting permission for travel behind the enemy lines.⁵¹ Thus it became the province of the Pennsylvania Council to grant passes and this was a constant irritation, for which no adequate solution was ever found. Even without passes there was steady traffic between the two cities and there was hardly a week when the Council did not have to respond to a request for a pass. For the above reasons, permission to leave the state permanently was easier to secure than the right to go and return. Frequently the condition was imposed that the person was to carry no letters or papers.

In response to a letter from George Washington pointing out the prejudicial nature of intercourse between the two cities, the Pennsylvania Council announced in April, 1779, that in the future they would not give passes except for extraordinary reasons. In all cases where permission was conditional upon not returning, two good securities would be required. In actual application, the Council seems to have demanded that the person requesting the pass deposit a large sum with the Pennsylvania government as a guarantee that he or she would not return without permission. The amount started at £50 but eventually increased to as high as £200,000, although it must always be remembered that the pound in 1781 was worth far less than in 1778. The first part of the announcement was not entirely adhered to either, unless there was a large number of extraordinary cases, and in November the Council announced that applications for passes were too time consuming. Therefore, all persons wanting to go within the enemy lines were to apply within ten days after which time no applications would be accepted until February 1, 1780. On February 12, 1780, the period for application was again limited to ten days or the applicant had to wait until May 1 and on May 11, the door was closed until August 1. This was the final limitation. For the next three years the Council continued to accept requests and to grant passes to leave permanently.⁵²

Perhaps the Council decided that it was better to let people go than to keep them in Pennsylvania and take the chance on their corresponding with the enemy. As early as August, 1778, the Council wrote to the governor of New Jersey complaining of the constant intercourse between the disaffected in Philadelphia and the enemy in New York City. The Council admitted that they were unable to put a stop to it in Philadelphia and hoped that Governor Livingston would prevent their passage through New Jersey.⁵³

The Philadelphia Grand Jury had pointed to the problem of the Loyalist wives in June, 1779, and the following December intelligence was received of two trunks brought from New York to Trenton, New Jersey, suspected of containing contraband goods. Involved in the smuggling ring was the wife of an attainted Pennsylvania Loyalist and Council ordered her home searched.⁵⁴ Still Council took no action to force these wives to leave until March, 1780, when the journals of Rebecca Shoemaker, being forwarded to her husband Samuel in New York, were intercepted. Upon their disclosure that Mrs. Shoemaker had helped prisoners and others to go to New York, the Council announced that passes would be granted Loyalists' wives to go within the enemy lines to their husbands before April 15. If they did not leave, it might be necessary to take further measures. Mrs. Shoemaker had asked for

a pass for herself to go and return in May, 1779, and had been refused but now, a year later, one was granted her and she went to New York. Although there is no record in the minutes of the Council of permission being given her to return, she came back to Philadelphia in April, 1782. In March, 1783, she received another pass, this time to Dobbs Ferry with permission to return.⁵⁵

In June, 1780, wives still remained in spite of Council's warning to leave and they were then ordered to depart in ten days or be treated as enemies of the state. Finally, in July the sheriff was ordered to secure four of the wives of men with the enemy and put them in the workhouse until they gave security to leave the state and not return.⁵⁶ That may have forced those four to leave but others remained or left and returned. For example, Sarah Allen, wife of Andrew, attainted traitor and Loyalist leader, was still in Philadelphia in June, 1781.⁵⁷

The problem of illicit trade also seemed incapable of solution. At the end of November, 1780, a number of men, long suspected of engaging in commerce with the British in New York, were stopped, searched, and a flourishing smuggling ring uncovered, involving two Pennsylvania citizens known to have held Loyalist sympathies. One of these was Joseph Stansbury, Loyalist poet and dealer in lumber, a product in great demand in New York City. A partnership had been formed in New York,

New Jersey, and Philadelphia to carry boards to the British. Ships were cleared ostensibly to go to Boston or some other eastern colonial port but as soon as they were clear of the shore, they steered directly for New York. If taken by the British they were provided with passports from the British admiral that enabled them to go on. Once in New York, the lumber was generally deposited in the King's yards and goods were purchased for the return trip.⁵⁸

An indication of the increasing lenience of punishment towards the end of hostilities was the treatment tendered Stansbury. This is the same man who in 1776 had been jailed by the Philadelphia Committee for singing British songs in a tavern. He had been released from jail by the Council of Safety when he had signed a promise to hold no correspondence with or give intelligence to the enemy. Just before the occupation of Philadelphia when Congress resolved that certain Philadelphians should be arrested and either confined or paroled, Stansbury's name was included and he again signed a parole. He remained in Philadelphia during the occupation serving the British as one of the night watch. He was ordered by the third proclamation to appear before August 1 for treason trial or stand attainted. He surrendered and was discharged only to enter into the illegal trade with New York City. One might expect with

this background of causing trouble for the state government that he would have received a severe punishment. Instead he was permitted to go to New York upon promise of trying to secure the release of two Pennsylvania prisoners on Long Island. He was even permitted to take any of his books and papers not needed by the Council and to make copies of those retained. By February 20, 1781, he was in New York and receiving rations for himself and his family from the British. Until 1783, he was in the pay of the British engaged in secret service work. In December, 1785, Mrs. Shoemaker wrote that Stansbury was living in Morristown, New Jersey. He had visited Philadelphia after the war intending to re-establish his business there as a merchant of Delph ware but one evening disapproving citizens met, read some of his poems critical of the Patriots, and sent him a threatening letter. Whereupon, his friends advised him to go to Wilmington for the time being.⁵⁹

In the fall of 1781, the robbery of the treasurer of Bucks County and of several tax collectors there and in Chester County signalled the initiation of a new type of Loyalist disturbance that would continue to upset the lives of Pennsylvanians into the post war years. Several groups of highwaymen and robbers began to steal state money and to rob or destroy goods belonging to the Continental forces, although they would become less fastidious later as to the ownership of their loot. The

Council viewed these activities with such alarm that they sent a special message to the Assembly in November laying before them the evidence collected and asking them to enact laws to halt such crimes.⁶⁰ The Assembly took no action at that time although they would have to face the problem eventually.

The bandits in stealing state tax collections were actually striking at the heart of the revolution. Two of the biggest problems during the war were the deficiency of adequate specie and the depreciation of paper money, both state and continental. By summer of 1782, the demands of the state creditors upon an empty treasury forced the Council to call the Assembly back for its third sitting earlier than planned. The message from the President and Council to the representatives justified the early assembling by pointing to the lack of money, inadequacy of loans negotiated, and the demands of creditors. The illicit and unrestrained trade with the British was draining off specie, they argued, and the robbers in addition to stealing badly needed tax returns, had forced the Council to offer rewards.⁶¹

Thus, these bandits, later identified as Loyalists, although not seriously challenging the ultimate outcome, nevertheless, caused severe problems for the Patriots.

With blackened faces, the robbers were unknown, or at least not identified, until the summer of 1782

when two of their members were captured and confessed. In connection with the robbery of the treasurer of Bucks County, one Jesse Vickers had been arrested soon after the crime on suspicion of being involved, but the Bucks County jail could not hold him and he escaped on November 29, 1781.⁶² He was recaptured the following spring and by August the Bucks County jail held several men charged with the robberies including Jesse and his brother Solomon, both by now tried, convicted, and sentenced to be hung. With the noose being readied for them, Jesse and Solomon agreed to confess in return for pardons and they implicated some eighteen other men as being directly involved. Included in their list were Joseph Doan, Sr., of Bucks County and five of his six sons, from whom the thieves have come to be known as the Doan Gang. In addition, they named several others who had informed the robbers when the tax collectors had made their rounds and were most likely to have state money. One of these was a tavern keeper in Quakertown; another was said to have harbored the Doans ever since the British evacuation; and two others were collectors themselves.⁶³

Although a few of the robbers may have been using Loyalism as an excuse for obtaining money without work, some of these men were actually in the pay of the British army. Gideon Vernon from Chester County, for example, had joined the British in September, 1777, remaining in

Philadelphia as a spy and guide for the British. On the evacuation, he went with them to New York where he was hired by Clinton to carry dispatches into Pennsylvania. In 1781 he was given a commission as Captain of Associated Loyalists and employed to intercept the mails.⁶⁴

The Freeman's Journal, reporting the robbery of a post rider in July, 1782, added that it was understood the British employed about thirty people for the purpose of stealing the mail.

Undoubtedly there was some connection between the enemy and the Doan Gang for Jesse Vickers disclosed that he had met Vernon at a gathering of the Bucks County conspirators. In addition, Joseph Doan, Sr., had joined the British in Philadelphia in 1777 and then returned to Bucks County to plague his neighbors. In late August, 1783, a group of Bucks County citizens heard that two of the Doan brothers, Moses and Levy, and their first cousin, Abraham, were hiding out in an abandoned house. In the attempt to capture them, Moses was killed and the others escaped. In the dead man's pocket was found a paper threatening death to a Patriot if Joseph Doan, Sr., then in prison in Philadelphia, was not released. Retaliation was promised for any punishment of Loyalists and it was signed "The Royal Refugees your Sworn Enemies."⁶⁵ And this was August, 1783. The war was over and the British were completing the evacuation of New York City.

The Council had, without success, urged the Assembly to take action in November, 1781, but it was left up to the executive branch to counter the robbers. In January, 1782, a reward was offered for the recapture of escaped Jesse Vickers. A proclamation of July 29 promised £50 specie for the capture of any individuals, as yet unknown, who were responsible for the attacks on the collectors. This did encourage the arrest of eight of the robbers in August, including Caleb Paul and Levy Doan who escaped a month later, but it did not deter the rest. In March, 1783, the Council issued another proclamation offering a £50 reward for the seizure of those responsible for the robberies in the three previous months and in June still another proclamation increased the reward to £100 specie and specifically named three men. On July 21, attacks were made on the houses of two collectors and four others in Bucks County and a proclamation named Moses, Levy, and Mahlin Doan and their cousin Abraham as among the robbers. Finally in September, an act of the Assembly declared thirteen men, including four Doans and Abraham, as attainted of outlawry by the Supreme Court. Gideon Vernon and four others were charged with being accomplices. A £300 reward was offered for each one captured and a pardon plus £100 would go to any of them who would turn in any of the others. Any citizens who helped the accused faced a possible death penalty.⁶⁶

By the end of September, both Joseph Doan, Sr., and his son Mahlin were in jail and Mahlin was subsequently hung in Philadelphia. Moses Doan had been killed as described earlier and Levy Doan had been caught but escaped. By summer of 1784, Aaron Doan had also been captured and was in jail petitioning for a pardon which surprisingly he received. One by one with the inducement of the sizable reward, several of the robbers were arrested. The others moved westward and in May, 1784, a letter from Union Town, near the Monongahela River, complained that banditti had established themselves in the back country and made frequent forays into the settlements at night, terrifying the inhabitants, sometimes beating them, and always robbing them. The writer thought they were hiding out in the deserted parts of Washington County and that it was the Doan Gang. The following month the commissioners of Washington County wrote President Dickinson that the robbers had become so troublesome that the militia had been called out and a search made for them. The band then gathered up their loot and departed for Detroit. They were overtaken 100 miles away and Abraham Doan, one other man, and two wives were captured. The rest escaped. Both correspondents reported that local persons helped the gang and told them of plans for their capture. Although these citizens who supported the robbers may have been Loyalists, it is also possible that they

were ex-Virginians, disgruntled with Pennsylvania rule. The letter cited at the end of the last chapter, reporting from the same area that former Virginians had turned into open robbers, tends to support the suggestion that the remnants of the Doan Gang were acting in conjunction with the Virginians.⁶⁷ Thus, more than a year after peace had been declared, Loyalists whose original motivation had been support for the British were still operating as criminals within the state.

With Loyalist robbers molesting honest citizens, with alleged Loyalist black market practices causing currency depreciation and increased prices, and with Loyalist inspired Indian attacks on the frontiers forcing settlers to bury loved ones and abandon homesteads, it is not surprising to find that Pennsylvanians in the period after Yorktown were determined to prevent the return of the loyal refugees. The problem was not only exacerbated by the actions of the Loyalists themselves but complicated by the disposal of confiscated Loyalist property. To permit them to return might encourage suits to recover property forfeited and already sold. And yet, among those refugees were sons, brothers, brothers-in-law, husbands, and fathers of Patriots who longed for reunion. It was a difficult and in many cases very unhappy situation.

Just a few months after the close of the last big campaign of the war, an article appeared in the Freeman's Journal pointing to the "Tories within British lines . . . waiting with anxious and eager expectations for acts of grace from the legislatures of the several states" and the writer predicted that they had no grounds for such hopes. "The voice of the people is hostile to their return." He also facetiously disclosed a new species of Whigs and found avowed Loyalists to be surprisingly few compared to the year before.⁶⁸

It was not until late summer of 1782, however, that the question of the possible forgiveness of Loyalists broke out into open debate. In April, the preliminary peace negotiations began in Paris between Franklin and the British representative Richard Oswald. Word filtered back that Oswald was commissioned to treat with thirteen states and that the British expected all confiscated property to be restored. Following the lead of other states that had acted earlier, the Pennsylvania Assembly passed a declaration on August 23 stating its determination to act as a unit with the other United States and not negotiate separately. The next day a resolution was added declaring the restoration of forfeited property to be unacceptable. In The Freeman's Journal of August 28, after a copy of the declaration, was printed a commentary on its adoption implying that

the Assembly was badly split on the issue of restoration but had been influenced by public opinion overnight so that the next day the resolution had been added. On September 4 in the Gazette this allegation was denied as untrue but then on the 18th an article signed Cato claimed that the statements in the Freeman's Journal were true and charged that there were members of the Assembly who favored restoration. The minutes of the Assembly are of no help with this argument, giving only the barest outline of the adoption of the original declaration, the proposal of an additional resolution whose consideration was deferred until the next day, and then a statement that it was approved unanimously on April 24.⁶⁹

During that fall several petitions for pardon were being considered by the legislature. In the last sitting of the sixth Assembly, John Gosline was given permission to bring in a bill reversing his attainder so that he might be entitled to a trial and a similar request was received from Stephen Anderson. The new seventh Assembly, meeting October 28, referred Anderson's petition to a committee and then voted to dismiss it after hearing their committee's report. Two days later, Anderson submitted a new petition which was again referred to a committee. Meanwhile Henry Welfling, attainted of treason and confined in the Philadelphia jail, petitioned for a pardon. When the committee reported on

Anderson's request, this time it recommended that he be given permission to bring in a bill reversing his attainder and granting him a trial. The vote was called for and the recommendation denied 25-31. After this vote, the minority entered in the minutes the reasons for their vote arguing that Anderson had never helped the British. Those who had denied Anderson his trial also gave their reasons questioning the evidence and charging that some people in Pennsylvania wanted to restore all the confiscated property and reinstate "those dangerous persons who abandoned their country."⁷⁰ Apparently they feared setting a precedent that might open the door to mass pardons.

A genuine public concern over the possible return of Loyalists was at the same time used by politicians to attract support for their party. Bitter invective broke out between the two parties, Constitutionalists and Anti-Constitutionalists, over the winter of 1782-1783. In a letter in the Gazette, December 4, 1782, the Anti-Constitutionalists denied any Loyalist sympathies.

They have said and printed a great deal about our bringing the tories back, and restoring them their estates. Nothing . . . can be further from the truth. . . . Because we are not willing to give Council power to hang or banish all the Tories and Quakers who live peaceably among us, and submit to the laws why truly we are called tories.

It was the publication of the preliminary articles of peace in April, 1783, however, that brought on the greatest outcry against the return of the refugees.

Reports were published of a New Haven town meeting instructing its representatives to forbid the Loyalist return and of Stratford, Connecticut, sending several refugees back to the British lines. Two counties in New York and the Boston town meeting all expressed concern over the fifth article of the peace treaty and instructed their representatives to vote against the return and restoration.⁷¹

By June, with the Pennsylvania Assembly adjourned from March 22 to August 14 and no legal institutions available to consider and calm their fears, Pennsylvanians were turning once again, as they had over British taxation and domestic wartime economic problems, to the mass meeting to determine public opinion and to committee enforcement of their wishes. Meetings of citizens in their counties and also in their militia units passed unanimous resolutions during the summer proclaiming their aversion to the return of the Loyalists and the restoration of confiscated property. The Philadelphia Committee, taking the lead as usual, in June ordered three men to leave the state, gave any returned refugees ten days to depart, and in July ordered five more men to leave.⁷²

But this action of the Philadelphia Committee did not go unchallenged by critics who called it cruel and tyrannical. Some even charged them with violating the treaty although actually Article 5 only committed Congress

to recommending to the states a full restoration of the rights and property of the Loyalists. No guarantee was made that the states in turn would accept that recommendation. By August 2, a writer in The Independent Gazeteer even felt constrained to defend Committee action against its critics insisting that such activity was needed.

By the time the Assembly reconvened on August 14, things were already beginning to quiet down and during that session only petitions from Cumberland County were presented to remonstrate against any thought of Loyalist return. The minutes of the Assembly do not indicate any inclination on the part of that body to grant mass pardons and perhaps the citizens decided that their instructions to their representatives were being heeded. The minutes are so sparse, however, that it is not possible to rule out such a consideration. There could have been extensive debate that was never reported although in such a case it would probably have been reflected in the newspapers and no such indication appears. There is no record of any serious consideration being given to the restoration of confiscated property; the state had enough economic problems without assuming that additional burden.

However, in spite of the threatening rhetoric and apparent determination to prevent the return of the loyal refugees, many did come back either to Pennsylvania or to nearby states from which they could visit their

families. Just as their motivations, their actions, and their treatment had been individual matters, so too, the return of a refugee was distinctive.

There are many examples of returned Loyalists, even among the more prominent. For example, Andrew Allen received a pardon in 1792, visited Pennsylvania, and even unsuccessfully tried to recover from the state money paid by his creditors on land contracts made before the war. He went to England later, apparently by his own choice, and died there.⁷³ John Parrock, Philadelphia merchant, had greeted the British army at Germantown and procured lumber for them during their occupation of Philadelphia. When the British left, he went with them to New York but when they evacuated that city after the war he returned to Pennsylvania. Even though he had been attainted and his extensive real estate holdings confiscated and sold, he remained there three years before going to Halifax to enter the whaling business.⁷⁴ A third refugee was Phineas Bond, member of an old Pennsylvania family. His name had been on the list, prepared in August, 1777, by the Council, of men considered dangerous and therefore banished to Virginia. Inadvertently the day the others were sent off his name was not included on the warrant and he refused to go. In the ensuing confusion after the Battle of Brandywine he managed to stay hidden until the British marched into Philadelphia. On the evacuation

he went with them to New York and then to England. Although he too had been attainted and his property confiscated, he returned to Philadelphia, received a pardon in October, 1786, and by March, 1789, he was writing business letters from that city as though he had never played an adverse role in the Revolution.⁷⁵

Matthias Aspden, who returned only briefly, was in death the cause of a very unusual suit filed by his heirs. He was a native American merchant who left Philadelphia in 1776 and went to England via Spain. His name was included in the seventh proclamation issued by the Council July 27, 1780, ordering him to appear for trial by April 1, 1781. Friends in Pennsylvania petitioned the Assembly in March, 1781, in his behalf asking for an extension of the time because he was abroad and had not heard of the proclamation. This was granted March 31, 1781, and he was given until the end of the year. He still did not appear, however, and his house and wharf on the Delaware in Philadelphia were assigned to the use of the University in 1782.⁷⁶ In 1785, he returned and Mrs. Samuel Shoemaker recorded his reception in a letter to her husband.

What a Singular Body M. Aspden is. I believe nobody would have molested him here, but he must have the opinion of Counsellors whether he could be Disturbed and they would not say no, and that was enough to frighten him away.⁷⁷

In November, 1785, the Council received a petition from inhabitants of Philadelphia in favor of Aspden and in January he was reprieved until the end of the next session of the Assembly.⁷⁸ However, this covered his person only, not his property. His remaining real estate in Chester County was ordered sold and in April, 1786, this was done. That same month the Assembly granted him a full pardon but still he did not return. He died in London in 1824 and his heirs in 1848 secured a decree in the United States Circuit Court giving them property worth \$500,000. This award was later sustained by the Supreme Court.⁷⁹

It is impossible to trace the ultimate destination of all the Loyalists who left Pennsylvania. The largest group took advantage of Canadian hospitality with its offers of free land and provisions to get started; another much smaller group went to the West Indies; and still another went to England. The initial hostility of the Patriots dissipated in time to such an extent that the legislature in 1792 was considering a general act of oblivion for the benefit of the Loyalists. Joseph Gallo-way, perhaps the best known of all Loyalists, wrote to Thomas McKean from London that he had heard of this possibility and that objections were being made because his name was included. He, therefore, wrote to McKean to justify his own actions during the war, claiming that he had been driven to go to the British because of mobs

harassing and attacking him.⁸⁰ Although the general amnesty was not passed, Galloway himself was pardoned in February, 1795. Probably anyone willing to go through an initial period of mild antagonism could eventually have returned to Pennsylvania. By 1802 so many had taken advantage of the opportunity that those who still opposed such a return published the "Black List: A List of those Tories who Took Part with Great Britian in the Revolutionary War and were Attainted of High Treason." This was a compilation of all the names on the proclamations, for the edification of those citizens with shorter memories. In addition to those who returned to Pennsylvania, there were undoubtedly many who settled in nearby states. Mention was made before of Arthur Thomas and Joseph Stansbury living in Delaware and they were not unique. Loyalist refugees could not recover their confiscated property but they could live once more in or near the state if they so chose.

To sum up the war years in Pennsylvania is to point to a kaleidoscope of part struggle with the British, part conflict between Patriots for political control over the state, and part attempt to deal with the Loyalists. As the passage of time turned affairs over and presented new facets, the three moved together, became entwined, and then separated only to rejoin during the next crisis. In all cases, on both sides of the

ideological fence, expediency was the password. An honest desire to do the right thing was nevertheless combined with ignorance of its identity so that neither group was able to devise long lasting solutions to their problems; each muddled through difficulties as they arose with a maximum of confusion.

After the evacuation of Philadelphia, the lingering bitterness of the months of exile, of property destruction, and of bloodshed had motivated demands for vengeance. But when we look behind the hue and cry to the actual cases, the numbers of those prosecuted and punished was comparatively small. The peak of retribution had been reached during the second half of 1778 and the first half of 1779. In later months, concern about Loyalists among Pennsylvania's citizens became intense only when the British moved out of New York with their destination unknown or when Loyalist activity, occasional and patternless though it was, appeared threatening.

Thus, the Loyalist situation continued all through the war to be a very individual matter. How they behaved, how they were punished, and what they did after the war all involved personal decisions based on each man's circumstances. There is no evidence of any large scale conspiracy; each individual made his own choices. After the war, forgiveness without property restoration was obtainable for even the worst offender and anyone who did not return was acting, again, on the basis of his own choice.

FOOTNOTES--CHAPTER V

¹Pennsylvania Magazine of History and Biography (PMHB), I (1877), p. 21, footnote.

²The Pennsylvania Evening Post (Post), November 27, 1777.

³The Register of Pennsylvania, February 23, 1828, p. 127, quoting the Post.

⁴Post, November 8, 1777.

⁵"The Diary of Robert Morton," PMHB, I (1877), 1-39.

⁶Elizabeth Drinker, Diary, December 13, 1777, HSP Collections.

⁷Townsend Ward, "South Second Street and its Associations," PMHB, 4 (1880), 54.

⁸Col. Rec., XI (June 29, 1778), 524.

⁹Ibid. (July 18, 1778), 534.

¹⁰Post, August 22, 1778.

¹¹Minutes of the Second General Assembly of the Commonwealth of Pennsylvania, October 27, 1777 (Lancaster: John Dunlap, 1778), August 18, 1778.

¹²Post, July 16, 1778.

¹³Ibid., July 28, 1778.

¹⁴Ibid., July 8, 1778.

¹⁵Pa. Arch., 1, VI (July 7, 1778), 628.

¹⁶Minutes of the Second General Assembly of the Commonwealth of Pennsylvania, October 27, 1777 (Lancaster: John Dunlap, 1778), August 10, 20, 1778.

¹⁷Post, June 15, 1779.

¹⁸Philadelphia County Quarter Sessions Court Docket, June, 1779, Philadelphia Archives.

¹⁹Pa. Arch., 1, VI (July 24, 1778), 666.

²⁰Pa. Arch., 1, VI (August 13-14, 1778), 697-99; Col. Rec., XI (August 31, 1778), 564.

²¹Pa. Arch., 2, I (August 18, 1778), 429-30.

²²Pa. Arch., 3, X, 519-44.

²³Gregory B. Keen, "The Descendents of Joran Kyn, the Founder of Upland," PMHB, V (1881), 92-94; Pa. Arch., 2, III (June 10, 1778), 176-79; Pa. Arch., 6, XII (February 21, 1778), 42-50; Col. Rec., XII (June 16, 1779), 23; (June 21, 1779), 26; (August 21, 1779), 80; (September 14, 1779), 103; Laws Enacted in the Second Sitting of the Second General Assembly of the Commonwealth of Pennsylvania, February 18, 1778 (Lancaster, 1778), March 6, 1778; Minutes of the Third General Assembly of the Commonwealth of Pennsylvania, October 26, 1778 (Philadelphia: John Dunlap, 1779), November 12, 13, 26, 1778.

²⁴Pa. Arch., I, VI (December 24, 1777), 131; (June 26, 1778), 617-19; Pa. Arch., I, VII (November 28, 1778), 100; (February 23, 1779), 202-03; Col. Rec., XI (November 28, 1778), 629; (April 12, 1779), 745-46; Col. Rec., XII (May 16, 1780), 351; (May 27, 1780), 365; (June 12, 1780), 386; Loy. Tr., 49, 323-56; Minutes of the Third General Assembly of the Commonwealth of Pennsylvania, October 26, 1778 (Philadelphia: John Dunlap, 1779), February 6, 1779.

²⁵Minutes of the Third General Assembly of the Commonwealth of Pennsylvania, October 26, 1778 (Philadelphia: John Dunlap, 1779), October 26, 1778-December 5, 1778.

²⁶Laws Enacted in the Second Sitting of the Second General Assembly of the Commonwealth of Pennsylvania, February 18, 1778 (Lancaster, 1778), April 1, 1778.

²⁷Pa. Arch., 1, VI (May 22, 1778), 541; Pa. Arch., 2, III (May 25, 1778), 169-70.

²⁸Minutes of the Second General Assembly of the Commonwealth of Pennsylvania, October 27, 1777 (Lancaster: John Dunlap, 1778), September 10, 1778; Pa. Arch., I, VI (September 17, 1778), 747-48; (October 2, 1778), 772.

²⁹Pa. Arch., 1, VI (September 19, 1778), 751.

³⁰Ibid., 2, III (September 22, 1778), 210.

³¹Laws Enacted in the Third General Assembly of the Commonwealth of Pennsylvania, October 26, 1778 (Philadelphia: John Dunlap, 1778), December 5, 1778.

³²Pa. Arch., 1, VII (December 29, 1778), 130-31.

³³Laws Enacted in the Third Sitting of the Third General Assembly of the Commonwealth of Pennsylvania, August 30, 1779 (Philadelphia, 1779).

³⁴Frederick D. Stone, "Philadelphia Society One Hundred Years Ago," PMHB, III (1879), 371, 377, 379.

³⁵Col. Rec., XI (January 12, 1779), 664-65.

³⁶Minutes of the Third General Assembly of the Commonwealth of Pennsylvania, October 26, 1778 (Philadelphia: John Dunlap, 1779), March 17, 19, 29, 1779; April 5, 1779.

³⁷Pa. Arch., 1, VII (April 20, 1779), 328.

³⁸Ibid. (May 12, 1779), 392.

³⁹Post, May 29, 1779.

⁴⁰Ibid., June 5, 1779.

⁴¹Elizabeth Drinker, Diary, May 25, 26, 27, 1779, HSP Collections.

⁴²Pa. Arch., 2, III (May 25, 1779), 263; Col. Rec., XII (May 28, 1779), 8-9.

⁴³Post, June 29, 1779.

⁴⁴Ibid., July 3, 1779.

⁴⁵Ibid., July 22, 1779.

⁴⁶Gazette, July 28, 1779.

⁴⁷Ibid., August 4, 1779.

⁴⁸Laws Enacted in the Third Sitting of the Third General Assembly of the Commonwealth of Pennsylvania, August 30, 1779 (Philadelphia, 1779), October 10, 1779.

⁴⁹Alexander Graydon, Memoirs of a Life Chiefly Passed in Pennsylvania within the Last Sixty Years (Harrisburg, 1811), p. 351.

⁵⁰Minutes of the Third General Assembly of the Commonwealth of Pennsylvania, October 26, 1778 (Philadelphia: John Dunlap, 1779), October 8, 1779; Elizabeth Drinker, Diary, October 4, 1779, HSP Collections; Frederick D. Stone, "Philadelphia Society One Hundred Years Ago," PMHB, III (1879), 388-93.

⁵¹Col. Rec., XI (February 20, 1779), 704-05.

⁵²Col. Rec., XI (April 24, 1779), 757; XII (November 17, 1779), 172; XII (February 12, 1780), 251; XII (May 11, 1780), 346.

⁵³Pa. Arch., 1, VI (August 31, 1778), 728.

⁵⁴Col. Rec., XII (December 14, 1779), 199.

⁵⁵Ibid. (March 7, 1780), 270; (May 16, 1780), 352; Col. Rec., XIII (March 29, 1783), 545.

⁵⁶Col. Rec., XII (July 16, 1780), 425.

⁵⁷Col. Rec., XII (June 5, 1781), 745.

⁵⁸Gazette, November 29, 1780, December 6, 1780.

⁵⁹Pa. Arch., 1, V (December 6, 1776), 94-95; (December 13, 1776), 106; (August 1, 1777), 478; Pa. Arch., 3, X (June 15, 1778), 525; Col. Rec., XII (December 18, 1780), 573-74; (December 21, 1780), 579; Carleton Papers #3349; Shoemaker Papers, Letters and Diaries, II (December 22, 1785), 241, HSP Collections.

⁶⁰Col. Rec., XIII (November 26, 1781), 129; (December 5, 1781), 138-39.

⁶¹Ibid. (August 14, 1782), 348-49.

⁶²Gazette, December 19, 1781; January 2, 1782.

⁶³Pa. Arch., 1, IX (February 22, 1782), 501-02; (March 3, 1782), 507-08; (June 19, 1782), 560; (July 30, 1782), 596-606; (August 7 and 9, 1782), 609-618.

⁶⁴Loy. Tr., 25, 329-42.

⁶⁵Gazette, September 3, 1783.

⁶⁶Gazette, January 2, 1782; Col. Rec., XIII (July 29, 1782), 339; (June 30, 1783), 616; (July 26, 1783), 630; Laws Enacted in the Third Sitting of the Seventh General Assembly of the Commonwealth of Pennsylvania, August 14, 1783 (Philadelphia, 1783), September 8, 1783.

⁶⁷Wilbur H. Siebert, The Loyalists of Pennsylvania, Vol. XXIV, No. 23 (Columbus, Ohio: The Ohio State University, April 1, 1920), p. 81; Pa. Arch., 1, X (May 29, 1784), 581-82; (June 28, 1784), 594-95.

⁶⁸Freeman's Journal, December 26, 1781.

⁶⁹Minutes of the First Session of the Sixth General Assembly of the Commonwealth of Pennsylvania, October 22, 1781 (Philadelphia: John Dunlap, 1782), August 16, 21, 23, 24, 1782.

⁷⁰Minutes of the First Session of the Seventh General Assembly of the Commonwealth of Pennsylvania, October 28, 1782 (Philadelphia: John Dunlap, 1782), December 12, 1782.

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⁷¹Gazette, April 23, 1783; Freeman's Journal, April 30, 1783.

⁷²The Independent Gazeteer, June 28, 1783; July 12, 1783; August 2, 1783.

⁷³PMHB, I, 202-10.

⁷⁴Loy. Tr., 25, 172-91.

⁷⁵Phineas Bond to Jasper Yeates, Phineas Bond Correspondence, Cadwalader Papers, March 5, 1789, HSP.

⁷⁶Pa. Arch., 3, X (July 27, 1780), 538; Pa. Arch., 6, XII, 581-82.

⁷⁷Mrs. Shoemaker to Samuel Shoemaker, August 28, 1785, Shoemaker Papers, Vol. 2, p. 222, HSP.

⁷⁸Col. Rec., XIV (November 14, 1785), 578; (January 19, 1786), 625.

⁷⁹North Callahan, Flight from the Republic (Indianapolis: The Bobbs-Merrill Company, Inc., 1967), p. 133.

⁸⁰Joseph Galloway to Thomas McKean, March 7, 1793, McKean Papers, Vol. 2, p. 108, HSP.

CHAPTER VI

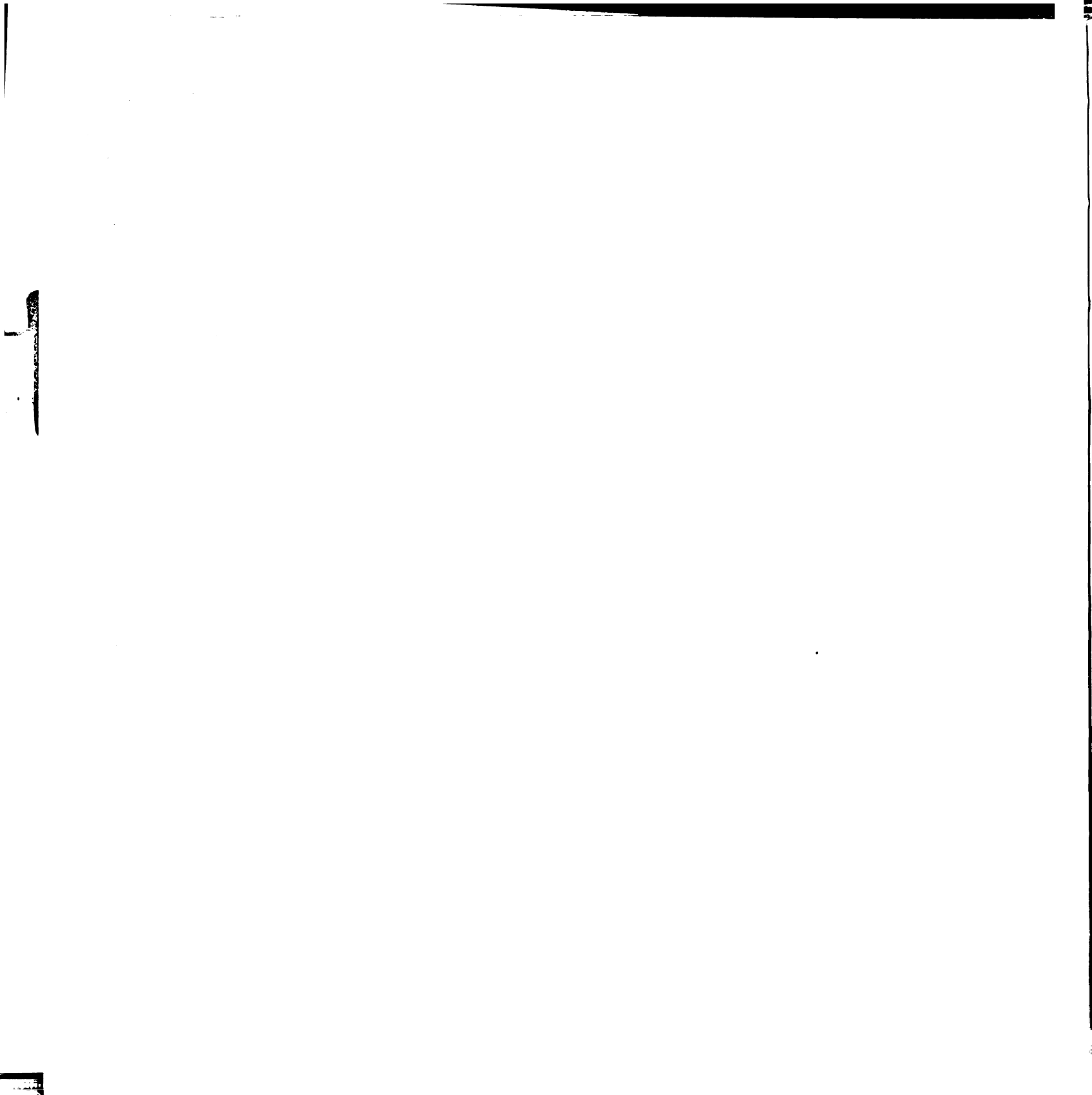
DISPOSITION OF LOYALIST PROPERTY

Ever since the first Associators had joined the colonial forces ringing the British in Boston, Pennsylvanians had resented those who contributed only criticism and complaints to the resistance effort. All the colonists stood to profit from the cessation of British taxes and economic restrictions, therefore, all should contribute to the common effort. Those who did not do so voluntarily, although remaining in Pennsylvania, were harassed, fined, double taxed, and otherwise made to suffer from the displeasure of their fellow citizens. Loyalists who remained in Pennsylvania during the whole war, however, could retain their real property, losing only personal property to pay fines and taxes. As the war dragged on and expenses climbed, it is not surprising that the people began to look at the abandoned estates of those who were with the enemy as a possible source of revenue.

The first provision for the forfeiture of any Loyalist property was contained in the ordinance passed by the Constitutional Convention in September, 1776,

defining and providing punishment for treason and misprision of treason. Under this measure, those convicted of treason would have forfeited half of their property as well as their lives and those guilty of misprision were to lose two-thirds of their lands and goods and spend one year in jail.¹ But the ordinances passed by the convention were considered of dubious legality since that body had not been authorized by the people to legislate. Therefore, the first Assembly under the new constitution reviewed these measures, repassing those it approved. When the legislators turned their attention to the punishment of traitors, they increased the forfeiture of those guilty of treason to all of their property, both personal and real, and reduced that of those convicted of misprision to one-half.²

Even though this act was passed by the Assembly in February, 1777, I have found no record of any confiscations under the law until the following year. Reynold Keen's personal property left in Reading when he moved into Philadelphia, if not the first, was among the earliest confiscated by the state when it was sold in February, 1778.³ Meanwhile, first the Council of Safety and then the second Assembly had both given the question of Loyalist property further consideration and broadened the numbers of those covered.



There was some public pressure, however, to pursue the confiscations sooner. For example, in May, 1777, "A Civilian" writing in the Pennsylvania Evening Post referring perhaps to the Allen brothers reported that several Tories had sought protection from General Howe. He called such persons outlaws and argued that "all property held under that tenure is considered as British property and subject to the same fate as if at sea."⁴ In August, the same paper related that the people of New Jersey were debating a law for confiscating and selling estates of Tories who had openly helped the enemy.⁵ In spite of this urging the first Assembly was either too busy trying to establish itself under the criticism of the anti-constitutionalists or unconvinced as to the desirability of such action. In mid-June they adjourned until September and by then their attention was taken by the approaching British.

It was another temporary emergency group that forced the second Assembly to take further action against Loyalist property. Facing automatic adjournment for elections as provided by the constitution at a time when the enemy was occupying the state capital, the first Assembly assured the continuance of government during the interim by recreating the Council of Safety in October, 1777. This body, consisting of members of the Supreme Executive Council plus nine others, was ordered

to preserve the state by any means necessary whenever laws or courts were not available. One of its first acts was to pass an ordinance declaring forfeited the personal estates of all inhabitants who abandoned their families or homes to join the British army or who went within the British lines carrying provisions or intelligence. County commissioners were appointed to seize and inventory the possessions of such persons, to sell the perishable part, and to store the remainder away from the enemy until the Assembly should order its disposition.⁶

Ordinances passed by appointed councils, however, were considered to be emergency measures that must be re-enacted by a legally elected representative body in order to be completely binding. The second General Assembly, convened October 27 but without a quorum until November 20, rejected two of the Council's ordinances but declared in force the one taking possession of Loyalist estates. In addition, a committee was appointed to bring in a bill for confiscating the estates of specific persons who had gone over to the enemy.⁷

In November, 1777, Congress awakened to the economic value of the property of Loyalist émigrés and recommended to the states the confiscation and sale of such property. Congress wanted the states to use the money realized thereby to purchase continental loan

office certificates.⁸ But this possibility was far removed from the thoughts of Pennsylvanians caught in the spiral of rising prices and increasing war demands. On the contrary, they saw such property as a way to partially alleviate their state financial difficulties.

As described in the previous chapter, an act of attainder was passed by the second Assembly on March 6, 1778, accusing thirteen men of joining, remaining with, and helping the British. They were ordered to present themselves on or before April 20 for treason trial or suffer attainder of high treason with its resulting punishments. If they did not appear, their estates were to be confiscated and sold, the debts on them paid, and the remainder of the proceeds placed in the state treasury.⁹

This act provided that the estates would not be sold until all claims against them had been presented, argued in court, and adjudged. A year later this had proved to be a slow process and in order to force the presentation of such demands within a reasonable time and prevent further waste and destruction of the estates another act ordered them sold without delay except for suitable advertising to publicize the sales. The reason for the haste is clearly stated in the act, "to make seasonable provisions for the defence of the state, and the contingent charges thereof."¹⁰ Thus, the property

of those considered traitors to the state was to help pay for its defense.

In April, 1779, two and a half years after the convention had passed its ordinance concerning treason, the Supreme Executive Council finally ordered the actual sales of confiscated real estate to begin. Notification was made that the estates of thirty-seven men were to be sold at public auction. The first sales were made in August and continued for many years. Long after the war was over, confiscated estates were still being discovered and sold. Land records were disorganized and incomplete and settlers even recorded land under assumed names occasionally, further complicating the job of identifying property of attainted Loyalists.

According to the law, sales were advertised in the newspapers thirty days ahead of time and were conducted as an auction, the land being sold to the highest bidder. Purchasers were required to pay one-fourth of their bid within ten days of the sale and the rest in thirty days. If they failed to carry out these conditions, the law penalized them one-fourth the price. These are the provisions one might expect of a state aiming to raise as much money as quickly as possible. One month after the first sales began the Council reported to the Assembly, "We have proceeded to the sale of Confiscated estates and . . . the sums arising therefrom are so considerable

as to afford a great relief to the good People of the State from their Public Burthens."¹¹

Council demanded strict adherence to the required conditions of sale. Thus, in March, 1780, their minutes report that many of the purchasers were taking advantage of the depreciating currency and neglecting to make payments on time. A standing committee was appointed to check on whether prompt payment had been made before any deeds were issued to future purchasers.¹² In April when the agent for Northampton County laid the accounts of his transactions before the Board including money received after the allotted time, the Council refused to dispense with the conditions. Instead they ordered that three-fourths of the purchase price be returned to the buyers who had failed to comply. One-fourth was forfeited to the state and the lands were to be sold again for the benefit of the state.¹³

The people of Pennsylvania profitted from the sale of the confiscated Loyalist estates not only in reduced taxes but also through an endowment fund established for the state university. In the fall of 1779, the Assembly declared invalid the charter of the College of Philadelphia and appropriated that institution for the state. In the act of expropriation was included a measure reserving to the university as many confiscated estates as necessary to provide an income of £1,500 per

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year.¹⁴ This was accomplished in two ways. Ownership of some of the estates was assigned outright to the university for its use. I have found records of forty-five such assignments with total valuation of £499,485. Another group of estates were sold to private buyers with the stipulation that one-fourth of the purchase price was to be paid to the trustees of the university over a period of fifteen years with interest. In order to counteract the depreciating money the payment was determined in equivalent bushels of wheat and that number of bushels or its current value was to be paid each year to the trustees by the purchaser. In practice when one of these reserved estates was sold, the buyer paid one-fourth of his bid price in ten days, one-half a month later, and one-fourth was retained by him to be paid back plus interest each year for fifteen years in wheat or equivalent cash.

Estates of attainted Loyalists were also used to help the Pennsylvania soldier whose salary was paid in rapidly depreciating continental certificates. By fall, 1780, he was suffering from the loss of income that his service to his country meant and the Pennsylvania Assembly received several complaints from officers of the Pennsylvania line. These were referred to a committee who reported that the United States had not complied with their commitments to the officers and men and that the

state would have to do something to remedy the situation.¹⁵

In December an act was passed providing for the determination of the losses incurred by the soldiers and their replacement by certificates good for the purchase of Loyalist property. All continental money that the soldiers had received in pay was to be calculated for its value in specie at the time received. Then the difference between that value and the supposed pay of the soldiers was to be made up by the state. Three auditors were appointed to go to the army and to give men to whom money was due certificates specifying the sums in specie. These certificates could then be used to pay for the purchase of any confiscated estates not already sold or appropriated to public use. The committee had recommended that the value of the estates in 1774 be determined and that they be sold at that price exclusively for the depreciation certificates. The final act, however, continued the auction sales and permitted payment in either specie or equivalent state money as well as the certificates which would be accepted as specie. The scale of depreciation established by the act shows all too clearly what happened to the continental certificates during the war. For January, 1777, the ratio of 1 1/2 to 1 was set; by January, 1778, it was 4 to 1; by January, 1779, it had dropped to 8 to 1; just one year later in January, 1780,

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it was estimated to have been 40 1/2 to 1; and by June, 1780, it had depreciated half again to 64 1/2 to 1. No wonder the soldiers were complaining!¹⁶

Although the act specified that both officers and private men were included in its provisions, the records do not indicate any purchases with depreciation certificates whose holders were of less rank than lieutenant. Perhaps the others for whom no military title is given were actually enlisted men but until such evidence is found, it appears that the officers were the ones who actually used their certificates to buy Loyalist estates.

The secretary of the Supreme Executive Council was given the job of keeping complete records of the confiscated Loyalist estates but indications are that this injunction was not strictly obeyed. However, there are two volumes in the published Pennsylvania Archives devoted exclusively to the records of the sales of these estates.¹⁷ They contain the inventories and appraisals of the personal property taken and lists of the selling price of each item. Here also may be found preliminary reports from the various county Agents for Confiscated Estates of real estate known to belong to attainted traitors, followed by the results of their sales with an accounting of expenses.

In these two volumes are listed a minimum of 246 sales of 318 parcels of land, both freehold and rentals,

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to 198 individuals. These are minimal figures because there are a few improperly identified survey pictures and garbled sales reports, although most of the records are quite clear. In 56 of these sales one-fourth of the price was to be paid over fifteen years to the university. Another 45 pieces of property were granted outright to the university, making a total of at least 363 units of land, the ownership or rental of which changed hands.

Appendix I is a list by attainted owner of all the understandable real estate sales reported in these two volumes. In the fourth column from the left, the asterisk after the price indicates that one-fourth was reserved for the university. The records were least exact about the type of money used, hence the many blanks and some contradictions in column five. It is not possible to judge the value of the property solely by the size of the price without first knowing the type of money exchanged and establishing a table of equivalents in order to convert the different types to the same standard. Nor is it possible to judge value by number of acres contained --a small lot in Philadelphia was more valuable than many acres of wild land in the western part of the state.

What the record does show is variety--variety in type of purchasers, in kinds of property sold, in its location, and in prices paid. Seven groups of three or more men combined to buy ten estates costing a total of

£498,386. Probably most of these were investors putting their capital to work, for land speculation was a favorite investment in colonial days. Another ten parcels were sold for £245,425.48 to pairs of buyers; the rest was bought by singles. Although not liberally represented, six women did buy land, four of them re-purchasing family farms forfeited by their husbands' attainders.

The property of attainted Loyalists came in all sizes and locations, having only the common denominator of value. The greatest number of land parcels were located in the city (74) and county (117) of Philadelphia-- 191 out of a total of 318. Many reasons could be cited for this. Land was most valuable around the city and therefore more profitable to the state. In the closely occupied urban area, absences were more apt to be noted and reported than in a frontier area. And, of course, many Loyalists in the Philadelphia area were tempted to defect to the British during the occupation when the enemy held out the offer of transportation to England or other colonies for those who chose to leave.

Since the purpose of the confiscations was to raise money for the state from those who had deserted their homes and neighbors in time of crisis, there was no point in incurring the legal expenses of attainder and the costs of a sale if the rewards were not going to warrant it. It is probable, therefore, that the

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authorities directed their attention to the most affluent among the active Loyalists rather than waste undue effort on the propertyless. Although the list of the attainted might have included some of the less well-to-do, it is doubtful that the names of any who owned valuable property would have been intentionally omitted. It may be assumed, therefore, that the list of those attainted included the wealthiest of the Loyalists against whom sufficient evidence of treason existed. Carrying this reasoning one step further, one would expect to find the richest of all among those whose property was confiscated.

A closer look at the relative standing in society of these wealthiest active Loyalists does not tell us anything about all Loyalists but it does tell us what Loyalists were not. In order to determine the relative position in the total society of these men whose property was confiscated, a search was made for them through the tax lists. Of the 112 original owners of the property described in Appendix I, 69 were located and are listed in Appendix II. Persons living in Bucks or Chester counties were not included because the tax lists for the pertinent years in these counties only describe the individual's property without evaluating it or telling the taxes paid. In addition, because of the limitations of extant records, the ideal year could not always be used. For example, the lists for York do not begin until 1779, those for Westmoreland until 1783. The lists for

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Northampton skip from 1772 to 1785, those for Berks from 1768 to 1779. During the missing years much property must have changed hands and many names must have slipped both into and out of the lists. As a further complication, colonists frequently owned land in counties and townships other than their home location. Therefore, the valuations given here represent a minimum of an individual's total holdings. However, since there is just as much likelihood that their contemporaries in the same economic bracket would have also owned other land, it is assumed that their relative standing would not be markedly affected by such knowledge.

The last two columns in the chart are the most helpful in determining the economic standing of these Loyalists. They show that none of the men paid the most taxes in their home townships or wards, two paid the next to highest, and nine were in the top 10 per cent. For the most part these were middle or upper class land holders as anticipated but they were not the wealthiest men in the colony, although certainly Andrew Allen and Joseph Galloway with their extensive holdings all over the state must have been in the top rank. On the other end of the economic spectrum, this tells us nothing about those who owned very little or no land for there would be no point in bothering to declare them attainted or go through the expenses of the sales.

In other words, the state of Pennsylvania, in order to raise revenue at a time of economic stricture, confiscated and sold the estates of well-to-do active Loyalists. Considering Pennsylvania's monetary problems and the bitterness these created, however, there were relatively few confiscations and only of the property of those who actually had joined the British forces or moved behind the enemy lines. Out of 1,297 Loyalists identified, the property of only 112, or less than 10 per cent, was appropriated by the state. Of these 112 only 9 were among the top 10 per cent of the tax payers in their home townships.

Rules for the sales of the appropriated estates were designed to raise as much money as possible. Payment had to be completed in thirty days and those who did not comply could expect no mercy; the state would reclaim the land, returning only three-fourths of the price, and resell it. The only purchasers who were given time to pay were those who bought estates reserved in part for the university and this was done to help that institution, not the buyers.

These confiscations were not part of a social revolution aimed at providing estates for a landless proletariat. On the contrary, anyone who had the money to make the highest bid was encouraged to do so. As a result, the land was purchased by all sorts of people,

from city merchants and speculators to wives buying back their farms. The only characteristic required of buyers was enough affluence to complete their purchases promptly.

FOOTNOTES--CHAPTER VI

¹Gazette, September 4, 1776.

²Laws Enacted in a General Assembly of the Representatives of the Freemen, of the Commonwealth of Pennsylvania, November 28, 1776-March 21, 1777 (Philadelphia: John Dunlap, 1777), February 11, 1777.

³Pa. Arch., 6, XII (February 21, 1778), 42-50.

⁴Post, May 6, 1777.

⁵Ibid., August 23, 1777. This was the newspaper published by Benjamin Town, the rebel turned Loyalist during the British occupation who stayed after the evacuation to resume his Patriot role.

⁶Col. Rec., XI (October 21, 1777), 329-30.

⁷Minutes of the Second General Assembly of the Commonwealth of Pennsylvania, October 27, 1777 (Lancaster: John Dunlap, 1778), November 22, 27, 1777 and December 8, 1777.

⁸Journals of the Continental Congress (Washington, D.C.: Government Printing Office, 1907), IX, 971.

⁹Laws Enacted in the Second Sitting of the Second General Assembly of the Commonwealth of Pennsylvania, February 18, 1778 (Lancaster, 1778), March 6, 1778.

¹⁰Laws Enacted in the Second Sitting of the Third General Assembly of the Commonwealth of Pennsylvania, February 1, 1779 (Philadelphia, 1779), March 29, 1779.

¹¹Col. Rec., XII (September 9, 1779), 99.

¹²Col. Rec., XII (March 18, 1780), 281.

¹³Ibid. (April 18, 1780), 322.

¹⁴Laws Enacted in the First Sitting of the Fourth General Assembly of the Commonwealth of Pennsylvania, October 25, 1779 (Philadelphia, 1779), November 27, 1779.

¹⁵Minutes of the First Sitting of the Fifth General Assembly of the Commonwealth of Pennsylvania, October 23, 1780 (Philadelphia: John Dunlap, 1780), November 11, 1780.

¹⁶Laws of the First Sitting of the Fifth General Assembly of the Commonwealth of Pennsylvania, October 23, 1780 (Philadelphia: John Dunlap, 1780), December 18, 1780.

¹⁷Pa. Arch., 6, XII and XIII.

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CHAPTER VII

A CROSS SECTION OF COLONIAL SOCIETY

In the past, historians have portrayed the Loyalists as a group apart, differing from their fellow citizens not only in their political affiliations but, more importantly, in socio-economic status. Thus, some scholars described them as an upper class, wealthy, politically powerful elite; another school reported that the resistance to Great Britain had been started by merchants who had incited the lower classes to revolt and then, unable to control the actions of their followers and appalled by the results, returned to their original loyalty only to be forced out by the rebels; more recently, modern historians have emphasized the minority status of Loyalists explaining their devotion to the King as motivated by the need for his support. Each subsequent interpretation has emphasized a new way in which Loyalist differences with Patriots could be explained by reference to the economic or social standing of either group. But in no case was historical theory founded on extensive research into the actual lives of the Loyalists to determine who they were, how they earned their living,

and whether they really were rich or poor, minority or majority, merchants or farmers.

Such a study conducted by the author for the state of Pennsylvania resulted in the identification of 1,297 persons who had either been accused of being, or claimed to be, against the new nation because of their attachment to Great Britain. Of these, 1,012 may be identified positively as Loyalists, another 181 as probably in that category, and 104 as perhaps among the disaffected. An endeavor was made to discover the county and township where each Loyalist lived, his occupation, marital status, place of birth, date of arrival in the colonies, real estate holdings, and what happened to him as a result of his loyalty. Because records are scanty, not always clear, or not yet found, all of the desired information has not been accumulated for each person. In spite of missing data and within certain recognized limitations, however, one may reach several conclusions about these people, conclusions that bear on our interpretation of the revolution that inspired their dissidence.

Table 1 indicates the county residence of those Loyalists for whom this fact is known. The percentages in the last column indicate the portion of the total state taxables living in each county in 1779 and were calculated

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TABLE 1.--Where Loyalists Lived.

County	Yes	Probably	Perhaps	Total	Percentage of all Loyalists	County Per- centage of Pennsylvania Taxables
Philadelphia County and City	359	34	35	428	38.2	19.7
Bucks	129	42	10	181	16.2	7.4
Chester	112	10	7	129	11.5	11.7
Northampton	60	18	6	84	7.5	6.6
Lancaster	37	14	9	60	5.4	15.4
Northumberland	57	1	1	59	5.2	3.8
Berks	43	2	5	50	4.5	8.5
Westmoreland	17	29	1	47	4.2	3.8
Cumberland	38	4	1	43	3.8	9.3
Bedford	18	1	1	20	1.8	2.2
York	13	2	3	18	1.6	11.5
	<u>883</u>	<u>157</u>	<u>79</u>	<u>1119</u>		

from the estimates made by Greene and Harrington.¹ Although these may not be entirely reliable, in lieu of any better estimates being available, they are given to indicate where the state's population clustered and, therefore, where one might expect Loyalists also to cluster. If the distribution of Loyalists had been consistent over the whole state, the last two columns would be nearly the same. It is apparent, though, that a larger number of citizens of Philadelphia and Bucks counties became Loyalists than might have been expected whereas a much lower number came from Lancaster and York. Four counties--Chester, Northampton, Westmoreland, and Bedford--produced

percentages of total Loyalists which approximated their percentage of the total taxables. The number of Loyalists in the other three counties--Northumberland, Berks, and Cumberland--were disproportionate but not startlingly so.

The reason for the large numbers of Loyalists from Philadelphia and Bucks counties may be found in the British occupation of the area for nine months. During much of this period it probably appeared to local citizens whose knowledge of the progress of the war was filtered through British controlled newspapers that the colonists would lose the war. Expediency under these circumstances would certainly dictate cooperation with the occupying forces. Having once committed themselves, they may have feared colonial retribution should they remain after the British evacuation. In addition, for those who were motivated by genuine affection for the mother country, the British occupation provided the ideal opportunity to join the royal forces or at least secure transportation behind their lines.

As far as the low percentages of Loyalists from Lancaster and York is concerned, these figures may be explained by just the reverse situation. When the British entered Philadelphia the Pennsylvania state government fled to Lancaster and the Continental Congress to York. In addition, the Philadelphia newspapers

retired to these cities. Therefore, during the period when the greatest number of Loyalists were committing themselves to the British side, strong American governments were in control of these two counties and pro-Patriot newspapers were being published there full of optimism for an ultimate American victory and justification of American independence. Not only were citizens presented with convincing Patriot arguments but there was very little opportunity for them to express dissent actively or to leave should they have so desired.

Just as the home location of Pennsylvania Loyalists was not distributed evenly over the whole population, the occupations of these men were also unbalanced. There was a discrepancy between the percentage of farmers in the population as a whole and the number of Loyalists who supported themselves from the land. Of the total Loyalist names discovered, the occupations of 891 are listed in Table 2. Farmers, husbandmen, and yeomen account for 295 whereas all other occupations except laborers numbered 596. Many of the 81 laborers were probably farm workers. However, even if all 81 plus all of the 406 whose occupations have not been identified were farmers the total would be only 782, far short of the 95 per cent of the total colonial population who were probably farmers. Merchants, on the other hand, may have been over represented with 95 described as merchants or traders. This

TABLE 2.--Occupations.

	Yes	Probably	Perhaps	Total
Farmers, husbandmen, yeomen	266	18	11	295
Merchants, traders	74	12	9	95
Laborers	62	18	1	81
Carpenters	20	1		21
Watermen, mariners	17			17
Tailors	17	4		21
Tavern & inn-keepers	16		2	18
Blacksmiths	16	4	1	21
Lawyers	13	2	1	16
Doctors	13	1	1	15
Gentlemen	13	1		14
Millers	13	1	2	16
Customs house	12			12
Other col. officers	11	2	6	19
Weavers	11	4		15
Ministers	9		1	10
Storekeepers	9	1	1	11
Shoemakers	8	2	1	11
Coopers	8			8
Masons	8			8
Distillers	7		1	8
Leather cutters & tanners	7	1		8
Hatters	7	1		8
School employees	6			6
Wheelwrights	6	1		7
Cordwainers	6		2	8
Indian traders, agents, interpreters	5			5
Shipwrights	5			5
Carters, waggoners	5			5
Printers, publishers	5		1	6
Joiners	4		1	5
Horse dealers, stable keepers	4			4
Saddlers	4			4
Brewers	4			4
Druggists	4	2		6
Pilots	3			3
Artists	3			3
Bakers	3			3
Whitesmith	3			3
Coach & harness makers	3			3
Clock & watch makers	3		1	4
Millwright, saw mill men	2			2

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TABLE 2.--Continued

	Yes	Probably	Perhaps	Total
Ferryman	2		1	3
Tallow chandler	2			2
Lime burner	2			2
Button maker	2			2
Butcher	2			2
Peddlers	2			2
Breeches makers	2			2
Cutlers	2			2
Peruke makers	2			2
Gunners on galley	1			1
Dyer	1			1
Builder	1			1
Snuff maker	1			1
Postal worker	1			1
Fuller	1			1
Gunsmith			1	1
Coppersmith	1			1
Auctioneer, vendue keeper			2	2
Comb maker	1			1
Jailer			1	1
Horse jockey	1			1
Lumber yard keeper	1			1
Carver			1	1
Dancing master	1			1
Glass maker			1	1
Gardener	1			1
Sawyer	1			1
Surveyor	1			1
Servant	1			1
Business man	1			1
Sailmaker	1			1
Barber	1		1	2
Engraver	1		1	2
Silversmith	1			1
Iron monger	1			1
Br. military officer, ret.	1	1	1	3
Malster	1			1
Hunter	1			1
Fisherman	1			1
Scrivener	1			1
Clerk		1		1
Saddle tree maker		1		1
Broker		1		1
Coal maker		1		1
Total	757	81	53	891

is 11 per cent of those whose occupations have been identified or 7 per cent of the total if none of the other Loyalists were merchants.

There are several possible explanations for this apparent farm support of the Patriots and merchant loyalty to Great Britain including the obvious and probably most important conclusion that the farmers preferred the new state government to a return of British rule. Again the British may be partially responsible because about one-fourth of the Loyalists came from Philadelphia City where there were not many farmers but there was a concentration of merchants. Hence the large number of Loyalists from this area was bound to include a high percentage of merchants and so it did. Of the 95 merchants identified, only 12 came from any other location and of these 12, 5 were from Philadelphia County and 2 from Bucks. Those Philadelphians who were dissatisfied with the new order could leave with the British forces whereas other citizens had to find their way through Patriot lines. Even in other areas a tradesman or artisan could discreetly sell off his stock without replenishing it and then, with cash in hand, disappear behind the British lines. But a farmer would have to sell his land in order to have funds for a new life and such a sale would call attention to his plans, possibly deterring prospective buyers or even inciting the local committee to retribution. In addition,

it was much easier for a man with a trade to move elsewhere. All he needed were his hand tools; his skill would be appreciated in any frontier community whether in Canada or the United States. But the farmer who moved north had to settle on wild land. If he had worked for years to clear his own acres and increase his yield beyond the subsistence level he might hesitate before heading north to begin the process over again. He might also keep his opinions to himself rather than chance the loss of that land by confiscation for "treason."

Among the other Loyalists every conceivable kind of colonial occupation could be found--carpenters, tailors, blacksmiths, millers, tavern keepers, shoemakers, hatters, and teachers. Even one horse jockey and one dancing master retained their desire for union with Great Britain. Professional men were also Loyalists, 15 doctors and 16 lawyers indicating their aversion to independence. Colonial officials could be expected to reward their benefactor with faithfulness and 31 did. Almost any occupation that contributed to colonial life had its representative among the Loyalists.

Turning to the problem of the economic status of the Pennsylvania Loyalists, 339 were found to have owned real property varying in quantity from one city lot or a small farm (1-49 acres) up to more than five lots and 1,000 acres. Table 3 shows the distribution of real

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TABLE 3.--Loyalist Real Estate.

Acres		City Lots						
		0	1	2	3	4	5	5+
0	Yes	184	30	9	2		1	1
	Probably	59						
	Perhaps	9	1			1	1	1
	Total	252	31	9	2	1	1	1
1- 49	Yes	22	2					
	Probably	1						
	Perhaps	2						
	Total	25	2					
50- 99	Yes	34	1					
	Probably	1						
	Perhaps	3						
	Total	38	1					
100-149	Yes	41						1
	Probably	2						
	Perhaps	1						
	Total	44						1
150-199	Yes	34	1					
	Probably	6						
	Perhaps	2						
	Total	42	1					
200-299	Yes	37	3				1	
	Probably	7						
	Perhaps	2						
	Total	46	3				1	
300-499	Yes	32	3		1		1	
	Probably	3						
	Perhaps	2						
	Total	37	3		1		1	
500-999	Yes	15	1					1
	Probably							
	Perhaps							
	Total	15	1					1
1000-	Yes	19	3	3			1	2
	Probably	3						
	Perhaps							
	Total	22	3	3			1	2
		<u>Yes</u>	<u>Probably</u>	<u>Perhaps</u>	<u>Total</u>			
Owned some property		302	23	14	339			
Owned no property		184	59	9	252			
Single		92	45		137			
Married		37	4	1	42			
Unknown					73			

property where known. To use the table, read across to determine the number of city lots and down for the amount of acres owned by the number of Loyalists appearing in any box. For example, 25 persons apparently owned only farms of the smallest category whereas 2 Loyalists owned that much land plus one city lot each. One man owned 5 lots and between 300 and 499 acres but 37 claimed that amount of acreage with no record of their also owning city property.

This information, however, must be used very carefully. First of all, the total number of Loyalists identified is not a complete record of the total who existed. Second, only half of those names have been located in the tax lists so that their property could be specified. Third, of those whose property has been discovered, the figures given may only be a minimum. It probably represents an accurate count for the township where they lived but colonists were great land speculators. There were only limited opportunities for investment of surplus capital other than in land; therefore, colonists finding themselves with extra money often invested it in wild land on the frontiers or even in improved farms in other counties or townships. Some of these holdings were spotted but no claim is made for completeness in this respect. In addition, then as now, land values varied with the fertility of the soil, its location, and its

condition of improvement. Thus 1,000 wild acres in western Pennsylvania was worth less than one waterfront lot in Philadelphia; mere size of holdings is no indication of absolute wealth.

Perhaps the most interesting feature about the compilation is the large number of Loyalists, 252, who probably owned no real property whatsoever. These are individuals reported by state officials as owning no property, specifically named as propertyless in the tax lists, or making no claim for real estate in their request for compensation from the British after the war. In addition, many of the others whose names could not be located in the tax lists for the townships or counties where they reputedly lived must have been without real property.

Before we conclude that a disproportionate number of Loyalists were poor and propertyless, without opportunity for economic improvement, a further description of the 252 is needed. If we check their marital status where known, we find that at least 137 were single men at the beginning of the revolution and only 42 were married. Even if all 73 of those with unknown family ties were found to have had wives, still there would have been more single men than married. This indicates that many of the Loyalists were possibly quite young, men with no attachment to either land or wife and children.

They could easily join the British without sacrificing the work of a life spent clearing and improving their own land or worrying about loved ones left behind unprotected from Patriot revenge. Also, the tax lists often show men with the same last name holding property in the township where the single, propertyless Loyalists lived, signifying that they could have been sons of property owners.

In addition to devotion to mother country, there are several possibilities why so many young men could have wanted to help the British. A partial attraction must have been the British offer of clemency and land without fees for volunteers. Or perhaps the life of the red-coated British soldier seemed glamorous and full of adventure to farm boys tired of grubbing stumps and wearing homespun. Or maybe families were just trying to provide for any contingency. Father remained on the farm where he and the rest of the family could protect their equity in Pennsylvania while a son went off to do his duty for the British. If that nation should re-establish its control over the state, the son's contribution might be rewarded with the retention of the family farm. In any case, the land promised by the British would guarantee ownership of a farm in Canada if not in the United States.

With respect to the 42 who were married but owned no property, perhaps their condition explained their loyalism. They could have been those who had not yet

succeeded in the colonial economy and hoped for British rewards. With very little to lose, they could readily gamble on improvement.

At the beginning of this study, it was thought that loyalism might have occurred in large numbers among recent immigrants from the British Isles who still retained an ethnic or cultural loyalty to the mother country. Such persons, it was believed, would be reluctant to oppose the country they had so recently left where relatives might still live. However, although the birth places of only 207 of the listed Loyalists were uncovered, these figures indicate that place of birth and date of immigration were not as important as originally thought. It was found that 60 of these had been born in Pennsylvania and another 45 were natives of other colonies. Half, then, were colonists by birth whose loyalty could not be explained by reference to their recent immigration. Of those who were born elsewhere the locations are predictable: 40 in England, 24 in Ireland, 18 in Scotland, 14 in Germany, 3 in the West Indies, 2 in Holland, and 1 in Wales. This was probably in keeping with the eighteenth century immigration pattern. Perhaps the distribution of approximately 50 per cent foreign born was also typical of all colonial society during this period of high immigration.



Although they may have been only barely tolerated, nevertheless known Loyalists were able to remain in Pennsylvania in full possession of their property and even prosper as long as they committed no violence against their Patriot neighbors. It was found that at least 139 of the 1,297 Loyalists did not leave but remained even though their beliefs were well known by the Patriots. The Berks County tax lists, for example, contain an interesting identification of some Loyalists and bear out the contention that Loyalists were not always forced to leave the state. Next to 33 names in the 1779 list is the word "tory" and three more are thus identified in 1781 making a total of 36 men from that county known to be Loyalist in sentiment. Yet only one man from Berks, the colonial excise collector, was actually proclaimed. Of the 36 men, 19 were substantial colonists holding property in 1768 ranging from 50 to 240 acres and, furthermore, 18 of these 19 were still on the list in 1784, 7 of them having increased their holdings. By 1784, 29 of the 36 are on the tax list as owning from 60 to 400 acres. The names of 2 others, although missing in 1784, are back by 1785.² Therefore, in Berks County at least it was possible to be classified as a Loyalist and yet still be able to remain a property-holding citizen.

On the other hand, because of Patriot harassment or desire to help the British, some 630 of the identified

Loyalists did choose to leave their homes during the Revolution. Many of those in the Philadelphia area left on British ships when that city once again became Patriot territory. In the frontier region Loyalists went to Canada. Those who put the whole continent behind them generally went to England with a handful settling in the West Indies. Unfortunately it is not possible to say what happened to enough of these men to substantiate any broad generalizations. When the Loyalist filed a claim with the British after the war he accounted for his movements since the outbreak of hostilities but for those who claimed no economic losses because of their loyalty the records are very scarce. The names were checked through whatever tax lists are available for the period 1772 to 1787. When a man's name continues year after year to appear in the lists, it is safe to assume that he never left. But when his name drops out for a year or more, the researcher cannot be sure whether it was inadvertently omitted by a careless tax collector, whether the individual joined the British, or whether he just moved to another township in Pennsylvania or even another state. Therefore, among the 630 who left their homes undoubtedly there are some whose motivation was not political.

It was shown in Chapter V that citizens who had remained in Pennsylvania during the Revolution were adamant in their refusal to allow the return of the

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emigrants. Yet in spite of declarations to the contrary, many Loyalists did return: at least 100 are known to have done so and there were probably many more not yet accounted for who settled in neighboring counties or states. Mrs. Samuel Shoemaker wrote to her husband that the general temper of the people as early as December, 1783, was considerably changed with regard to the Loyalists for there were "many who walk daily and publicly about the Streets without meeting with any kind of incivility or insult; that could not have been done some months ago."³ Apparently anyone could return at least to some place in the United States if not to his original home although he had very little hope of recovering his property. Even this was not completely impossible, however. The property of John Parroch had not all been confiscated by 1802 and after many pleas the Assembly in 1803 devised what was left in his heirs.⁴

To sum up, then, there were no typical Loyalists distinguished from Patriots by social or economic differences; there were just colonists who opposed independence. Loyalists came from all the prevailing ethnic backgrounds, from every economic level and they earned their livings by every available occupation. Farmers predominated but not as much as in the whole population. Loyalists came from all counties, although there were more than might have been expected from Philadelphia and Bucks, less from

York and Lancaster. These variances from peacetime colonial distribution may be explained by the British occupation of the state. Loyalists were a cross section of colonial society who remained faithful to the King for a variety of reasons, some emotional and ethnic, some economic and expedient, and some based on fear that the most powerful nation in the western world could not possibly lose a war to a handful of brash colonists.

FOOTNOTES--CHAPTER VII

¹Evarts B. Greene and Virginia D. Harrington, American Population Before the Federal Census of 1790 (New York: Columbia University Press, 1932), p. 117.

²Because the Berks County tax lists are available only for the years 1767, 1768, 1779, 1780, 1781, 1784, and 1785, these two could have gone away during the three years before 1784 or could have just been inadvertently omitted that year from the list.

³Shoemaker Papers, Letters and Diaries, Vol. 2, December 15, 1783, p. 93, HSP Collections.

⁴Pa. Arch., 6, XIII, 436-37.

CHAPTER VIII

CONCLUSION

The life of Pennsylvania loyalism has been traced from its birth in opposition to independence through retirement in emigration or reassimilation into the state. The decision to remain loyal to the King was a very personal one; it was not made on the basis of any class or economic identification. As the colony was moving towards separation from Great Britain, meeting each British act in kind, the Loyalists were those Pennsylvanians who, though opposing British tax measures, wanted resistance to stop short of war and independence. In short, they retained their allegiance to the mother country when other citizens were denying theirs.

Loyalists were ordinary colonists of every conceivable background. Incomplete figures indicate that a large number may have been born either in Pennsylvania or other colonies. Of those born abroad, English nativity predominated. Most were probably married farmers although there was a surprising number of single men and non-farmers who earned their livings in the same variety of occupations as did other colonists. In real wealth they

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ranged the spectrum in holdings from none to large estates. With the exception of the Allens, there were Patriots who owned as much property as the wealthiest Loyalists and many who owned more than the poorest. It was shown that in Berks County known Loyalists with substantial established farms were permitted to remain in Pennsylvania, some even increasing their wealth during the war years. Thus, it cannot be supported that Loyalists were a wealthy class forced out of Pennsylvania so that underprivileged masses could assume their positions.

Their political preferences were demonstrated by the Loyalists in many different ways from disparaging speech to joining the British military. In the eastern part of the state active Loyalists serving with the English army threatened the lives and property of other Pennsylvanians only during the period of British occupation of Philadelphia. At other times they created annoyances by their abusive language, refusal to fulfill military service or tax payments, spying for the enemy, or provisioning them. Those who formed bandit groups were a problem toward the end of the war but at no time did Loyalist actions in the east compare with their continuing severity on the frontier. There Loyalist hostility was a serious menace to life and property throughout the war.

Just as Loyalist deeds were varied in their type and accomplishment, so were the reactions they incited

from the Patriots. If the enemy was threatening, Pennsylvania Patriot retaliation was apt to be harsh. In the early years, mobs occasionally forced their way into Loyalist homes, causing them and their families to flee and stealing or destroying their possessions. After the state government was established and laws were passed to provide a legal channel for punishment of traitors, retribution against them was mostly government enacted and regularized. Towards the end of the war, when it was obvious that the Americans had won, even this punishment became more lenient. After the coming of peace, there are strong indications that all Loyalists could eventually return to the state if they would tolerate a period of animosity.

Throughout the years of rebellion Patriot leaders wanted all the colonial support they could win for the struggle against Great Britain. There were constant attempts to seek "the sense of the people," to follow the majority will as best they could determine it, and to convince the world and especially that portion of it within the bounds of Pennsylvania that their cause was just. Many of the Loyalists reported in their claims against the British that they had been offered commands in the colonial army, that they had been urged to stay, and that their help had been solicited. This would hardly have been the case had the Patriot venom been

directed mainly against Loyalists within rather than the British without.

In disposing of Loyalist property, the first desire was to raise as much money as possible in order to ease the financial burden on Patriot pocketbooks. The quantity and quality of their money were the most important characteristics of prospective buyers, not their political complexions. Terms were set by law to favor the well-to-do. Sales were made to the highest bidder at auction and one-fourth of the bid price had to be paid immediately, the rest in thirty days. Such sales might redistribute property in the state but this distribution would not cut across class or economic lines.

If the word Loyalist is defined only in the context of the relations between Great Britain and the colonies, and not given a social or economic identification, then the question of numbers of these individuals becomes unimportant. The total varied with time depending largely on external conditions. In 1770, probably most colonists would have vehemently denied any desire for independence. But as Britain became more and more repressive, the numbers of those who favored complete separation grew. As the Whig position moved to the left and gained strength, the Tory position was pushed to the right in opposition and divisions between them became sharpened. Many originally opposed independence because



they feared British power and doubted that the colonies could defeat it or, having won the war and political independence, they doubted that the colonies could establish themselves economically. In Pennsylvania, the years from 1776-1778 were a period of great disruption, of division, of nine months of occupation, and hence of pessimism. Because of the proximity of the British and their apparent ability to win, many Loyalists, who might have remained passive and eventually become supporters of independence, committed themselves to the British. But among these opponents of independence who remained in Pennsylvania many changed their ideas during the war and began to regard the future of the new United States with more optimism so that by the end of the hostilities the number favoring independence was very high. The number of Loyalists in Pennsylvania depends, therefore, on whether you are considering 1775, 1777, 1780, or 1783. In addition to the qualification of time, any guess at numbers is meaningless because it must be limited to the active Loyalists. Those silent men of history defeat our efforts to discover them and leave us with an incomplete count.

In its July 13, 1782, issue, the Independent Gazetteer carried an article that accurately analyzed the role of the Loyalist in Pennsylvania. It was addressed to William Smith of New York City who had

claimed that nine-tenths of the people of America were friendly to Great Britain and wanted to return to their former allegiance. Smith was mistaken, the correspondent wrote. The people of America at the beginning of the Revolution fell into three categories--Whigs, Tories, and neutrals who will follow the strongest group. By withdrawing to the British lines, the active Tories

. . . left all the neutrals and passive tories to the influence of the active Whigs. Some of them have joined [the Whigs] through fear, some from interest, some from fashion, and not a few have been driven to the Republic standard by the depredations of the British army. It is immaterial what are their motives for adhering to the Congress. Their fortunes, and lives are as much at the service of America as if they were all actuated by the independent spirit of a Samuel Adams himself. This is human nature. You look in vain to these people to resort to a royal standard. They care nothing about you. Many of them care little about us. With profitable trade and agriculture they are alike indifferent who holds the helm of government.

He concluded that "there is scarcely a man now in America who is not ashamed of being suspected of being a British subject."

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BIBLIOGRAPHICAL ESSAY

The nature of the sources used to execute this study was determined by its aim. I wanted to write the story of the Pennsylvania Loyalists in terms not only of the vocal and affluent few but of the many average dissenters. A study of the articulate is a good beginning but to completely understand a movement we need to know about the others who constitute the bulk. Unfortunately, this group leaves few historical documents to explain and justify its actions. And, of course, in colonial days society itself had no institutions dedicated to statistics accumulation and self-analysis. Therefore, the silent Loyalists must be approached indirectly through references left by the fluent or through the few government records of contact between citizens and authority, records of activities such as law enforcement, tax collection, and land distribution.

Primary Sources

Contemporary newspapers are the best places to begin a study of this kind, providing as they do a rapid, concentrated, overall view of events. For the operations

of the committees, newspapers are almost the only source; the extant committee record books are scarce and where available limited in information recorded. The papers were used not only to announce future meetings and report the outcome of those gatherings but also as a medium for revealing or publicizing punishment. When individuals were found to be "disaffected" to the common cause, extra-legal Patriot punishment had to be enforced by public opinion. In order to influence condemnation by their fellow citizens, Patriots published the names of accused Tories in the press and asked readers to treat them as Pariahs, not worthy of social or economic intercourse with their fellows. After the state government began to function, the verdicts in treason and misprision of treason cases tried before the Quarter Sessions Courts and Courts of Oyer and Terminer were also reported. Thus, newspapers are an excellent source for both the Loyalist narrative and its dramatis personae.

Six papers were used for this study. It is necessary to read more than one for complete coverage because they were not published on the same day and sometimes did not repeat news that had appeared in a competitor a few days earlier. Of particular interest were The Pennsylvania Gazette and The Pennsylvania Packet, both published throughout the Revolution with the exception of three months in the fall of 1777 when the Gazette moved to



Yorktown and the Packet to Lancaster. Benjamin Towne's Pennsylvania Evening Post and James Humphreys' Pennsylvania Ledger were examples of a wavering Loyalist press and a dedicated one. Towne's first issue of the Post appeared in March, 1777, weathered the occupation without leaving Philadelphia, only to die in December, 1779. Humphreys began publication in January, 1775, and ended May 23, 1778, when he left Philadelphia with the British. Two others that were helpful began publication towards the end of the war. The Freeman's Journal appearing in April, 1781, was an example of early yellow journalism more involved in political name calling than in straight news reporting. A year later The Independent Gazeteer's first issue began answering the Journal. These six papers taken together give a good overview of contemporary Pennsylvania.

Another valuable source of information about both the progress of the Loyalist-Patriot conflict and the individuals involved are the extensive although somewhat disorganized published volumes of documents from the Pennsylvania state archives. Printed first were the Colonial Records (16 vols., Philadelphia and Harrisburg, 1851-53) consisting of the minutes of the Provincial Council, the Council of Safety, and the State Supreme Executive Council up to 1790. These were followed by nine series of Pennsylvania Archives (1st series, 12 vols.;

2nd series, 19 vols.; 3rd series, 30 vols.; 4th series, 12 vols.; 5th series, 8 vols.; 6th series, 15 vols.; 7th series, 5 vols.; 8th series, 8 vols.; 9th series, 10 vols., J. Stevens & Co., 1852-56, Harrisburg, 1874-1935) issued over the years as the legislature made money and authorization available. The first series contains the letters and documents written by or to the Executive Council and subsequent series transcribe various useful documents such as the minutes of the pre-independence Assembly and conventions, tax lists, and the records of the confiscation and disposal of forfeited estates. The indices of these volumes are not complete and useful material is sometimes tucked away in the middle of unlikely volumes.

The minutes of the Pennsylvania legislature after independence may be found in the Readex Microprint edition of Early American Imprints published by the American Antiquarian Society. This collection attempts to include all material published in the United States before 1801 and thus contains many other items of interest to this subject such as broadsides, announcements of mass meetings, and copies of Quaker testimonies and petitions.

There are several other helpful collections of reprinted documents, for example The American Archives edited by Peter Force and M. St. Clair Clark (4th series, 6 vols.; 5th series, 3 vols.; Washington, 1837-53) and

The Diary of the American Revolution: 1775-1781 edited by Frank Moore (New York, 1860). The first was published under the authority of an act of Congress passed in 1835. Originally planned for six series, only the fourth and part of the fifth were ever issued. The nine volumes are very valuable, however, containing a great variety of records, such as letters, broadsides, newspaper articles, minutes of both legal and extra-legal bodies. The material is arranged in roughly chronological order giving the reader knowledge of happenings in all the colonies or states during any one period. The Moore collection is put together almost entirely from newspapers that appeared from 1775 to 1781 and, therefore, its usefulness is more limited.

Because of its extensive reprints The Pennsylvania Magazine of History and Biography is of more than ordinary interest for the researcher into Pennsylvania history. Many of the most important documents from collections both private and public have been published in this journal. Its interests are catholic, embracing anything of historical value from letters to lithographs, from public papers to newspapers, from broadsides to biography. There is also a good index for the first seventy-five volumes although nothing completely replaces the thoroughness of a page by page examination.

The papers of Sir Guy Carleton who, as the last British general in the United States, was in charge of

the evacuation of Loyalists were originally collected and held by his secretary. After changing hands several times they were bought in 1930 by John D. Rockefeller, Jr., who added them to the collections of Colonial Williamsburg where they remained until they were returned to England in 1957 as a gift to Queen Elizabeth II. Before being sent to England for deposit in the Public Record Office in London they were microfilmed and thirty reels containing over 10,000 items are available in this country. Although most of the items concern military matters there are many petitions to Carleton from Loyalists asking for help or transportation elsewhere. Some are difficult to read or not clearly identified for place of origin but scattered in the papers are occasional gems that help in the identification of Pennsylvania Loyalists and their fate. These are variously referred to as the Carleton Papers or the British Headquarters Papers.

Two other single volume works are worthy of mention because of their contributions to our understanding of the Loyalists. Alexander Graydon recorded his recollections from 1756 to 1807 in Memoirs of a Life Chiefly Passed in Pennsylvania within the Last Sixty Years (Harrisburg, 1811). Thomas Gilpin in 1848 collected the official papers relating to the banishment of the Philadelphia citizens to Virginia in 1777-1778 in his Exiles in Virginia (Philadelphia, 1848). This includes journals

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kept by members of the group, copies of correspondence, remonstrances, and minutes of Congress and the Pennsylvania Supreme Executive Council pertaining to the exiles.

When we turn from the printed sources to collections of unpublished documents the possibilities are almost limitless; any data about the Revolution may contain allusions to Loyalist opposition. The largest single collection of information about the lives of individual Pennsylvania Loyalists may be found in the Loyalist Transcripts in the New York City Public Library. These are hand written copies made by historian Benjamin F. Stevens of records in the Public Record Office in Great Britain. Volumes of interest for a study of Pennsylvania Loyalists are the following:

Vol. III: Claims for temporary support filed with the British before 1783, arranged by colonial origin of the claimants.

Vols. IV and VIII: Fresh claims for temporary support filed between December, 1782, and 1790. These are not arranged according to colony. This was a continuing process as people arrived in England without means of support.

Vol. XXV: Examination in Nova Scotia of Pennsylvania claimants.

Vols. XXVIII and XXXII: Examination in Nova Scotia of various provinces' claimants.

Vols. XLIX through LI: Examinations in London of Pennsylvania claimants.

Many of these claimants justified their requests through a description of their backgrounds, Loyalist activities, and resultant sufferings. These are particularly valuable as sources for hard-to-find information such as place of birth, immigration date, and marital status.

The largest source of documents directed mainly to Pennsylvania history is deposited in the collections of the Historical Society of Pennsylvania located in Philadelphia. This collection is so large it would take years to completely check all files that might contain pertinent data. There is a calendar specifying the holdings by individual collections but the contents of each file are not itemized. Here may be found the James Allen Diary, the Shoemaker Diaries and Letters, Henry Drinker Papers, Grace Galloway Letters and Diary, Christopher Marshall Diaries, papers of the Committee of Safety, Pemberton Papers, and many other items of value.

In addition to the Historical Society of Pennsylvania, the city of Philadelphia is the home of the Philadelphia Archives, the American Philosophical Society Collections, and the Department of Records of the Society of Friends. At the Philadelphia Archives the tax assessment ledgers for both the city and county of

Philadelphia, the Constable returns, and the Quarter Sessions Court dockets are of particular importance in locating individuals. Also housed there are several Philadelphia City Directories listing inhabitants by name, trade, and residence although these are very difficult to read and hence not as useful as might be supposed.

The New York City Public Library was mentioned before as the depository of the Loyalist Transcripts. In addition, the Bancroft Collection is located there containing Loyalist letters in the Balch Papers.

The Burton Collection in the Detroit Public Library holds the unpublished manuscript of Benson J. Lossing, "The United Empire Loyalists," whose author sent out inquiries to United Empire Loyalists in Canada. The replies he received reminisce about the experiences of the correspondents themselves or of their immediate ancestors. Most of the Loyalists whose stories are narrated originated in New York state but a few had been Pennsylvanians.

In the William Clements Library of the University of Michigan may be found an extensive collection of the papers of British generals and statesmen such as Thomas Gage, George Germaine, Lord Shelburne, and John Simcoe. The most extensive of these is the multi-volume gathering of the Henry Clinton papers. Most of these documents are involved with military matters but, as with the Carleton Papers, other items of interest may be found.

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Secondary Sources

For a discussion of the Quaker peace philosophy and its observance by members of that sect and also by the other pacifist groups in Pennsylvania see Peter Brock's Pacifism in the United States (Princeton, 1968). He shows the continued reiteration of that belief by their leaders through first the imperial wars between France and England and then during the Revolution.

American Population before the Federal Census of 1790 by Evarts B. Greene and Virginia D. Harrington (New York, 1932) presents available information on the distribution of population in the United States during the Revolution. It is from this volume that the figures were derived for use in Chapter VII. Of course, all population data for the United States before the first federal census are intelligent guesswork rather than solid statistics. This is all we have, however, and must be used, hopefully with equally intelligent reservations.

There are several other secondary sources that contributed data to the development of my thesis. For example, Consul W. Butterfield's History of the Girtys (Cincinnati, 1890) in telling the story of the four Girty brothers, three of whom joined the Indians to terrorize the frontier, also describes British provocation of Indian attacks against the Patriots. Lorenzo

Sabine's The American Loyalists (Boston, 1847) presents biographical sketches of the better known Loyalists and a historical essay on their activities. This is an introduction to the subject but the data is limited and contains occasional errors. Wilbur H. Siebert's The Loyalists of Pennsylvania (Columbus, Ohio: The Ohio State University Bulletin, Vol. XXIV, April 1, 1920) is also very helpful in identification and description of Loyalist activities. Esther Clark Wright The Loyalists of New Brunswick (Fredericton, New Brunswick, 1955) begins her study with those who elected to move to Canada rather than remain in the United States and is concerned particularly with the settlement of New Brunswick.

Since this study was undertaken to provide data not previously accumulated, reliance necessarily was placed on primary rather than secondary sources. Although historians have neglected the Loyalists in their research on the American Revolution, they were far from ignored by their contemporaries and there are ample pertinent primary sources to reward the patient researcher.

APPENDICES

APPENDIX I

CONFISCATED REAL ESTATE OF
ATTAINED LOYALISTS

TABLE I-1.--Confiscated Real Estate of Attainted Loyalists.

Attainted Owner	County, Township, Description, No. Acres	Date Sold	Price	Type Money	Name of Purchaser	Purchaser From
Adams, Jonathan	City, Sassafras St.		\$3,900		Bunner, Jacob (Capt.)	City
	Phila., No. Lib. 3a. on Wissahickon Rd. w. snuff-mill, warehouses, etc.	7/11/81	1,530*	Pa. DC	Stewart, Chris. Esq.	Dock City
	5/3/85 Supreme Ct. decreed this belonged to David Franks at time of attainder of Adams.					
	DC returned. Stewart had resold.					
Allen, Andrew	City, Sassafras betw. Third & Fourth sts. Co-owner with Richard York	1/2/81	700	Pa.	Assigned to University	
	Berks, Heidelberg, 472a. This was reconveyed to the state & resold 6/1/86 for 2,790.5 to Nicholas Brosius.	9/11/81	5,438.12*		Christie, John (Capt.)	
	Northumberland, on branches of Tunchanock & Meschappisic creeks. This sale may have been canceled.	9/4/87	268.16		Connor, John	
	Berks, Heidelberg, 311a. Northampton, Bethlehem, 2 tracts--256a. & 249a.	9/11/81	3,910.19, 3*		Craig, John (Capt.)	Northampton
	Northampton, Allen, 105a.	9/24/79	20,285.14		Doak, James	Allen
	Berks, Heidelberg, 32a.	9/24/79	4,217.15		Doak, James	
	Northampton, Allen, 107a. adj'g land Horner already owned.	6/18/82	688*	DC	Filbert, Peter	Northampton
	Northampton, Allen, 189a on Manakosy Creek	9/24/79	4,823.14		Horne, Hugh	Allen
	Northumberland, on the branches of Tunchanock & Meschappisic Creeks, 5,174a. This sale may have been canceled and money refunded.	9/24/79	8,532.16		McNair, John, Jr. (agent for forfeited estates)	
	Berks, Heidelberg, 26a.	9/4/87	2,691.17		Nicholson, John, Esq.	City
Northampton	Northampton, Bethlehem, 250a. on Manakosy Creek	6/18/81	398.7, 6*		Pleini, John	Dock N
	Bucks, Bristol, 100a.	9/24/79	(397.16)		Shade, Henry	City
	Berks, Heidelberg, 32a.	9/24/79	12,047		Shade, Henry	Northampton
	Northampton, Allen, 183a. on Manakosy Creek. Had been sold by Allen before his attainder. This amt. still owed by Starling & collected by state.	8/24/79	11,500	spec.	Sidman, Isaac (Col.)	Macungie
	Berks, Heidelberg, 27a.	6/26/81	771.4*		Stahely, Jacob (or Stelly), brewer	Berks
	City, north side Walnut, east side of Fifth, house & lot.		785		Sterling, John	Reading
	City, north side Walnut st.	6/8/82	571.11	DC	Wagler, Peter (or Megle)	
	City, north side Walnut Street.	8/28/80	20,000		Assigned to University	
	City, east side Fifth st.	8/28/80	9,000		Assigned to University	
		8/28/80	10,000		Assigned to University	
		8/28/80	7,500		Assigned to University	

Name	Property Description	Date	Value	Notes	Assigned to University	City
Allen, Isaac	City, adj'g above on Fifth St. City, west side Second St. betv. Sassafras & Mulberry, 2 ground rents	8/28/80 8/28/80	\$6,100 15,000		Assigned to University	Phila. No. Lib. City
Anderson, Stephen	Phila., No. Lib., 2 tracts - 4a. & 3a. - for life of Allen. City, Fourth St., betv. High & Chestnut	8/28/80	1,350 12,000*	cont. old cont.	Coates, William Harbeson, Benjamin	Phila. No. Lib. City
Armstrong, Francis & William	Chester, New Garden, 64a.	6/1/81	300*		Parr, James (Maj.)	City North
Arnold, Benedict	Chester, East Marlborough, 25a.	6/21/81	81.5*		Parr, James (Maj.)	City North
Arthur, Peter	Chester, Salisbury, 1/2 of 200a. (177)	4/29/86	175	Pa.	Bryce, John (Capt.)	Marcus Hook
Aspen, Matthias	Phila., No. Lib., 99a. "Mt. Pleasant" - for life of Arnold.	5/30/81	850	Pa. DC	Humpton, Richard (Col.)	City
Austin, William	Phila., Southwark, 1/2 lot on Plumb St. Phila., Southwark, Second St. lot & house	5/5/80 9/21/79	110 1,500	Pa.	Hendry, James Rowan, James	City
Bartlett, John	Chester, Newtown, 172a.	4/29/86	1,090		Bartholomew, Edward, Esq.	City
Bartram, Alexander	City, east side Water betv. High & Mulberry sts. City, north side Mulberry St., house, lot, wharf where ferry kept.	3/1/82	1,400 90,550	Pa.	Assigned to University Assigned to University	City Southwark
	Phila., Southwark, 1/2 lot & 3 houses on Second St. betv. Catharine & Almond Sts.	9/21/79	1,100		Little, James	City Southwark
	Phila., Cheltenham, 57a. Chester, 2 tracts, 63a.	3/28/87 9/4/79	710 1,540	cont.	Coltman, Robert (Capt.) Dilworth, Charles & Morton, Scetchley Dodder, Philip	City Southwark
	Northumberland, 2 tracts on Fishing Creek - 332a. & 165a. Phila., Southwark, Third & Shippen Sts., 4 houses & lot.	2/28/87	128 7,000	DC	Dunlap, John & Henry, George Hughes, John (Capt.), Esq.	Northumberland City
	Northumberland, Mahoning, 467a. 2 tracts on Roaring Creek. Northumberland, Black Hole Bottom 331 1/2a.	2/28/87	266 71.10	Pa. DC	Low, Cornelius	Northumberland Washington City
	Phila., Southwark, 2 houses & lot on Second St.	8/25/79	3,070		Peale, Charles Wilson (Agent for forfeited estates)	City Dock, S
	Northumberland, Torbet, Fishing Creek, 247a.	2/28/87	51	DC	Powers, Alexander (Lt.), Esq.	City
	Bucks, Northampton, 92a. & house. Northumberland, Mahoning, 168a. Northumberland, Mahoning, 120 1/2a.	1/1/83 8/30/81 8/30/81	607.18 80 113	Pa. Pa.	Tate, James, Dr. Wilson, William (Capt.) Wilson, William (Capt.)	City

TABLE I-1.--Continued

Attainted Owner	County, Township, Description, No. Acres	Property	Date Sold	Price	Type Money	Name of Purchaser	Purchaser From
Biles, Samuel	Bucks, Southampton, 16a., lot & house		2/8/90	\$ 286	DC	Biles, Martha	Bucks Southampton City
	Bucks, Southampton, 242a.		8/23/79	10,510	Pa.	Foulke, Mary & Morris Deborah	Southwark City
Blackford, Martin	York, Warrington, 135a.		5/1/82	1,100	DC	Thorpe, William, merchant	Walnut City
Boyer, Jacob	Lancaster, Donegall, 87a.			225		Ream, Abraham	
British Army	Phila., frame house near barracks.		11/8/80	195		Fisher, Leod	
	Phila., house near barracks.		11/8/80	400		McMullen, William	
	Phila., frame house near barracks.		11/8/80	300		Penrose, I. (Col.)	City
Burke, John	Phila., Manor Moreland, 33 1/2a.		6/22/80	6,100*	cont.	Vansant, James	Phila. Moreland
Burr, Hudson	City, Fourth betw. Sassafras & Vine		6/22/80	10,000		Assigned to University	
Butcher, John	Phila., Blockley, 56a.		6/21/80	14,800*	cont.	Dean, Joseph (Col.) Esq.	City
Campbell, Peter	City, house & lot on Chestnut St.		1/10/80	36,500	old	Caldwell, Andrew	City
	Phila., on Holland Creek, 3a.		6/22/80	600* (6,000)	cont.	Carson, Joseph	City
Carlisle, Abraham	City, Front St. betw. Sassafras & Mulberry sts.		6/26/80	20,000*	cont.	Bethall, Robert, mariner	City
	Phila., No. Lib., Front St.		8/25/79	365	Pa.	Eyre, Benjamin George	
Comely, Joseph	Phila., Manor Moreland, 100a.		6/22/80	25,100* (2,510)		Walker, Charles, yeoman	Bucks Warwick
Courtney, William	Westmoreland, Derry, 150a. on Loyalhanning Creek		10/12/82	55	DC	Huffnagle, Michael Esq.	Northampton Penn
Custard, Samuel	Northampton, Penn., 200a.		3/4/80	343		Custard, Elizabeth	
Dawson, David	Chester, West Caln, 450a.		9/4/79	17,250	DC & Pa.	Dawson, Margaret	Chester
Doan, Joseph	Bucks, Plumstead, 42a.		1/1/83	858.14	DC	Carson, Ebenezer (Capt.) gentleman	West Caln City
	Bucks, Plumstead, 108a.		1/5/83	440.8	spec. DC	Murray, Francis (Col.) Esq.	
Duche, Jacob, Jr.	City, Third St. betw. Union & Pine		5/28/81	7,750*	Pa.	McKean, Thomas (Hon.) Pres. of Congress	City Dock
Elliot, Andrew	City, Front St. betw. Walnut & Dock (for life of Elliot)			870	Pa.	Forrest, Thomas (Lt. Col.)	City Southwark, E
	City, Front St. betw. Walnut & Spruce (first set aside for state & then sold to Forrest)		5/ /81	200,000	DC	Forrest, Thomas (Lt. Col.)	City Southwark, E

		5/5/80	\$14,640	Pa.	Nesbitt, John Maxwell, merchant	City Dock, N
Phila., 11 small lots in Passyunk & No. Lib. (for life of Elliot)			38.10		Nesbitt, John Maxwell, merchant	City Dock, N
Phila., about 5a adj'g above.					Nicholson, John, Esq.	City Dock, N
Cumberland, Middletown, 173a.		9/11/89	280.10	DC		
Phila., No. Lib., 2 lots near Wissahickon Rd.		4/15/89	52		Nicholson, John, Esq.	City Dock, N
City, west side Front betv. High & Mulberry		11/6/80	30,500		Assigned to University	
Docks, Bristol, 3 lots, 2 1/2a.		8/23/79	1,070		Lunday, Ebenezer	
Phila., Southwark, 2 houses & lot, west side Second St.		9/21/79	11,490		Roll, Gotlieb	
Phila., Blockley, 1/2 of 47 1/2a.		6/21/80	15,000*	cont.	Budden, James; Lawrence, Thos.; & Dunlap, John	City
City, Stampers Alley, betv. Second & Third, house & lot.		6/26/80	8,600		Assigned to University	
City, Pine betv. Third & Fourth sts.		8/29/80	9,000*	Pa.	Evans, Benjamin, gentleman	City Dock, S
Phila., Oxford, 2 tracts - 202a. & 68a. & powder mill.		8/30/80	108,000*	cont.	Eve, Jon (John) (Capt.)	Phila. Oxford
Phila., Poplar Lane, 3a.		8/30/80	15,000		Assigned to University	
Phila., house & lot near barracks.		8/30/80	48,000		Treichell, Elias Lewis	Phila. & City, Mo. Lib.
Phila., Second St., east side, opposite barracks, house & lot.		8/30/80	51,000		Assigned to University	
Phila., Southwark, Second St., lot with house.		5/30/81	760*	Pa.	Powers, Alexander (Lt.), Esq.	City
Bucks, Durham, 4 lots, 1138a.		8/24/79	12,800		Backhouse, Richard, Esq.	Bucks
Bucks, Durham, 147a.			30	Pa.	Backhouse, Richard, Esq.	Bucks
Phila., Passyunk, about 28a.			15,520		Blaine, Ephraim & Little, John	
Chester, Ridley, Tinicum Island, 187a. (198).		9/4/79	63,418 (64,418.11)		Budden, James; Dunlap, John; Masse, John; Lieber, Thos.	City
Phila., Blockley, Indian Creek, 100a.		6/22/80	25,000*		Budden, James; Lawrence, Thos.; Dunlap, John	City
Phila., Hogg Island, 105a.		6/22/80	175,000*	cont.	Caldwell, Samuel; Masse, James; Shiell, Hugh	
Phila., Kingessing, 3 tracts & houses on Boon's Island - 11a., 6a., & 12a.		8/25/79	7,980		Dunlap, John	City
Bucks, Durham, 183a.		8/24/79	4,200		Erwin, Arthur (Col.), Esq.	
Bucks, Richland, 508a. (for life of Galloway)		8/24/79	2,090		Friess, John	
Phila., No. Lib., 44a. on Schuylkill R. with house		6/21/80	24,400*	Pa.	Hutchinson, James, Dr.	City
Chester, Ridley, Tinicum Island, 20a.		9/4/79	4,613.4	cont.	Karlne, William, yeo- man & innkeeper	Mulberry, W Chester
Phila., Passyunk, about 28a.		8/26/79	15,520		Little, John	Ches. Bor. City Southwark

TABLE I-1.--Continued

Attainted Owner	County, Township, Description, No. Acres	Date Sold	Price	Type Money	Name of Purchaser	Purchaser From
Galloway, Joseph (cont.)	City, 1/2 house & lot on north side Mulberry betw. Third & Fourth (for life of Galloway). Bucks, Bensalem, 444a. "Trevoise" (for life of Galloway).	5/28/81	\$135	Pa. DC	Parr, James (Maj.)	City North
	Bucks, Bensalem, 444a. "Trevoise" (for life of Galloway).	8/23/79	4,600	cont.	Wilkinson, James (Gen.), Esq.	
	Bucks, Bensalem, 160a. (for life of Galloway)	8/23/79	1,645 (or 6580)		Young, John, Jr., merchant	City High
Gordon, Harry	City, 2 lots: 1. cor. Walnut & Fourth 2. on Walnut adj'g #1.	4/27/91	10	DC	Meade, George, merchant	City
	Bedford, Franks, near Frankstown, 2 tracts - 1.495a. & 325a.	4/18/82	2,005	DC & money	Woods, James	Cumberland E. Pennaborough
	Sale subsequently voided & money returned.					
Gordon, Thomas, Jr.	Phila., Oxford, 1/6 of (1-10a.) lot.	11/8/80	10,000		Salter, Jno.	Phila. Oxford
Griswold, Joseph	Phila., Mo. Lib., 58a.	6/21/80	60,000*		Budden, James; Lawrence, Thos.; Dunlap, John	City
	Phila., Mo. Lib., 30a.	8/30/80	27,000*		Budden, James, Lawrence, Thos.; Dunlap, John	City
Harding, George	Phila., Southwark, Third St. betw. South & Shippen Sts.	9/20/79	950		Compt. John (Capt.)	
	Phila., Mo. Lib., betw. Third & George Sts., a lot.	9/20/79	900		Lawrence, William	
	Phila., Southwark, lot on Third St. with house.	9/21/79	2,300		Osborne, Henry, Esq.	
Hare, Jacob	Bedford, Hopewell, 300a.	9/21/79	650	DC	Brody, Samuel (Capt.) & Reed, James R. (Maj.)	City
Handerson, John	City, Second St. betw. Walnut & Spruce Sts.		49,000*	cont.	Dean, Joseph (Col.), Esq.	City
Hicks, Gilbert	Bucks, Middletown, 47a., 5 lots	8/24/79	4,030		Hicks, Isaac	
	Bucks, Middletown, 2 lots & house, less than 1a.	6/28/80	11,200	cont.	Johnston, Garshon	
Holder, John, Jr.	Northampton, Penn, 200a.	9/23/79			Lovry, John	
Hook, Christian	Northumberland, Augusta, upper Wappalapan Creek, 830a.	8/28/81	110	spec. DC	Bower, Jacob (Capt.), Esq.	Berks Richmond
	Berks, Brunswick, 904a., 3 tracts	11/1/79	4,010		Haller, Henry, Esq. (Halle)	Berks Richmond
	Northampton, 301a.	5/21/96	135.9		White, William (Rev. Dr.)	City
	Northampton, 6 tracts on Lackawanic Creek & 1 tract on Shewhakin Cr.	9/20/87 & 10/22/88	1,482.16		White, William (Rev. Dr.)	City
	Northampton, 301a., near the above	5/21/96	\$364.92		White, William (Rev. Dr.)	City

Name	Property Description	Date	Amount	Notes	Location
Houssecker, Nicholas	Lancaster, Lebanon, house & lot.	1/11/82	\$2,200*		York Yorktown
	Lancaster, Lebanon Town, 5a.	1/11/82	775	spec. DC	
Jackson, John	Chester, East Marlborough, 3a.	6/21/81	71*		City North
Jones, David	Phila., Moreland, 1/3 of 18a., 1/3 of 16a., & 1/3 of 40a.	11/8/80	8,500	cont.	City
	City, Dock betv. Second & Third.	5/28/81	2,765*	Pa.	
Jones, Edward	Bucks, Hilltown, 100a.	8/24/79	4,740		
Jones, Holton	Phila., Germantown, 1 1/4a.	7/21/80	11,100*	cont.	City
Jones, Jonathan	Bucks, Hilltown, 100a.	8/24/79	5,090		Bucks
Knight, John	Phila., Abington, 107a.	8/30/80	41,000		
Knight, Joshua	Phila., Abington, 10a.		11,600*	cont.	Phila. Moreland
	Phila., Abington, 2 tracts - 100a. & 24a.	6/22/80	37,000*		Phila. Oxford
Koster, John	Berks, Brunswick, 184a.	6/18/81	397.6.11*	DC Pa.	Berks Reading
Lewis, Curtis	Chester, East Caln, Conestogo Rd., 235a. & 154a.	8/25/79	22,000	cont.	
	Chester, Caln, 144a.		17,000		
	Chester, West Bradford, 245a.		4,900		
Looseley, Robert	City, north side of Walnut, betv. Front & Second.		14,500		
Loughborough, John	Phila., Bristol, Manor Moreland, 126a.	6/22/80	20,400*		Phila. Moreland
Mackiness, Thomas	Phila., Mo. Lib., lot & 5 houses corner Vine & Third	9/18/79	21,000		
Maddock, William	Chester, Ashton, 79a.	9/4/79	4,100	cont.	
Marchinton, Philip	Chester, West Bradford, 402a.	6/21/78	650*		City Mulberry W
	Chester, West Bradford, 79a.	6/21/81	75*		City North
Meredith, John	Bucks, New Britain, 100a. (for life of Meredith).	6/18/81	361	Pa. DC	Bucks
	Phila., Lower Merion, 1/4 of tract said to con- tain 65a. Question whether state got this.	4/13/87	130	DC	
Mapp, George	City, house & lot on Front betv. Sassafras & Mulberry.	8/28/80	44,000*		City Middle
Overholts, John	Bucks, Tinticum, 235a.	6/18/81	1,200*	spec. DC	Phila. Moreland

TABLE I-1.--Continued

Attainted Owner	County, Township, Description, No. Acres	Date Sold	Price	Type Money	Name of Purchaser	Purchaser From
Parrock, John	City, Water St. betw. Sassafras & Mulberry	5/28/81	\$1,090*	Pa.	Bunner, Jacob (Capt.)	City Dock City
	Phila., Mo. Lib., Old York Rd. & Hickory Lane, 3a.	6/22/80	11,900*	old cont.	Caldwell, James	City
	City, Second, & Sassafras, House & lot	6/27/80	40,000*		Geiger, Jacob; Schaffer, John; Wertz, Christian	City
	Phila., Mo. Lib., house & lot 47(54)a.	9/20/79	27,600		Morgan, Jacob, Jr. (Col.), Esq.	City
	City, lot north side Sassafras with stable	6/26/80	13,200*		Paris, Peter, Innkeeper	City Mulberry, E
	City, Water & Sassafras Sts. ext'g into Delaware R.	5/28/81	1,850*	Pa.	Par, James (Maj.)	City North
	City, house & lot on Sassafras betw. Front & Second	11/6/82	16,150*	cont.	Phillips, Jonas	
	City, Water betw. Sassafras & Mulberry Sts. lot & workshops.	5/28/81	560*	Pa.	Simpson, Michael (Capt.)	Lancaster or City
	City, lot, wharf, & house, Water & Sassafras sts.	5/28/81	1,305*	DC	Weidman, John (Lt.)	
	City, Water betw. Sassafras & Vine sts.	5/28/81	1,515*	Pa.	Zeigler, David (Capt.)	
	City, east side Water & north side Sassafras sts.	1/2/81	500	Pa.	Assigned to University	
	City, Sassafras betw. Front & Second Sts.	6/26/80	10,500		Assigned to University	
	City, cor. Front & Water sts.	6/26/80	20,100		Assigned to University	
	City, 2 ground rents, west side Water & east side Front betw. Sassafras & Mulberry sts.	6/26/80	5,800		Assigned to University	
	City, ground rent south side Sassafras betw. Front & Second sts.	6/26/80	600		Assigned to University	
	City, cor. Second & Sassafras Sts.	6/26/80	40,000		Assigned to University	
	City, east side of Second St., north side of Sassafras St.	6/26/80	28,000		Assigned to University	
	City, 2 ground rents east side Front & north side Sassafras St.	6/26/80	2,800		Assigned to University	
	City, 2 ground rents, south side Sassafras betw. Front & Second.	6/26/80	1,900		Assigned to University	
	City, 4 ground rents, south side Vine & east side Second St.	6/26/80	1,410		Assigned to University	
	City, house rent east side Second betw. Vine & Sassafras Sts.	6/26/80	850		Assigned to University	
Pastorinas, Abraham	Phila., Germantown, one majority of a 43a lot.	11/28/80	7,000		Assigned to University	
Paxton, Joseph	Puoks, Middletown, 125a.	4/11/82	875		Assigned to University	
Perlie, Peter	Bucks, Durham, 164a. Nulton sold to John McCamon but ejectment brought & McCamon lost.	6/28/80	yrly value 35 6,600	Pa.	Nulton, Thomas	

Potts, John	Phila., Douglass, 235a. near Potts Grove on Schuylkill.	9/18/79	\$20,100	Potts, Jonathan, Dr.	
	Phila., Douglass, Potts Town, lot King's Queen, & Hanover sts.	9/18/78	6,700	Sinclair, Arthur (Maj. Gen.)	
Rankin, James	York, 4 tracts - York 313a., Newberry 184a., 145a., & 251a.		15,738.15	Smith, James & Yeates, Jasper	York
	York, Newberry, 151a.	10/24/79	3,505	Harris, Robert, Dr.	Yorktown
	York, Yorktown, 377a.	10/14/79	35,201	Leatherman, Conrad, merchant	York
	York, Newberry, 133a.	10/15/79	1,869 (2,876)	McMaster, John, carpenter	Newberry
	York, 120a. - 40 in Newberry & 80 in Dover adj'g.	5/1/82	1,001	Powers, Alexander (Lt.), Esq.	City
	York, Newberry, 92a.	10/15/79	70	Rankin, John (Capt.), Esq.	
	York, Newberry, 73a.	10/25/79	100.10	Rankin, William	
Rankin, John	York, Newberry, 63 3/4a.	10/23/79	825	Johnson, Thomas	City
	York, Newberry, 81a.	5/1/82	65	Powers, Alexander (Lt.), Esq.	City
	York, Newberry (Dover), 90a. (99)	5/1/82	834.4	Powers, Alexander (Lt.), Esq.	City
Rankin, William	York, Newberry, Flinging Rock, 150a.	5/1/82	500	Crispin, William	City
	York, Newberry, 300a.	5/1/82	2,886	Crispin, William	Walnut
	York, Newberry, 1/2 of 500a.	5/1/82	1,302	Crispin, William	City
	York, Newberry, 2/3 of 400a.	5/1/82	455	Hubley, Bernard (Capt.)	Walnut
	York, Newberry, 223a.	5/1/82	355	Hubley, Bernard (Capt.)	City
	York, Managhan, 140a.	5/1/82	661	Hubley, Bernard (Capt.)	City
	York, Newberry, 50a.	5/1/82	325	Powers, Alexander (Lt.), Esq.	City
	York, Newberry, 202a. house & barn.	5/1/82	1,310	Thorpe, William, merchant	City
	York, Newberry, 139a. adj'g above.	5/1/82	1,365	Thorpe, William, merchant	Walnut
Reid, John	Bucks, Tinicum, 3 lots, 449a.	1/15/82	508.3.6	Burns, Samuel	Phila.
	Bucks, Tinicum, 102a.	1/15/82	141.3	Carson, Ebenezer, (Capt.), gentleman	Upper Merion City
	Bucks, Tinicum, 222a.	1/15/82	211.6.6	Coxe, Joseph (Lt.)	
	Bucks, Tinicum, 2 lots, 293a.	1/15/82	909.2.8	McIntire, Thomas	
	Bucks, Tinicum, 135a.	1/15/82	65.19.6	Murray, Francis (Col.), Esq.	
	Bucks, Tinicum, 2 lots, 212a.	1/15/82	285.16	Powers, Alexander (Lt.), Esq.	City
Rhine, George	Lancaster, Earle, 150a.		30,000	Crawford, James (Col.)	Lancaster
					Lampeter, Leacock, & Earl

TABLE I-1.--Continued

Attainted Owner	County, Township, Description, No. Acres	Date Sold	Price	Type Money	Purchaser	Purchaser From
Rhine, John	Lancaster, Earle, 167a.	8/25/79	\$22,200	Pa. old cont.	Syng, Charles, merchant	City North
Rhodes, William	Phila., Southwark, Catherine St. betw. Front & Second.	6/22/80	4,100*	Pa.	Alexander, Charles (Capt.), mariner	Phila. Southwark
Roberts, John	Phila., Lower Merion, 100a. Note that Clymer resold to Wm. Eckart	8/26/79	4,000 (4,510)		Clymer, Daniel Esq.	
	Phila., Lower Merion, 2 tracts - 300a. & 78a.	6/22/80	271,600*		Milner, Edward	Bucks New Britain
Roberts, Nathan	Phila., Bristol, 1/5 of 250a. May have bought this with Lt. John Wiedman	5/30/81	810	DC	Rice, William (Capt.)	
Roberts, Owen	Bucks, New Britain, 6a.	8/23/79	117	cont.	Dorough, Henry (Dorrach)	
Robeson, John	Phila., Whitpain, 75a w. house.	5/30/81	715*	DC	Milnes, Edward	
Romick, Joseph	Northampton, Macungie, 105a.	5/1/81	350	spec.	Pettigrew, James (Lt.)	
Ross, Alexander	Westmoreland, both sides of Braddock Road, 3,229a.	10/12/84	2,250	DC	Bayard, Stephen (Col.)	
	Westmoreland, Bullock's Pen, at Nine Mile Run on Braddock's Rd. 150a.	10/12/84	25	DC	McClure, Abdiel	
	Washington, Braddock's Upper Crossing West side Monongahela, 14 miles from Fort Pitt, 300a.	10/12/84	35	spec.	McKee, James	
Ross, William	City, north side Walnut betw. Front & Second sts.	8/28/80	18,200		Assigned to University	
Shoemaker, Samuel	Phila., No. Lib., lot Front & Water sts.	9/28/79	680		Britton, Thomas	
	Phila., No. Lib., rent charge on lot in Water St.	9/28/79	1,520		Britton, Thomas	
	Phila., No. Lib., Poplar Lane, 4a.	6/22/80	4,900*		Coates, William (Col.)	Phila. Co. No. Lib. & City
	Phila., No. Lib., 1a. on Frankford Road & Shackamaxon St.	6/5/80	3,700		Eyre, Benjamin George	
	City, 3 rent charges (for life of Shoemaker), one on High St., two on Fourth St.	8/28/80	4,050		Geiger, Jacob	City Upper Delaware
	City, Mulberry betw. Front & Sec. sts., house & lot	11/23/79	39,100		Haynes, George	
	Phila., No. Lib., 76a. on Point-no-Point Rd. (for life of Shoemaker)	6/5/80	12,400		Hutchinson & Wilhoff, Peter & Isaac	
	City, Fourth betw. Sassafras & Mulberry sts. (for life of Shoemaker)	8/28/80	3,800	cont.	Knorr, George	
	City, Water St. 1. lot & house, stores 2. lot & house opposite #1.	8/21/80	186,000	cont.	Lacase, James & Mallet, Michael, gentlemen	City

	City, Fourth St. betw. Sassafras & Mulberry sts. (for life of Shoemaker) Note: On 10/5/80 Levy transferred property to Fred. Greinor, City, tailor, for \$3,350. Yet the SEC issued title to Levy on 5/30/81. Phila., Mo. Lib., 29a. on Schuylkill Rd. (for life of Shoemaker) City, north side of Market betw. Front & Second sts. (for life of Shoemaker) City, 6 ground rents, northwest cor. Second & High sts. Chester, West Caln, 78a.	2/20/82 8/26/80 8/21/80 6/21/81	\$3,350 5,000 7,800 5,000 446	Pa. Pa. DC Pa. Pa.	Levy, Elicazar (Eleanor) Parr, James (Maj.) Stimble, Matthew Assigned to University Hutchinson, James, Dr.	City North City High City Mulberry W
Smith, Alexander	Westmoreland, 6 miles east of Redstone Fort, 300a. City, west side Third & south side Union sts. Phila., Southwark, 2 lots & 2 houses on Queen St.	10/12/79 6/26/80	202 5,200 13,010	DC	Craig, John (Capt.) Assigned to University Peale, Charles Wilson Esq., agent for for- feited estates Bay, Jacob, type founder	City Dock S Phila. Germantown City
Smith, John	Phila., Germantown, house & lot on Main St., 1a+	9/18/79	4,200		Carson, Joseph	City
Sower, Christopher	Phila., Mo. Lib., 2 lots - 2 3/4a. & 1/4a. Phila., Germantown, 2 tracts - 6a. & 3/4a. Phila., Roxborough, 7 lots, 70a. Phila., Roxborough, 83 3/4a. Phila., Roxborough, 2 lots on Wissahican Rd. 82a. & 77a. Phila., Germantown, 3 lots, 26a. Phila., Germantown, 6 1/2a. on Abington Rd. Phila., Roxborough, 11a. Phila., Bristol, 19 1/2a. City, Walnut & Front sts., house & lot	9/18/79 9/18/79 9/18/79 9/18/79 10/9/79 9/18/79 9/18/79 9/18/79 9/18/79 9/28/79 6/21/80 9/18/79	2,560 1,610 17,610 13,207.10 5,150 9,930 1,670 6,000* 2,820* 14,400	old cont. old cont. cont. cont. cont. cont. cont.	Carson, Joseph Carson, Joseph Clymer, Daniel, Esq. Clymer, Daniel, Esq. Morgan, Jacob, Jr. (Col.) Esq. Bull, John (Col.) Geddis, George (Capt.) Harbeson, Benjamin Rex, Abraham Wirtz, Christian (Maj.)	City City City City City City Lancaster Lancaster Berks Reading & Brunswick City
Sower, Christopher, Sr.	Berks, Reading, Lot #26 of Reading out lots, 5a.	11/1/79	220	Pa.	Hailes, Henry, Esq.	City
Sower, Christopher, Jr.	Berks, Reading, Lot #6 of Reading out lots, 5a.	11/1/79	700	Pa.	Morgan, Jacob, Jr. (Col.), Esq.	City
Sproat, David	Northampton, Macungie, 112a. Northampton, Macungie, 127a.	4/24/82 4/24/82	160 (163) 245		Ladlie, Andrew, Dr. McConnell, Matthew (Capt.)	City
Stedman, Alexander	Phila., Southwark, Moyamensing Rd. ground rent.	8/26/79	120		Young, John, Jr., merchant	City High
Stinninger, Henry	Bucks, Warwick, 2a. and Bucks, New Britain, 42a. - adj'g.	8/24/79	7,300		Flack, Samuel & Joseph	

TABLE I-1.--Continued.

Attainted Owner	County, Township, Description, No. Acres	Date Sold	Price	Type Money	Purchaser	Purchaser From
Swanwick, Richard, cont.	Chester, West Caln, 287a.	6/21/81	\$600*		Johnston, Francis (Col.)	
Taylor, Isaac	Phila., Whitpain, one majority of 100a.	11/8/80	20,200		Assigned to University	
Thomas, Arthur	Phila., No. Lib., Second betw. Vine & Callowhill sts., lot & house.	8/25/79	5,000		Sternfield, George	
Thomas, Evan	Bucks, Hilltown, 50a. (64)	6/18/81	330*	spec. DC	Brenner, George	
Thomas, Joshua	Northampton, Penn. 142a.		960.15		Funston, James & John	
Thomas, William	Northampton, Penn. 120a.	9/24/79	131.10.3		Balliets, Stephen	
	Northampton, Penn. 151a.	4/24/82	57 or 570	Pa. or DC	Barclay, John (Capt.), Esq.	Bucks
	Northampton, Penn. 193a., Lizard Cr.	9/24/79	2,798.10	cont.	Crossley, George	
	Northampton, Penn. 152a.	9/23/79	1,368		Custard, George	
	Northampton, Penn. 154a.		207.18		Hicker, Adam & Steckel, Jacob	
	Northampton, Penn. 174a.	9/24/79	5,980 (5,307)		Marwell, John, Jr.	
	Northampton, Penn. 107a. on Lizard Creek	9/23/79	228.6		Thomas, William	Bucks Springfield
Thompson, David	Phila., Southwark, Almond St., near old fort, house & lot.	8/26/79	1,310		Baker, Charles, shopkeeper	City
	Phila., on Delaware, where old fort once stood, wharf & house.	8/25/79	17,150		Bunbar, Andrew; Leaming, Thos., Jr.; Murray, John; Fisher, Jos. Coleman)	City Dock
Tolley, John	Phila., Southwark, lot cor. Catharine & Front.	9/29/79	1,500		Compy, John (Capt.)	City
	Phila., Southwark, 6 houses on lot cor. of Christian & Second sts.	8/25/79	5,100		Duncan, David, merchant	Lower Delaware
	Phila., Southwark, Catharine St., house & lot.	6/22/80	3,400*	cont.	Robertson, Patrick, gentleman	City
Vernon, Gideon	Chester, Lower Providence, 42a.		1,307.16		Oliver, Alexander	
Voght, Christian	Lancaster, co. & borough, house & lot in Queen St.	1/11/82	500.5		Graff, George, Esq., attorney	Lancaster
Wellfing, Henry	City, 1. house & lot on High betw. Fifth & Sixth sts. 2. rent charge on adj'g lot.	10/4/79	16,900	cont. Pa.	Long, James (Capt.)	City
Wertman, George Philip	Northampton, Linn, 1/2 of 2 lots - 215a. & 121a.	4/24/82	117	spec.	Rice, William (Capt.)	

Whitman, Michael	Lancaster, Cocolico, 4 tracts - 29a., 59a., 99a., 47a.	\$25,000	Dieffenderfer, Michael	
Willet, Walter	Bucks, Southampton, 172a.	7,000	Willet, Martha	Bucks Warminster
Williams, Daniel	Phila., Horsham, 1/5 of 5a., log house.	1,010	Rowney, Thomas, weaver	York Tyrone
Wilson, John, Jr.	York, 100a., half in Tyrone & half in Huntington Twp.	291	Delap, William, brewer	Phila. Germantown
Wright, John	Phila., Hatfield, 50a.	5,100*	Farries, Owen (Capt.), Esq.	City
Wright, Jonathan	Phila., Hatfield, 101a.	11,400*	Dean, Joseph (Col.), Esq.	City
Yeldall, Anthony	Westmoreland, German & Manallin, 295a. on Dunlop's Creek	81	McDonald, James	
	Westmoreland, German, 156a. on Brown's Run	31	Torance, Joseph	
York, Richard & Adams, Jonathan	City, Sassafras betw. Third & Fourth sts.	1,400	Assigned to University	
Young, John	Northampton, Forks, 1/2 of 832a. on Bushkill Creek	17,056.6	Smith, William, Dr.	City
Younken, Henry	Phila., Springfield, 115a.	17,010	Farries, Owen (Capt.), Esq.	Phila. Germantown

KEY: Price - given in pounds unless otherwise noted.
 * - signifies that one-fourth purchase price was paid to University.
 Pa. - Pennsylvania currency.
 DC - Depreciation certificates.
 cont. - Continental currency.
 spec. - Specie.
 Phila. - Philadelphia County, the area around the city.

APPENDIX II

HOME AND TAX STATUS OF LOYALISTS
LISTED IN APPENDIX I

TABLE II-1.--Home and Tax Status of Loyalists Listed in Appendix I.

Attainted Owner	County	Township (Ward)	Tax Year	Highest Tax Paid by Any	Total Township Taxpayers	Number Persons Who Paid More	Percent Persons Who Paid More
Adams, Jonathan	Phila. Co.	No. Liberties	1769	527.19.0	171	18	10.5
Adams, Jonathan	City	Middle	1774	1,012.9.8	186	85	45.7
Allen, Andrew	City	Dock	1774	1,206.16.8	385	8	2.1
Allen, Isaac	City	Upper Delaware	1774	1,923.10.2	97	59	60.8
Arthur, Peter	Phila. Co.	Southwark	1774	890.15.0	248	248	100
Aspden, Matthias	City	Upper Delaware	1774	1,923.10.2	97	26	26.8
Austin, William	City	Upper Delaware	1774	1,923.10.2	97	13	13.4
Bartram, Alexander	City	Middle	1774	1,012.9.8	186	105	56.4
Blackford, Martin	York	Warrington	1781	21.1.0	219	164	74.9
Burke, John	Phila. Co.	Moreland	1779	334	221	99	44.8
Burr, Hudson	City	Middle	1774	1,012.9.8	186	120	64.5
Butcher, John	Phila. Co.	Blockley	1774	280.4.8	87	32	36.8
Campbell, Peter	City	Upper Delaware	1774	1,923.10.2	97	31	31.9
Carlisle, Abraham	City	Mulberry	1774	654.0.0	428	198	46.3
Comely, Joseph	Phila. Co.	Moreland	1774	63.2.0	182	65	35.7
Duche, Jacob, Jr.	City	Dock	1774	1,206.16.8	385	112	29.1
Ensor, George	Phila. Co.	Southwark	1774	890.15.0	248	192	77.4
Evans, Joel	City	Dock	1774	1,206.16.8	385	385	100.
Evans, William	City	Dock	1774	1,206.16.8	385	385	100.
Evans, William	Phila. Co.	No. Liberties	1774	768.2.8	220	94	42.7
Eve, Oswald	Phila. Co.	No. Liberties	1779	123.10.0	610	81	13.3
Pegan, Lawrence	City	Middle	1774	1,012.9.8	186	165	88.7
Fox, John	City	Middle	1774	1,012.9.8	186	14	7.5
Galloway, Joseph	Phila. Co.	No. Liberties	1774	768.2.8	220	40	18.2
Griswold, Joseph							

Harding, George	Phila. Co.	Southwark	1774	890.15.0	248	165	66.5
Hare, Jacob	Bedford	Hopewell	1776	.7.4	70	1	1.4
Henderson, John	City	Dock	1774	1,206.16.8	385	176	45.7
Hook, Christian	City	Mulberry	1779	125.0.0	574	200	38.3
Houssecker, Nicholas	Lancaster	Lebanon	1773	2.0.0	385	247	64.2
Jones, David	City	South	1779	357.10.0	150	36	24.0
Jones, Holton	Phila. Co.	Germantown	1774	185.6.1	296	115	38.9
Knight, Joshua	Phila. Co.	Abington	1774	98.11.0	113	24	21.2
Knight, John	Phila. Co.	Abington	1774	98.11.0	113	42	37.2
Loosely, Robert	City	Dock	1774	1,206.16.8	385	241	62.6
Loughborough, John	Phila. Co.	Moreland	1774	63.2.0	182	35	19.2
Makiness, Thomas	City	Mulberry	1774	654.0.0	428	428	100.
Ming, Melchior	Phila. Co.	Germantown	1774	185.6.1	296	34	11.5
Napper, George	City	Mulberry	1774	654.0.0	428	183	42.8
Parrock, John	City	Mulberry	1774	654.0.0	428	4	9.3
Pastorias, Abraham	Phila. Co.	Germantown	1774	185.6.1	296	250	84.5
Rankin, John	York	Newberry	1779	480.0.0	320	134	41.8
Rankin, William	York	Newberry	1779	480.0.0	320	57	17.8
Rhine, George	Lancaster	Earle	1773	3.0.0	270	20	7.4
Rhine, John	Lancaster	Earle	1773	3.0.0	270	80	29.6
Rhodden, William	Phila. Co.	Southwark	1774	890.15.0	248	197	79.4
Roberts, John	Phila. Co.	Lower Merion	1774	164.15.0	133	1	0.8
Robeson, John	Phila. Co.	Whitpain	1779	62.	110	14	12.7
Ross, William	City	Walnut	1774	397.6.8	59	27	45.8
Romich, Joseph	Northampton	Macungie	1772	23.3.4	177	82	46.3
Shoemaker, Samuel	City	Upper Delaware	1774	1,923.10.2	97	9	9.3
Smith, Alexander	City	Dock	1774	1,206.16.8	385	356	90.9
Smith, John	Phila. Co.	Southwark	1774	890.15.0	248	44	17.7
Sower, Christopher, Sr.	Phila. Co.	Germantown	1774	185.6.1	296	7	2.4
Sproat, David	City	Dock	1779	466.5.0	328	67	20.4
Stedman, Alexander	City	Mulberry	1774	654.0.0	428	428	100.

TABLE II-1.--Continued

Attainted Owner	County	Township (Ward)	Tax Year	Highest Tax Paid by Any	Total Township Taxpayers	Number Persons Who Paid More	Percent Persons Who Paid More
Story, Enoch	Phila. Co.	Southwark	1779	281.10.0	733	325	44.3
Thomas, Arthur	Phila. Co.	No. Liberties	1774	711.9.0	254	110	43.3
Thomas, Joshua	Northampton	Penn	1772	4.16.0	33	8	24.2
Thomas, William	Northampton	Penn	1772	4.16.0	33	2	6.1
Thompson, David	Phila. Co.	Southwark	1774	890.15.0	248	88	35.5
Vought, Christian	Lancaster	Lancaster Bor.	1773	44.0.0	436	72	16.5
Welfling, Henry	City	North	1774	698.11.7	236	117	49.6
Wertman, George	Northampton	Lynn	1772	8.12.0	127	108	85.0
Wilson, John	York	Huntington	1782	28.6.6	236	42	17.8
Witman, Michael	Lancaster	Cocolico	1773	4.0.0	241	98	40.7
Wright, Jonathan	Phila. Co.	Hatfield	1774	34.12.0	67	18	26.9
Wright, John	Phila. Co.	Hatfield	1774	34.12.0	67	46	68.7
Younken, Henry	Phila. Co.	Springfield	1774	49.5.4	66	7	10.6

