

When Lancaster Was Pennsylvania's Capital

BY GEORGE L. HEIGES

Continued from Vol. LVI, p. 84

July The Fourth 1804 in Lancaster

The *Lancaster Intelligencer* in the issue of July 3, 1804, gave to its readers the information that "His Excellency, The Governor of Pennsylvania arrived in this borough, on Thursday last [June 28] in good health." Six days later—on July Fourth, Governor McKean participated in the Independence program in Lancaster, the seat of government, as he had done on the same day in the previous year. The 1804 celebration in Lancaster was an elaborate all-day program and apparently executed without a jarring note.

In this Borough, the American Anniversary was celebrated with more than usual solemnity. . . .

At Day-light, a Morning-gun was fired, and the bells of the several churches were rang; and with proper intervals, continued ringing throughout the day.

At 10 o'clock, a Procession was formed in front of Franklin College, to wit:

The Lightinfantry Company, commanded
by Captain Atlee, in front
Militia Officers of the Borough.
Orator of the Day, and Gentleman appointed
to read the Declaration of Independence.
Secretary of the Commonwealth and Assistant-Secretary.
State treasurer and Comptroller general.
Register-general and Surveyor-general
Secretary of the Land office and Surveyor-general.
Chief Burgess and Second Burgess.
Assistant Burgesses.
Borough Officers.
Citizens.

The Procession moved down Duke street to King street, and thence, along that street, to Queen street, passing the house of Mr. Thompson, Secretary of the Commonwealth; where the Lightinfantry saluted the Governor; and the Procession moved on up Orange street to the English Presbyterian Meetinghouse. In front of the Meetinghouse, the Lightinfantry opened to the right and left, and the Procession entered. The Lightinfantry piled arms and took the seats reserved for them.

The ceremony was opened by an excellent and appropriate Prayer, by the Reverend Mr. Latta. The Declaration of Independence was then read by Col. Matlack, the Master of Rolls. An appropriate Oration was next delivered by the Rev. Mr. Latta; in which he pointed out a variety of important and singular events, which demonstrated that a Divine Providence favored our Revolution. . . . The public ceremony was closed with Prayer, by the same Rev. Gentleman.¹

The Lightinfantry formed and, in a suitable place, fired a Federal Salute.

At half after 12 o'clock, the Officers of Government, the Borough Corporation, Officers of the Militia, Company of Lightinfantry, and Citizens, paid the compliments of the day to the Governor. . . .

At 2 o'clock, the Governor, Officers of Government and a number of other citizens met at the house of Mr. Leonard Eicholtz, where an elegant dinner was provided. At the Table a Blessing was asked by the Rev. Mr. Latta.

Col. Matlack was appointed Chairman, and Captain William Dickson, Assistant. After Dinner, (17 toasts were drunk) . . .

The Governor having retired, the following Toast was drunk, to wit:

Thomas McKean, our Governor. His Learning, his Experience, and inflexible firmness in supporting the Rights of the People, at all times, entitle him to our Gratitude; while his Moderation and Liberality, respecting the Weakness of others, claim our respect and excite our admiration. . . .

The Day was closed with an evening-gun.

—*Intelligencer*

July 10, 1804

The Death and Funeral of Elbert Halsted

A member of the Lancaster household of Secretary of the Commonwealth Thomas McKean Thompson was Elbert Halsted, brother to the wife of the secretary. It may be remembered that in the house on North Queen Street occupied by the Thompsons, there lived Governor McKean, who was an uncle to the secretary, and at times John Halsted, father of both Elbert and the secretary's wife. Death came to this home in September 1804 when Elbert, age 24, a clerk in the secretary's office, died, and was buried in the Presbyterian Burying ground.

On Monday evening, the 3rd inst. died here, after 11 days illness, Mr. Elbert Halsted, in the 25th year of his age, and on Wednesday, was interred in the Presbyterian Burial ground. The corpse was preceded by such of the Society of Free Masons and of the Clergy, as were in the Borough. Mr. Thompson, Secretary of the Commonwealth and his Lady, Sister of the deceased, being absent, on a visit to her Father in New Jersey, the corpse was followed by the principal officers of Government and their Families and by the Clerks of the several Offices, of which he had been one, as Mourners and by a very great number of citizens. At the grave, an exhortation was delivered by the Rev. Latta.

—*Lancaster Intelligencer*

Sept. 11, 1804

¹ Rev. Francis Allison Latta was a son of Rev. James Latta, for thirty years pastor of Chestnut Level Presbyterian Church. Francis was also pastor there but in 1805 was principal of the Young Ladies Academy in Lancaster.

Pennsylvania Chooses Presidential Electors

During the summer of 1804, politically minded men as well as those who were truly interested in the welfare of the republic, were giving thought to the matter of choosing presidential electors. Cognizant of the proceedings in 1800 when a special session of the Pennsylvania assembly had to be convened to choose electors, the authorities moved early to forestall any such recurrence. A special election for "electors for President and Vice President of the United States" was announced by proclamation, such election to be held on Friday, the second day of November 1804.

Two tickets for electors appeared in the field, the Republican and the Federal. The second named group was such a decided minority that it seems only important to mention the Republican electors for Pennsylvania. There were twenty of them, and each man was, in the respective community from which he was selected, a highly respected citizen. These then were the Republican electors for Pennsylvania.

Charles Thomson, Montgomery County
William Montgomery, Northumberland County
Matthew Lawler, Philadelphia
Robert McMullin, Philadelphia
William Brooke, Delaware County
Thomas Long, Bucks County
Francis Swaine, Montgomery County
Henry Speering, Northampton County
James Boyd, Chester County
Peter Frailey, Berks County
Casper Shaffner, Jr., Lancaster County
John Bowman, Cumberland County
William Brown, Mifflin County
George Smith, Lycoming County
Jacob Hostetter, York County
Jacob Bonnett, Bedford County
James Montgomery, Westmoreland County
John Minor, Greene County
John Hamilton, Washington County
Nathaniel Irish, Alleghany County

The Republican ticket won the election on November 2, and these men were duly chosen by the electorate of Pennsylvania to be that state's presidential electors. The complete returns for the state showed 22,103 votes for the Republican ticket, headed by Charles Thomson, and 1,179 votes for the Federal ticket, headed by George Latimer. In Lancaster County the Republicans polled 1,262 votes and the Federals 29 votes.

From Lancaster on November 19, Governor McKean issued a proclamation which called upon the duly elected electors "of a President and Vice President of the United States to serve at the election in their behalf to be held at the Seat of Government (being the Borough of Lancaster in the County of Lancaster)". The electors were accordingly officially notified of the election to be held on December 5 by two men, William Boyd and Thomas Butcher, who taking to their horses, and each using a different route, rode express to the homes of the twenty electors. For this service to the state, Messrs. Boyd and Butcher received as payment, five dollars a day, plus 35c

a mile for the use of their horses. William Boyd rode 245 miles in the discharge of his duty and Thomas Butcher rode 317 miles.²

Twenty-ninth Session of Pennsylvania Assembly Opens

The following newspaper items record the opening of the 1804-05 session of the Pennsylvania Assembly, which apart from its regular business, had also on its agenda, two important and unusual events. One was the meeting of the electors who would vote for a President and Vice-President. The other was the impeachment of the Chief Justice of the Supreme Court of the State and two of his associates.

The Legislature of Pennsylvania are to meet in this Borough on Tuesday next, and the Election of President and Vice-President of the U. S. on the following day.

—*Lancaster Intelligencer*
November 27, 1804

This being the constitutional day, for the meeting of the Legislature, it is probable, from the numbers of members in Town last evening, that each house will be organized, and ready to proceed to business.

We understand that Gen. Montgomery, one of the electors of President and Vice-President of the U.S. is indisposed, and not able to attend the meeting of the Body, in which case, The Legislature are by Law, appointed to fill the vacancy.

—*Lancaster Intelligencer*
December 4, 1804

His Excellency, The Governor, arrived at the Seat of Government on Saturday last.

—*Lancaster Intelligencer*
December 4, 1804

On Tuesday last the Legislature of this State assembled at the Seat of Government. A quorum appearing in each House, the Senate unanimously re-elected Robert Whitehill, their Speaker, and Simon Snyder was also unanimously re-elected Speaker of the House of Representatives.

—*Lancaster Intelligencer*
December 11, 1804

Presidential Electors Vote for Jefferson

Considering the true importance of the matter, there was very little publicity given in the papers of the day to the meeting of the Pennsylvania electors in Lancaster. A few brief paragraphs from the Lancaster news sheets is all that we have to tell us of the event. On December 5, the day of the opening of the Assembly, Governor McKean informed the legislators that the electors were present in Lancaster "ready to perform the duties of Elector of President and Vice President of the United States" and that a vacancy existed in the list. The vacancy was filled by the Assembly and the electors then at once fulfilled the duty for which they had been chosen.

² McKean papers, Department of Public Records, Harrisburg.

The scholarly gentleman who led the delegation of electors as they met in Lancaster assuredly deserves mention at this point. He was seventy-five year old Charles Thomson, who had been a very real part of all the events associated with the birth and development of the Continental Government and of the government under the Federal Constitution. He had been secretary of Continental Congress through its entire history (1774-1789); and of him it has been said that he knew more of the secret history of his times than any other man. For this reason, friends urged him to write a history of the Revolution. He not only put aside the suggestion, but destroyed private papers bearing on the subject. Charles Thomson died in 1824 at the age of ninety-five.

The Electors of President and Vice-President of the U. S. on the part of Pennsylvania, assembled in this Borough, excepting Gen. William Montgomery, who was prevented from attending by indisposition. The venerable Charles Thomson was unanimously elected President and Timothy Matlack, Esq. was appointed Secretary.

On Wednesday morning, the Governor officially informed the Legislature, that there was a Vacancy in the list of Electors, occasioned by the absence of Gen. Montgomery. Upon which, the Senators met the Representatives in their Chamber, and proceeded to the choice of an elector, to fill the vacancy. On counting the Votes, it appeared that Robert Montgomery, Esq. Son of the General, and a citizen of the same County was unanimously elected.

Before 12 o'clock, the Electors assembled in the Senate Chamber, for the purpose of electing a President and Vice-President of the U. S. On counting the Ballots, they were found to be unanimously Thomas Jefferson, President, and George Clinton, as Vice-President.³

—*Lancaster Intelligencer*
December 11, 1804

Five days after the meeting of the electors, Timothy Matlack transmitted to Charles Thomson a record of the meeting, and at the same time wrote the highly interesting letter here reproduced.⁴

TIMOTHY MATLACK TO CHARLES THOMSON

Lancaster, December 10th, 1804

Sir:

In transmitting to you a copy of the minute of The Electors of President and Vice President of the United States, I close the duty which that body did me the honor to assign me.

The simplicity of the proceeding in performing the great business of appointing the Chief Magistrate of a great people, must astonish Europe, where such torrents of blood have been shed on such occasion; and, one should think would of itself recommend to every nation, the glorious elective principle on which our Republic is founded. But their hour is not yet come.

Were I less a Christian, or had I never read the prayer which Jesus taught his followers, I should be tempted to pray that these proceedings should be adopted and followed as a precedent throughout the Union, for a single thousand times, by way of experiment; but with the sentiments I feel on the subject of a special providence superintending the affairs of our world, I am content to let it remain under the great disposer of events, who has so evidently directed our affairs to the present happy period.

³ The tellers were James Boyd and Caspar Shaffner, Jr.

⁴ Historical Society of Pennsylvania.

This task closes the more pleasingly to me, as it affords me the opportunity of saying with sincerity that
I am

With very high esteem and respect
Your friend and servant
T. Matlack



JUDGE JASPER YEATES

1745-1817

His grave is in St. James' Episcopal Churchyard.

Judges Shippen, Yeates, Smith Impeached and Acquitted

The High Court of Impeachment⁵ opened in Lancaster on January 7, 1805, exactly as scheduled by the Legislature in April 1804. Hon. Robert Whitehill, Speaker of the Senate was President of the Court, which consisted of the entire membership of the impeaching body, the State Senate. The managers of the impeachment were Nathaniel Boileau (Montgomery County), Hugh Ferguson (Philadelphia), James Engle (Philadelphia County), Jacob Bucher (Dauphin), and Abner Laycock (Beaver). For special counsel, The

⁵ See L. C. H. S., Vol. LVI, p. 82, concerning impeachment.

Commonwealth of Pennsylvania engaged Caesar A. Rodney⁶ of the State of Delaware, while Counsel for the accused Judges were A. J. Dallas⁷ and Jared Ingersoll,⁸ both of Philadelphia.

The editor of the *Lancaster Intelligencer* did a fine job in reporting the arrangements that had been made in the old Lancaster Courthouse to accommodate the Court. In truth, as one reads the account, it is quite easy to visualize the scene as Chief Justice Edward Shippen and Associate Judges Jasper Yeates and Thomas Smith were arraigned before the Senate of Pennsylvania, sitting as a Court of Impeachment.

Monday, January 7, 1805

This morning, about 10, the House of Representatives formed a Committee of the whole; David Mitchell of Cumberland was called to the chair.

Soon after, the Senate entered the Chamber of the House of Representatives. Robert Whitehill, Speaker of the Senate, and President of the Court, was conducted to the Chair usually occupied by the Speaker of the House of Representatives. The chairman of the Committee of the Whole, Mr. Mitchell, was seated on the right of Mr. Whitehill, and the Senators were seated in front of the Chair; where Desks, covered with green cloth, were prepared for them; 24 Senators were present; and but one, Mr. James Poe of Franklin, absent. For the Clerks of both Chambers, were appropriated the places usually occupied by the Clerk, and his Assistant of the lower house.

In front of the President of the Court, and of the Senators, on the left, seats were prepared for the Parties impeached, and for their Counsel; and in a line with them, on the right, were placed the Managers of the Impeachment, and their Counsel.

The members of the House of Representatives occupied all the right side of the House, and part of the left, on each side of members of the Court.

Places were also appointed for persons, who had applied for stations most convenient for taking Reports of the Proceedings.⁹

About 11 o'clock, the Members of the Court were sworn in. The Judges entered the Court at 15 minutes after 11 o'clock, attended by their Counsel, A. J. Dallas, and several of their friends, the Attorney general of the Commonwealth, Charles Smith, Esq. and some others.

The Judges, having been seated, in the place appointed for them; the President of the Court directed to call the accused.

Whereupon, the Clerk called Edward Shippen, Chief Justice, Jasper Yeates and Thomas Smith, Associate Judges of the Supreme Court; and they answered severally.

Then the President of the Court said: You, Edward Shippen, Jasper Yeates, and Thomas Smith are accused by the House of Representatives of this Commonwealth, of certain misdemeanors in your official capacity; where-

⁶ Caesar A. Rodney, born at Dover, Delaware, 1772, commenced study of law under Joseph B. McKean, practiced law in Delaware from 1793 to death in 1824. In 1804, he was also chosen to conduct the impeachment against Judge Pickering, U. S. Judge in New Hampshire, and in the same year appointed to conduct impeachment proceedings against Justice Samuel Chase; for some time Attorney General in Jefferson's cabinet and was first U. S. Minister to Argentina, died there and is buried in Buenos Aires.

⁷ A. J. Dallas, a leading member of the Philadelphia bar.

⁸ Jared Ingersoll, born at Milford, Conn., 1749, admitted to bar of Philadelphia 1773, rated one of Philadelphia's ablest attorneys. He was Stephen Girard's attorney; held various state and national offices.

⁹ "Convenient situations were assigned William Duane, William Hamilton & George Helmbold," all of them being editors.

upon you stand impeached: The Clerk will read to you the Article of Impeachment.

It was in such manner that the Court of Impeachment opened. Following the lengthy reading of the charges, Judge Shippen rose and said, "I beg leave to deliver our Plea and Answer to the accusation, in writing." The plea and answer were then read, after which the Court adjourned until the following day.

The next day, Tuesday, January 8, Mr. Boileau, Chairman of the Board of Managers of the Court put in a replication to the plea of the accused Judges, and made a lengthy speech. It was in essence, a plain "Statement of the Case."

Mr. Caesar Rodney next addressed the Court, saying, "It is my duty, as Counsel, to open the evidence, and to lay before you such Facts as go to sustain the Charges laid against Edward Shippen, Jasper Yeates and Thomas Smith." By consent of Counsel for the accused, Mr. Rodney proceeded to bring before the court a long array of witnesses. This examination of witnesses consumed an entire week, or until January 15.

Mr. Dallas then commenced an elaborate speech in defense of the Judges which was not concluded until three days later at two o'clock on Friday afternoon, January 18.

Mr. Boileau, Chairman of the Managers of the impeachment replied to Mr. Dallas in part on Saturday morning, and finished when the court reconvened on Monday (Jan. 21).

Mr. Rodney commenced his first argument on the part of the Commonwealth about four o'clock in the afternoon of the same day and closed on Wednesday the 23rd at noon time.

Mr. Ingersoll next began his defense of Judges Shippen, Smith and Yeates, which was not finished until Friday morning (Jan. 25).

Mr. Rodney, in reply, closed the arguments of Counsel for the Commonwealth about four o'clock in the evening.

At twelve noon on Monday, January 28, the court again convened and on the question: "Are the Judges of the Supreme Court guilty, as charged in the impeachment, by the House of Representatives?" the Members of the Senate voted as follows: Not Guilty 11, Guilty 13.

The President of the Court who as stated previously was Speaker Robert Whitehill of the Senate, rose and addressed the Judges as follows:

Gentlemen: The Constitution declares that "no person shall be convicted without the concurrence of two-thirds of the members present" and, as that number have not concurred, you are acquitted of the charge contained in the Article of Impeachment.¹⁰

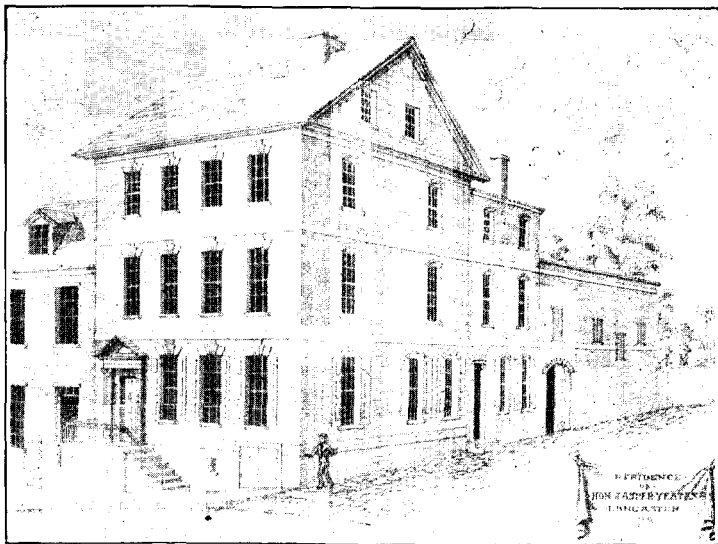
And so, the impeachment of Chief Justice Shippen and Associate Judges Smith and Yeates came to an end. Begun on January 8, it was not concluded until the twenty-eighth, a period of three weeks during which the normal work of the legislature was not carried on, due to the fact that the Senate

¹⁰ Record compiled from the legislative journals. Since that day to this, no Justice of the Supreme Court of Pennsylvania has been impeached.

was sitting as a court and the chamber of the lower house was used as the courtroom.

One newspaper report of the impeachment, and that written by the troublesome William Duane, editor of the *Aurora*, Philadelphia, should suffice to indicate the importance of the impeachment proceedings.

The impeachment of 3 Judges of the Supreme Court is closed...Its importance induced the Editor to sacrifice personal interest in order to attend and report the Proceedings on a case so novel and momentous. The actual issue was, whether the constitution established upon the Principles of the Revolution of 1776, should remain, or the dark, arbitrary unwritten, incoherent, cruel, inconsistent and contradictory maxims of the Common Law



HOME OF JASPER YEATES

Stands at the southwest corner of South Queen and Mifflin Streets, much altered, and now occupied by Station WGAL-TV.

of England, should supercede them. And the Sentence has been such that the Liberty and safety of the citizens of this commonwealth...are...put afloat upon the unbounded and trackless ocean of the Common Law.

—*Aurora*

February 5, 1805

It may be presumed that Judges Shippen, Yeates and Smith had most unpleasant feelings concerning the charge of impeachment, and especially so since they continued to sit on the bench during the many months before the impeachment proceedings got underway. Judge Shippen's feelings were definitely reflected in his action of resignation from the bench shortly after

the impeachment trial was ended.¹¹ At the same time, Edward Burd, Prothonotary of the Supreme Court also resigned. Concerning the attitude of Judge Yeates to the trial and its outcome, we need only to read the letter which he wrote to Edward Burd on the day that the Senate pronounced its verdict.¹²

JASPER YEATES TO EDWARD BURD

Lancaster, January 26, 1805

...We met the Senate this forenoon to receive our doom but they adjourned their Decision till Monday the 28th. I have yet entertained no Fears of the event but it is possible, that tho they may not possess a constitutional Majority for conviction, they may attempt from their numbers to pass a Vote of Censure. I will take no rash step, but I think I cannot bring my proud mind to submit to a seat on the Bench in a State of abject Dependence & Disgrace. Nor will I, by God.

Monday, 10 o'clock, p.m.

The Votes have been taken & we have just returned. ... It is impossible yet to say, on what grounds the majority have gone in their Suffrages, but it may be presumed, that they are very different and chiefly of a private nature, or depending on the fancied Popularity of the Measure. The Public must judge ultimately of the Propriety of the conduct we have pursued. We feel no Regret, except that Persons wholly ignorant of the Science of the Law & not possessing the most liberal and enlightened minds have been called upon *constitutionally* to decide our case.

Governor McKean too was disturbed by the impeachment and even more disturbed when the vote of the impeaching body was announced. In a letter to President Thomas Jefferson, he very clearly indicated that the judges had been wronged.¹³

GOVERNOR MCKEAN TO PRESIDENT JEFFERSON

Lancaster, February 10, 1805

The Judges of our Supreme Court have been constitutionally acquitted, altho in the Senate, there was a majority of two against them, to my astonishment; for nothing criminal was proved against them, nor as I have heard, suggested; but they were accused of having given a wrong judgment & the majority of the Senate were of that opinion, with whom I differ *toto caelo*.¹⁴

Again, Harrisburg Almost Wins Capital Title

The still undecided question of a location for the permanent capital of Pennsylvania was once more brought to the fore on February 8, 1805 when a number of letters addressed to the Speaker of the House were read. First, there was one from Samuel Wright¹⁵ of Columbia which repeated his proposition, "to grant to the public, 16 lots of ground adjoining the Town of Columbia, for the Seat of Government." From Michael Musser, Lancaster

¹¹ Judge Edward Shippen died suddenly April 15, 1806, in his 78th year.

¹² Historical Society of Pennsylvania.

¹³ Historical Society of Pennsylvania.

¹⁴ *Toto caelo* (L.), diametrically opposite.

¹⁵ Samuel Wright was a grandson of John Wright, Sr. He laid out the town of Columbia and named it.

County Commissioner, came a communication together with a copy of the Record of the Court of Quarter Sessions, February term, 1804. By action of that court, Mr. Musser had the authority to offer \$25,000 dollars toward defraying the expenses of erecting Public Buildings, provided the Seat of Government should be permanently fixed in the Borough of Lancaster.

Even though the offer from the County Commissioners of Lancaster County was generous above any previous inducement, it did not impress the legislators. In the Senate on February 11, a resolution was adopted which empowered a committee to bring in a bill "establishing the permanent Seat of Government of this Commonwealth at Harrisburg, in the County of Dauphin; and providing for the erection of suitable buildings for the accommodation of the Legislature in their sessions; and offices for the preservation and safe-keeping of the Records, Papers and Documents attached to or connected with the Government of the State."

The bill had smooth sailing in the Senate and on its third reading passed that body by a vote of thirteen to ten. It was then transmitted to the House where it was lost, 41 to 33; and Lancaster therefore continued as the temporary seat of the state government.

In the midst of this year's agitation for removal of the Government a letter from Dauphin County appeared in the *Lancaster Intelligencer*, which in a semi-humorous vein described the qualifications of Harrisburg as a capital town. The signatories to the letter might well have been snatched names from a Dicken's novel—except that Charles Dickens had not then made his appearance in the world.

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE COMMONWEALTH OF PENNSYLVANIA

The situation of Harrisburg, it must be acknowledged by every person of Candor, is one of the finest in nature. . . . It may be necessary to remind your honourable body that we hold ready for your acceptance, a very eligible situation for the Public Buildings; consisting of not less than 4 acres of ground, which has been by prudent foresight, appropriated a long time since for the valuable purpose; and which is marked in the general Plan of the Town as "Public Ground" but more commonly known as "GALLOWS HILL." . . . From this site, the enraptured Admirer of Nature can behold the Majestic Susquehanna rushing through the Blue Mountains and transporting down its swift current the immense wealth of the back country. . . . Not only will the eyes of the spectator be gratified by this enchanting Landscape, but in addition, if he is a lover of Harmony, his ear will be saluted with the charming concert of ten thousand Bull frogs; the melody of their agreeable voices resounding not only from the river, but likewise reverberated in delightful Symphony from the neighbouring Ponds and Marshes by their fellow-Musicians. . . .

As for Accommodations, we trust there will be nothing lacking in that point. If, however, Your Honors should not find the living here so comfortable as at Lancaster, there will be this advantage attending it, viz, by using a Spare Diet, your minds will be the more fitted for the arduous duties of Legislation. . . . We conclude that, on this account, you will prefer our scanty fare to the high, pampered Living which you indulge in at Lancaster.

We have likewise been informed, that our Place is objected to, on account of the streets being sometimes inundated by water. We assure your Honors, that this seldom happens; never except in times of heavy rain; and should

they, unfortunately, at any period during the sitting of the Legislature, be in that State, we hereby pledge ourselves to have canoes at all the public crossings in order to ferry over the Members free of all costs, the same to be paid out of the Corporation.

(Signed) Nicholas Frogpond
Samuel Tiggleginn
Timothy Shiverwell
Simon Spindleshanks
—*Lancaster Intelligencer*
February 19, 1805

Thomas Jefferson Begins Second Term as President

For the high office of President for a second term, Thomas Jefferson received 162 electoral votes—the votes of all the states except Connecticut and Delaware. The 14 electoral votes of these two states were cast for Charles C. Pinckney, the Federalist candidate. Jefferson's striking victory impelled Governor McKean to send from Lancaster on February 10, 1805, the following congratulatory message to his dear friend.

Permit me to congratulate you on your second appointment to the most dignified station your fellow citizens in the United States of America can confer. Your majority has been greater than my most sanguine expectations had predicted, and exceeds if my knowledge of the human character is correct what any of your successors will ever attain.¹⁶

Inauguration Day in Washington that year did not go by entirely unnoticed in Lancaster, for while Thomas Jefferson on March fourth was being sworn in for a second term as President, the event was being recognized at Pennsylvania's seat of government by a procession and banquet.

Monday, the 4th inst. being the commencement of another 4 years of Mr. Jefferson's administration, the Lancaster Blues paraded at 10 o'clock at the State House; whence, after saluting the Governor, they marched to the east end of King Street where they fired 18 rounds in honor of the day. At 3 o'clock, accompanied by a number of citizens, they sat down to a Dinner, prepared for the occasion. Captain Atlee presided and Lieutenant Hume officiated as Vice-President.

—*Lancaster Intelligencer*
March 12, 1805

Senate and House Adopt Rules for Their Library

The State Library of Pennsylvania had its beginning at some location in proximity to the State House in Lancaster. The library was already a thriving institution in 1805, for on March 30 of that year, a committee appointed to examine the state of the library reported the following rules and regulations.

The Clerk of the Houses shall enter in a book, a complete catalogue of the books contained in the Library.

During the session of the General Assembly, said clerk or some person in his department shall attend in the Library Room from eight until nine o'clock of the morning of each day.

During the recess of the Legislature, the Clerk of the Senate or himself or his agent shall attend at the Library Room from five until six o'clock on

¹⁶ Historical Society of Pennsylvania.

the Saturday of each week and shall furnish any Officer of the Government, residing within the borough of Lancaster, with such books in said Library as he may require.

Legislature Adjourns — A Political Campaign Begins

The Pennsylvania Assembly of 1804-1805 was not a useful body. Rather, it distinguished itself by exhibiting an increasing animosity toward Governor McKean, largely because he was violently opposed to the plans of a majority of the Assembly to call a convention to revise the State Constitution. Unfortunately, the Governor did not have the faculty of easing tension when he was opposed, and thus it happened that he made some very unwise remarks which would be often quoted to his disadvantage. On one occasion Governor McKean said to Speaker Simon Snyder and several of his colleagues, "that the Republicans were a set of Clodhoppers, who had no more understanding than Geese; and wondered at their Impudence in talking of calling a convention to alter the Constitution, which they never did and never could understand; that he would not allow it, and would take special pains to prevent it."¹⁷

As the Assembly drew to a close, Governor McKean's many years of public and enlightened service to nation and state were forgotten. His austerity, his aristocratic manner, his vanity, his personal habits—these were the McKean attributes which were publicized. Jasper Yeates in a letter to his friend Edward Burd wrote, "It is generally believed here [Lancaster] that an attempt will be made to remove the Gov. at the next election, but his successor is not absolutely determined upon. If the whole Federal Interest does not turn out to support the present Gov. they richly merit every evil attendant on the most disorganized state of society."

Leading in the opposition to McKean were those two Philadelphia politicians, Dr. Michael Leib,¹⁸ and Editor William Duane. The latter in his paper *Aurora* said that it was decided the candidate "should not be a lawyer, and that a clodhopper should be preferred."

What was the attitude of Governor McKean? Would he give up in the face of unfair criticism? In the following letter written three days after the adjournment of the Assembly, we may clearly see that seventy-one year old Thomas McKean was ready for a fight.

GOVERNOR MCKEAN TO HIS SON, THOMAS¹⁹

Lancaster, April 7, 1805

Dear Thomas,

I intend to proceed for the city of Philadelphia on Wednesday; to travel 14 miles to Mr. Amos Slaymakers on Tuesday afternoon, and there to breakfast, then to embark in the Stage, when it goes from thence after breakfast to Millers at the sign of the Buck; where I shall be pleased to find my carriage at or before two o'clock P.M. If your brother Joseph or the Marquis can conveniently accompany you, it will give me pleasure but if the measure

¹⁷ The "Clodhopper" letter appeared in the *Intelligencer*.

¹⁸ Dr. Michael Leib was a member at times of the Pennsylvania House of the Assembly and for a while was Philadelphia postmaster.

¹⁹ Historical Society of Pennsylvania.

should prove inconvenient, meet me at all events at Schuylkill Bridge before three o'clock.

My health is a little impaired from an excess of mental and corporeal employment, having had little or no relaxation for four months; and from my attention to the maneuvers of a few weak and wicked men in the Legislature whom I shall defeat. It has revived the spirit and exertions of my prime of life; one who has not been affected by the roaring of the British lion, cannot possibly be affrighted by the braying of Asses.

My love to your Mother and everybody. Adieu

Your affectionate

Thos. McKean

The news items which follow tell of the division in the Democratic Republican party and of the placing of two gubernatorial candidates in the field—Simon Snyder and Governor McKean, the latter being a coalition candidate of Federalists and Constitutional Republicans.²⁰

The Legislature adjourned on Thursday last. On the evening of adjournment, the Members of both Houses met in the Senate Chamber to nominate a Candidate for Governor, at the next election. After placing Gen. Steele²¹ in the Chair, it was moved and carried, to select the Candidate by Ballot. This move displeased some of the present Governor's friends and they withdrew. The remaining members proceeded to Balloting, and on counting the Votes, they were, for Simon Snyder, Speaker of the House of Representatives 42, the present Governor 7, and Sammy Maclay 1.

—*Lancaster Intelligencer*

April 9, 1805

We, the subscribers, members of The General Assembly, considering the long, tried, firm, and meritorious service of Thomas McKean, do, upon due deliberation, recommend him to our fellow citizens, to be supported at the next election for the office of Governor.

From a petition signed by 34

members of the General Assembly

—*Lancaster Intelligencer*

April 9, 1805

On Tuesday evening, April 2, a Republican meeting was held at House of Joseph Jefferies, "to take into consideration the attempt to destroy the

²⁰ The names applied to the political parties of this period are confusing. The first party in our nation was the Federalist Party which passed out of existence after the War of 1812. The second party to appear was the Republican Party, whose first leader was Thomas Jefferson. However, members of this party were also known as Democrats and Democratic Republicans. Moreover, in Pennsylvania the McKean group came to be known as the Constitutional Republicans. They were also at times termed Quids, the name deriving from "Tertium Quid" (L.), meaning "A Third Something," hence a third party. The party of Jefferson in time became known as the Democratic Party. In the period 1804-1806, the Jeffersonians in Pennsylvania generally referred to themselves as Democrats. The Republican Party which was born in 1854 has no relation to the Republicans of this period.

²¹ General John Steele, native of Drumore Township, born there in 1758, served in the Continental Army throughout the Revolutionary War, severely wounded at Brandywine, elected member of Legislature 1801, also in State Senate, and elected Speaker of Senate in 1805, succeeding Robert Whitehill, 1808, appointed Collector of Port of Philadelphia. Died 1827.

State Constitution and to remove the old patriot, Thomas McKean from the office of Governor." Michael Musser was Chairman, Christopher Mayer, Esq. Secretary.

"Resolved that this meeting will support him with their votes and interest at the ensuing election for Governor."

—*Lancaster Intelligencer*
April 9, 1805

Through the weeks of spring, 1805, the adherents of the two candidates for Governor, by the holding of numerous meetings and the circulating of petitions, kept political interest at a high point. One of the many meetings by the McKean people was held at the Lancaster Courthouse (the Statehouse) on June first. Conrad Swartz was chairman and Caspar Shaffner, Jr. was secretary. This particular meeting passed a resolution to support McKean "whose crime appears to have been a firmness of mind which would sooner risk his popularity than give his assent to the visionary schemes of Castle-builders, and whose patriotism spurned at the idea of purchasing Popularity at the expense of his integrity."

To bring the qualifications of Simon Snyder, who was still an unknown personality, to the attention of the electorate, the following address for newspaper use was drafted.

We recommend to you for the office of the Governor for the next 3 years, Simon Snyder of Northumberland County; a man of probity, of excellent education, of sound, strong and discriminating understanding, of unassuming manners, whose morals and political conduct are unimpeachable, and who, for more than 15 years of public life, has been distinguished for firmness, and inflexible integrity.

With such a man for your Governor; a Farmer, honest, upright, and the preserving advocate of the rights of the people, in the worst of times; we have every reasonable ground to hope that the principles of the Government will be established in Practice as well as theory, upon foundations that are not to be shaken, and to the consummation of the only end of legitimate Government, the Peace, Prosperity and Happiness of the People.

—*Lancaster Intelligencer*
June 4, 1805

The Glorious Fourth at Lancaster, 1805

Tinctured too much by partisan politics, the several Independence Day celebrations at Lancaster in 1805 lacked the impressiveness of the 1804 observance. The Federal Republicans with John Hubley in the chair met at Smith's spring, one mile from the borough and sat down to a dinner and drank this toast to Governor McKean, "His exertions to save our inestimable constitution merit approbation." A number of Democrats friendly to the election of Simon Snyder met at the home of John Whiteside and with Major John Light as president drank a toast (one of 18) to "Thomas McKean, Governor of Pennsylvania; weighed in the balance and found wanting" which was followed by "3 Sighs." In the morning of the day, The Lancaster Light Infantry, commanded by Captain Atlee, paraded to the Statehouse and after saluting the Governor, marched to the east end of King street, having first

placed their Fieldpiece north of town. At noon, The Artillery commenced firing and was answered by the Infantry, till each had discharged 18 rounds.

Governor McKean Attends a Funeral in Lancaster

In September 1805, Anne Ross, wife of James Ross, the ardent Federalist from western Pennsylvania, died at the Cornwall home of Judge Robert Coleman, better known as an ironmaster than as a jurist. Governor McKean who had defeated Ross on two occasions for the office of Governor, showed his respect for Ross by attending the last rites for his wife.

Died, at Cornwall, the residence of Mr. Coleman, on the evening of the 13th inst. Mrs. Anne Ross, the wife of James Ross, Esq. of Pittsburg. ... Her remains were interred in the burial ground of the Presbyterian Church in this borough on the forenoon of Sunday the 15th, attended by a numerous concourse of citizens, among whom were the Governor and most of the public officers.

—*Lancaster Journal*
Sept. 20, 1805

Governor McKean at Lancaster Ladies Academy

Today the public examination of the Young Ladies Academy at Lancaster, under the direction of the Rev. Mr. Latta, took place. His Excellency the Governor and his lady, and a respectable assemblage of ladies and gentlemen of the borough attended.

—*Lancaster Journal*
From a letter signed "Spectator"
Lancaster, Sept. 26, 1805

Thomas McKean Wins Third Term as Governor

The gubernatorial campaign continued right up to the election which was held on October eighth. In the last few weeks, the voters in Lancaster were urged through the columns of *The Journal* to vote against Snyder, as it would be his purpose, if elected, to remove the capital to Harrisburg. A "Farmer" wrote that "to give Simon Snyder a vote for the office of Governor is to give him the power of doing most important and lasting injury to the borough and county of Lancaster, and to the inhabitants of both." "A Lancastrian" wrote that Simon Snyder, when an assemblyman "voted against Lancaster, and who if made Governor, would do everything in his power to ruin it."

The supporters of Snyder were looking to the German-speaking people of the state for a substantial vote, since Simon Snyder was the first representative of the German element in Pennsylvania to contend for the gubernatorial chair. To counteract this sympathetic feeling for Snyder, General Peter Muhlenberg, himself a most influential Pennsylvania German, announced his preference for Governor McKean.²² In a letter to Joseph Hiester of Reading, Muhlenberg declared that a German Governor "ought to be a man qualified for the task, who would do honor to himself and the Germans; not

²² The letter appeared in the *Lancaster Intelligencer*, Sept. 13, 1805.

one who would bring ridicule on them as well as himself." He suggested that the Germans "look around for a man qualified to fill the governmental chair with honor and dignity" when Governor McKean's tenure would end in three years.

On the eighth of October, the election was held, and even before all the returns from over the state came in to Lancaster, it was realized that Governor McKean was again victorious. The final returns credited McKean with 43,644 votes and Snyder with 38,483, a majority of 5,165 for McKean. Lancaster County alone gave McKean 3,978 votes, a majority of 1,671 over Lancaster-born Simon Snyder.

At least one of Thomas McKean's great and good friends lost no time in congratulating him on his success at the polls; and it is fortunate that we have not only this message of John Dickinson²³ to McKean but also McKean's acknowledgment of the same. In the latter we see McKean giving free play to his disdain of political enemies.

JOHN DICKINSON TO THOMAS MCKEAN

Wilmington, Oct. 29, 1805

My dear friend:

Attached as we are one to the other by an uninterrupted friendship of very near half a century, I could not be indifferent to the late attack upon thy character and I do now heartily congratulate thee on thy reelection to the Chief Magistracy of Pennsylvania.

THOMAS MCKEAN TO JOHN DICKINSON

Philadelphia 28th November
1805

My dear friend:

...Tomorrow I set out for Lancaster where I shall attend the Legislature for some months.

...I thank you sincerely for your congratulations on my reelection as Governor of Pennsylvania for a third period. The cause of the conspiracy was against our constitution and against myself for declaring I would resist any attempt against it, having had a share in framing it. I have repeatedly sworn to support it, also tho imperfect, believing it the best system of government existing in the world. ...This conspiracy was hatched in hell and propagated by the imps of darkness; but it has pleased the Divine Disposer of all events to frustrate the nefarious attempt; and I flatter myself that the most audacious, envious and ambitious demagogues in the land will be discouraged from renewing it.

Your affectionate
Thos. McKean

The arrival of Governor and Mrs. McKean at Lancaster on November 30, 1805, took on the nature of a triumphal procession; and according to one news report brought out the biggest crowd of curious citizens that the borough had witnessed any time in its history.

²³ John Dickinson was a Philadelphia lawyer and member of Continental Congress, author of "Letters from a Pennsylvania Farmer" which eloquently analyzed the growing differences between Great Britain and the Colonies; signer of the Declaration of Independence and the Federal Constitution. Both letters are in the Pennsylvania Historical Society.

On Saturday last his excellency the Governor, with his lady, arrived at the seat of government. About eight miles from the borough he was met by General Hambright, Colonel Wright, and officers of the 5th regiment of militia, Colonel Ream and officers of the 20th, Major Roberts, and officers of the Lancaster regiment, and by Captain Henderson's troop of horse; and soon after by the officers of government, and a great number of respectable citizens. At the Conestogoe they were joined by the Lancaster light infantry, and other citizens; and from thence his excellency was escorted, in a very handsome manner, to his lodgings, through a greater concourse of citizens than was ever before, on any occasion, assembled in the streets of Lancaster, and amidst the ringing of bells, and other public demonstrations of respect, which cannot fail of being highly acceptable to our venerable Chief.

—*Lancaster Journal*
December 6, 1805

Governor McKean Addresses The Assembly

On Tuesday, December 3, the thirtieth session of the State Assembly opened; and the first order of business was the election of officers. The late victory of McKean and the constitutionalists was reflected in the election of the speakers of both houses.

On Tuesday last the senate and house of representatives of this state met. The former chose for Speaker, James Brady, Esq: a constitutionalist, in place of Gen. John Steele, a conventionalist. Vote—Brady 13— Steele 8.

The House of representatives made choice of Charles Porter, Esq., a constitutionalist as Speaker. Vote—Porter 46—Holgate 32.

Matthew Huston is re-appointed clerk of the House of representatives.

Joseph Frey, do, Sergeant-at-arms.

Henry Lechler, do, Door-keeper.

—*Lancaster Journal*
December 6, 1805

On December 5, "his Excellency the Governor met the Legislature in the Chamber of the House of Representatives, and delivered the traditional address for the opening of the Assembly." Couched in graceful language McKean said nothing that could give offense. He emphasized three phases of the life of the Commonwealth: public education, public justice, public force. At every opportunity during his six years as governor, he had pressed the great need of public education for the "poor", but to no avail. In this address, he told the legislators again that it remained with them "to make adequate provision, to introduce a general system of education that shall induce into the mind of every citizen, a knowledge of his rights and duties; that shall excite the useful ambition of excelling in stations of public trust; and that shall guard the representative principle from the abuses of intrigue and imposture."

The Third Inauguration of Governor McKean

On Monday, December 16, the votes from the 43 counties of Pennsylvania were officially cast in the Chamber of the House of Representatives at Lancaster, in the presence of the Senators and Representatives. P. C. Lane, representing Fayette and Greene counties in the Senate, was teller for the

Senate, and William Milnor of Bucks County teller for the House. The election of Thomas McKean as Governor was officially acclaimed.

The following day, Tuesday, December 17, was inauguration day, and the very simple ceremonies which had been arranged were over and done with in fifteen minutes. Messrs. Sansom, Marshall and Jenkins from the House and Messrs. Hart, Heston and Lattimore of the Senate attended "the Governor-elect at his residence in the borough of Lancaster" and accompanied "him to the members of the Legislature assembled in the Chamber of the House of Representatives."

"The joint committee of both Houses introduced Thomas McKean the Governor-elect, when the oath required by the constitution of this Commonwealth to qualify him to perform the duties of Governor, and the oath required by the constitution of the United States, were administered to him by the Speaker of the Senate."

"The Governor was then placed in the chair of the Speaker, and after the Clerk of the Senate had read the certificate, the Governor rose and addressed the two Houses and withdrew."²⁴

The Governor himself did not read the address. It was read after he withdrew. Consisting of three paragraphs, the address renewed his "assurances of cheerful co-operation" and touched on the course of the election. Referring to it, the Governor wistfully wrote, "I did not anticipate that the close of a life sincerely devoted, as far as my means and judgment extend, to advance the liberty, independence and prosperity of my native country, would have been embittered by any imputation of a dereliction of principle, or any usurpation of power."

Governor McKean Removes Comptroller General Bryan

The first of Governor McKean's enemies in office to pay the penalty of opposing him at the election was Samuel Bryan, Comptroller General. He was displaced in October by George Duffield, Esq., Register General, and at the same time McKean appointed John Kean, Esq., to succeed Duffield.

It may be remembered that in 1801 Samuel Bryan had rented the room in the county public building (old Lancaster City Hall) which room had been set aside for the use of the Borough. The following notes from the minutes of Lancaster Borough refer to this same room and to Samuel Bryan.

At this meeting, John Eberman, Conrad Schwartz and Peter Gonter, Esq., were appointed a committee to call upon Samuel Bryan, late Comptroller General of the State of Pennsylvania for the rent of the Corporation Room in the Public Building on the Market Square, which was occupied by him from Dec. 15, 1801 to October 16, 1805 viz. 3 years 10 months at £15 per annum.

—Minutes of Lancaster Borough
December 25, 1805

Committee reported "that they had repeatedly called on him [Samuel Bryan] and at last obtained from him an order for the Department of

²⁴ The account of the inauguration of Gov. McKean is taken from the journals of the Senate and the House.

Accounts of the State of Pennsylvania, but in so vague and indefinite manner that it was not accepted."

John Eberman, Henry Dehuff and Peter Reed, Esq., were appointed to call again on Bryan for the rent "and likewise for the Key to the said Room, and in his refusal to pay, that a suit be brought against him immediately."

—Minutes of Lancaster Borough
December 30, 1805

George Duffield, Esq., Comptroller General appeared and has declined renting the Corporation Room lately [occupied] by Mr. Bryan.

—Minutes of Lancaster Borough
December 30, 1805

Ordered that an account be made out against the Commonwealth for the rent of a 10 Plate Stove made use of by the Legislature in the Court House for 5 sessions ending April last at 4 dollars per session.

—Minutes of Lancaster Borough
December 30, 1805

Samuel Bryan paid £57.9.11½ for the rent of Corporation Room.

—Minutes of Lancaster Borough
September 1, 1806

Governor McKean Writes to His Children

GOVERNOR MCKEAN TO SON THOMAS

Lancaster, January 4, 1806

Dear Thomas:

Inclosed you will find a check on the Bank of Pennsylvania for the balance of your last quarter yearly salary. . . .

Tell Sophia, if she had written to me as a dutiful child, I would have sent her a new-year's gift. . . . You must send to me here, without delay, my large Book, containing the names of all the officers, civil and military, appointed by the Governor; let it be covered with canvass or something to secure it from chafing.

You mentioned in your last letter, that you had sent a pound of my roll-tobacco by Mr. John Sergeant, but neither he nor I have got it. . . .

Give my love to Mrs. McKean and everybody that love me and whom I love. I can write but to one at a time when I have little to communicate. I am in good health, and shall defeat the Jacobins and conspirators.

GOVERNOR MCKEAN TO DAUGHTER SOPHIA²⁵

Lancaster, January 16, 1806

Dear Sophia:

A letter dated the 5th instant was received from the Post Office, which from the handwriting, I suppose was from you; but being without a signature, and not so well written or even spelled as you usually spell and write, leave me doubtful respecting the writer.

I wrote to your brother Thomas about a fortnight ago, to send me among other things a Pound of my best tobacco. He told Mr. Sergeant, he would send it by him but neither he nor me have heard anything more about it. Has he gone beyond the seas or gone into the army? He must have gone abroad, or he would certainly have answered the Letter of his Father, and even in such a case he might have sent me a card or a message.

²⁵ Sophia McKean at this time was 23 years of age. She was never robust and died in 1819.

...Present my love to your mother and to all your brothers and sisters; and last to all your nephews and nieces that I not only wish them a happy new year, but wish they may never see another year but happily as long as it shall please God to continue them in this state of probation.

Your affectionate Father.

P.S. I have received the tobacco since writing the foregoing...and a pair of socks from your mother.

Assembly 1805-1806 Adjudged Best in Six Years

On March 31, which was the day of adjournment, the *Lancaster Journal* stated that "This day will close the session of the best Legislature we have had for five or six years in Pennsylvania." In view of that appraisal, we should at least make a hasty examination of the legislative journal of this particular session.

First, 108 acts were passed and signed by the Governor. Six of them authorized lotteries. One act, which no doubt was a direct result of the killing of Alexander Hamilton in a duel with Aaron Burr in 1804, was "to restrain the horrid practice of duelling."

At this session, "The several trials to remove the seat of government from Lancaster proved abortive" (*Lancaster Journal*, Feb. 7, 1806). Only once was any mention made of this and that on January 10, when a letter to the speaker of the House from Samuel Wright renewed an offer of sixteen lots of ground adjoining the town of Columbia "should the Legislature by law fix on that place as the seat of government."

Several petitions (March 18) presented to the Assembly from inhabitants of Armstrong County complained of certain Indians who "destroy their game, steal their horses and kill their other cattle; and praying legislative interposition." The committee to whom was referred the petitions reported "as respecting the complaint of destroying the game, it is to be observed, that the laws of this commonwealth have reserved this right to the Indians at all seasons of the year."

Many of the acts authorized the laying out of new "artificial" roads and the building of bridges. The most important road project so authorized was a road from Harrisburg to Pittsburg. One of the important bridges sanctioned for the eastern part of the state was one to span the Schuylkill at Gray's Ferry.²⁶ Lancastrians showed especial interest in the act "authorizing the Governor to incorporate a company for making the river Conestogoe navigable from its confluence with the river Susquehanna to Abraham Hostetter's Mill."²⁷

More of the towns of Pennsylvania were having growing pains, and after telling the Assembly about it, the towns of Connelville, Williamsport, Gettysburg, Wilkes-Barre and Bellefonte became incorporated boroughs.

²⁶ The first bridge to span the Schuylkill in Philadelphia was the Market Street bridge which was completed in 1805.

²⁷ Other Acts of Assembly followed and the Conestoga Navigation was finally chartered in 1825. For further information, see L.C.H.S., Vol. 39, p. 49; Vol. 12, p. 315.

Editor of Lancaster Intelligencer Pays Penalty for Slander

Two incidents occurred in Lancaster during the winter of 1806 which were part of the unpleasant aftermath of the gubernatorial campaign of the previous fall.

The first one transpired in the House during an investigation concerning the administration of Samuel Bryan, Comptroller General until removed by Governor McKean. Thomas McKean Thompson, nephew of the Governor and Secretary of the Commonwealth, so far forgot his position during the investigation that he used "very opprobrious epithets" when he interrupted Samuel Bryan while giving his defense. Further, Thompson followed said Samuel Bryan out of the Chamber of the House, "down the stairs and at the door of the state house, in the presence of several members of the Legislature, did beat said Bryan to the ground, and was only prevented from pursuing his unjustifiable design, by the interference of several members."²⁸

A resolution of censure which was to be presented to the Governor was urged by the Democrats in the House, but it was laid on the table.

The second occurrence grew out of a libel charge instituted by Governor McKean against William Dickson editor of the *Lancaster Intelligencer*. Dickson was convicted, fined \$500 and sent to the jail of Lancaster County for three months. However, instead of disgrace descending upon him, the Democratic Commissioners of Lancaster County appointed him County Treasurer while he was still behind the bars. Further, on one occasion, his political friends gave him "a handsome supper" in his lodging at the jail. A great parade was planned for the night on which he was to be released, and according to the *Intelligencer* it was all that it was meant to be. Another Lancaster sheet of a rather short life, *The Constitutional Democrat*, gave a different story.

It was boasted by some of Mr. Dickson's friends that this procession would far exceed in numbers and respectability any procession that had heretofore escorted Governor McKean into the borough of Lancaster. ... The day at length arrived. ... There was not found a sufficient number of patriots to form a line of march. ... The procession formed within the walls of the prison. ... and moved with a solemn pace out of the south door of the prison. Mr. Dickson, supported on the right by his uncle Samuel Humes, and on the left by his uncle General Steele, led on the van. ... The notorious Sam Bryan and Joseph Lefevre formed a file immediately in the rear of Dickson. ... When they arrived at Mr. Dickson's house, their members had increased to about one hundred and ten. General Steele delivered a speech at Dickson's door of a few words and the Company dispersed without disorder.

—From *The Constitutional Democrat*
Reprinted in *Lancaster Journal*
June 13, 1806

Governor McKean Dines at Witmer's Bridge

The principal event in Lancaster on the Fourth of July 1806 was a dinner at the home of Mr. Abraham Witmer, situated at the east end of Witmer's Bridge.

²⁸ From the Journal of the House.

On the eastern bank of the Conestogoe, a delightful spot, in view of Witmer's Bridge, seventy-eight friends of the constitution, honored with the presence of the Governor of the State, sat down at one table, on which was spread an excellent dinner, set out in a style of elegance, which did honor to Mrs. Witmer, under whose direction it was provided.

—*Lancaster Journal*

July 11, 1806

Governor McKean Calls for Control of Press

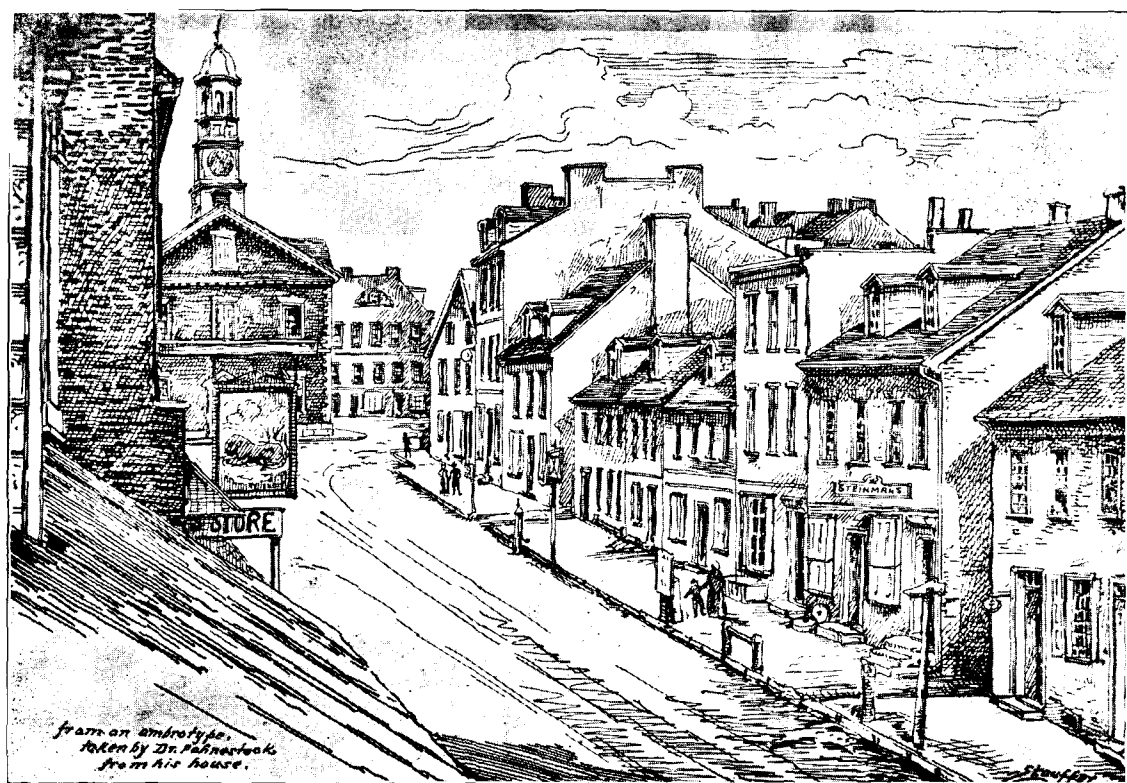
The last six months of 1806 was an unhappy period in the political life of Pennsylvania. The McKean faction in the Republican party had come to be, since the last election of Governor McKean, pretty much of a third party. No longer classed as straight Republicans, they were generally called Constitutional Republicans. McKean, at least the titular leader did little to draw adherents to his group. Instead, by his arbitrary dismissal of office holders, he again came into disfavor. Further, he was accused of nepotism. His enemies listed twelve members of the McKean family who held state offices, the total annual payroll of the twelve persons amounting to \$28,183. Some of the offices held by these persons were quite minor and several of the so-called McKean relatives were no closer than brother-in-law to the Governor's son-in-law. But it did give the Governor's enemies something to talk about.²⁹

Newspaper editors were very free with their opinions, and one—McKean's old enemy, William Duane—incurred the governor's displeasure to such an extent that he was sued for libel by the governor. Other suits for libel instituted by the Governor were pending when the thirty-first session of Assembly opened on December 2, 1806. Simon Snyder, again a member of the House, was elected to his old job of Speaker, and Presley Carr Lane was elected Speaker of the Senate. On December 4 both houses met in joint session to hear the address of the Governor; and at that time he took the opportunity to deliver some very pointed opinions on the freedom of the press.

...May I here be allowed...to remind the legislative guardians of the reputations, as well as the lives and fortunes of our fellow citizens, that libelling has become the crying sin of the nation and the times...The fatal consequences of this malady begin already to appear. The press has lost its uses as an instructor and a censor...I would therefore, venture to suggest, that every printer who assails the character of a citizen should be compelled if required, to publish the defense, ...that every printer and editor should register his name in some public office of the proper county, to be evidence of the fact of publication, upon trials at law; and that whenever a grand jury shall present a press, as a public nuisance, the printer and editor shall be bound with sureties for their future good behavior...and the court authorized to suppress it for a limited time.

Extracts from Gov. McKean's
address to Assembly
House Journal, Dec. 4, 1806

²⁹ A broadside citing the names of members of McKean's family holding office and circulated at this time is owned by the Lancaster County Historical Society.



*from an ambrotype,
taken by Dr. Fahnstuck
from his house.*

VIEW OF WEST KING STREET
Looking toward the Old Courthouse in the Square.

A routine committee report of the suggestions was tabled, as was a substitute report offered by Michael Leib of Philadelphia.

Governor McKean Becomes Ill at Lancaster

The legislative session of 1806 had not gone many weeks before it was seen that Dr. Leib and William Duane were determined to bring charges against Governor McKean which would lead to impeachment proceedings. On January 30, Dr. Leib introduced a motion to inquire into the official conduct of the governor, which resolution was not given a second reading until March 3, possibly out of respect to the Governor who had become seriously ill at the home of his nephew, W. McKean Thompson in Lancaster.

W. MCKEAN THOMPSON TO THOMAS MCKEAN, JR.

Lancaster, January 29, 1807

Your father has suffered a great deal of pain, which it is now ascertained to be from the gout, in his hands and one arm and one foot and leg. Yesterday morning the pain was excessive at which time Doctor Kuhn was called in and prescribed for him, since which he appears gradually to have mended. I informed Kuhn this morning that his friends in the city were uneasy and had desired me to give them a true account of the situation. The Doctor authorized me to say that he considered him in no sort of danger and that the disorder was going off. ...The Governor lies in the back parlour where a good fire is constantly kept and where Mr. Halsted had his bed and Cyrus sleeps to attend him if required during the night.³⁰

W. MCKEAN THOMPSON TO THOMAS MCKEAN, JR.

Lancaster, January 30, 1807

Last night before bed time the Governor arose to have his bed made, when his pain occurred again with violence. He was not up for five minutes but extreme pain continued for some time and afterwards sufficient to deprive him of comfortable sleep during the night. This morning he took a dose of castor oil. ...The Doctor has just left, does not consider him in any danger. I could wish however that your mother would come up. She is a skillful nurse and may comfort and haste his recovery.

P.S. Send us a few lemons. There is not a lemon in this place.

W. MCKEAN THOMPSON TO THOMAS MCKEAN, JR.

Lancaster, February 13, 1807

Mrs. McKean has received your letter of yesterday. Your father continues much in the same situation he was in when I last wrote. Your mother is of opinion Doctor Physick should come up as soon as he possibly can. For my own part, I have considered the Governor's situation critical for some time past, but the physicians appearing to think otherwise, I have felt a delicacy in expressing my opinion. Perhaps you had better accompany the Doctor up. ...If the Doctor approves of leeching, you had better bring some up with you, if practicable, as I apprehend there are none to be had here.³¹

After the health of the Governor improved, the resolution to inquire into the official conduct of Governor McKean was adopted and the matter

³⁰ Possibly Dr. Frederick Kuhn, son of Dr. Adam Simon Kuhn.

³¹ Dr. Philip Syng Physick, Philadelphia's most famous medical authority of the period. Born in Philadelphia 1768. First to occupy Chair of Surgery at University of Pennsylvania, known as "Father of American Surgery." Operated until several months before his death in 1837.

referred to a committee. On March 30 the committee submitted a report which cited seven specific charges against the Governor. The entire body of charges was purely political and it seems unnecessary to recite them. However, the committee presented a resolution that "Governor McKean be impeached for high crimes and misdemeanors." It failed of passage and was referred to the early consideration of the next House.

State Continues Use of Lancaster Courthouse, Rent Free

When, in 1799, the commissioners of Lancaster County gave the Courthouse over to the State Assembly for its use, they did so without any expectation of rent. Perhaps, some of the state senators thought such a gesture was too good to be true. At any rate, on March 26, 1807, a resolution was adopted in the Senate to appoint a committee which would join with a committee from the House "to enquire of the commissioners of Lancaster county, on what terms the Legislature have and do enjoy the privileges of the Courthouse of said county, in which they have for several years and now, hold their sessions."

The committee appointed from the Senate brought back a report that it would be inexpedient to confer with the Lancaster County Commissioners "as it has already been expressly stipulated by the commissioners that no compensation should be demanded for the use of public buildings, occupied by the Legislature and Secretary of the Commonwealth...nor has any disposition been shown to demand any compensation from the Commonwealth."

The interesting information we get from the above is this: that the only state office in the Lancaster County Courthouse was that of Secretary of the Commonwealth. We still have no information as to the location of the various other State offices in Lancaster. The State treasurer's report gives no indication of money paid for rent, so it is assumed that each State officer in Lancaster had to find his own quarters.

Accomplishments of the Assembly of 1806-1807

When the Assembly adjourned on April 13, 1807, 153 acts had been passed and signed by Governor McKean. Many of the acts were for the relief of veterans of the Revolutionary War. Some were voted grants of money while others were given "donation land." Many acts again authorized companies to build roads and bridges. Out of seven lotteries given the sanction of the Assembly, four were for the relief of church congregations in Lancaster County.

The German Lutheran congregation of Lancaster needed \$3,600 "to enable them to reduce a debt which they had contracted by the erection of a steeple." The committee in reporting on the petition told the Assembly that the congregation had "raised large and liberal funds, but the magnitude of the undertaking far exceeded their calculations."

Sundry inhabitants of the village and township of Strasburg "prayed for authorization to raise by way of a lottery the sum of six thousand dollars "to assist in completing a house of public worship." The act as

passed called the congregation "the Lutheran congregation in and near the village of Strasburg."

The desire of the English Episcopal Church of Lancaster was to raise five thousand dollars. The report of the committee included this statement:

Your committee are very well satisfied that it has become necessary, by some pecuniary means, to repair the said church; and also well known, that the congregation consists of but very few members, who are in a situation to advance money, to accomplish the object desired; and it could not be expected or required that those few members should contribute any sum, proportioned to the magnitude of the repairs, necessary to the church; and that without the aid of a lottery, the congregation will be likely to be without relief. Your committee therefore, without expressing any opinion of the policy or propriety of lotteries, offer the following resolution.

The German Lutheran congregation of Elizabethtown prayed for authorization to raise by lottery three thousand dollars "For the purpose of completing an establishment calculated to promote the progress of piety and good morals." In reporting on this petition, the committee (members of the House from Lancaster County) presented the case to the Assembly favorably however "without expressing any opinion as to the policy of lotteries in general."

Two days before adjournment, the House tackled a bill which had been put aside for three months, since January 12, when it had been given its first reading. This bill had a strangely familiar title. It was "An act for the removal of the seat of Government." The bill contained a blank space for the insertion of the name of the town to be selected. The town of Reading seemed high in the minds of the Assemblymen, and they voted 39 for and 38 against inserting the name of Reading in Berks County. Nevertheless, on the question "Shall this bill be transcribed for a third reading?" the House voted 32 for and 43 against. For another year at least, Lancaster would continue to be the virtual capital, until the next General Assembly would again be handed this question which had vexed Pennsylvania's legislators since 1800.

The Senate attempted through one bill to commemorate the memory of the late Governor Mifflin by erecting a monument over his grave at Trinity Lutheran Church in Lancaster. Eight years before, in January 1800, a bill had been passed and signed to do this very thing, but no provision had been made to pay for the monument. Now, the Senate approved an act for the Governor to draw a warrant for \$300 on the State Treasurer to pay for the monument. The House turned down the proposal.

State Supreme Court Meets in Lancaster

When Lancaster became the Seat of Government in 1799, the Supreme Court remained in Philadelphia, as did also the office of the Attorney-General. At that time, they were meeting in the old City Hall at 5th and Chestnut streets, but in 1802 they moved into historic Independence Hall. In February 1807 three new districts were set up for the Supreme Court of Pennsylvania, the Lancaster district being one of them and consisting of the counties of

Chester, Lancaster, York, Berks and Dauphin. The new arrangement provided that one session annually should be held in Lancaster on the second Monday in May. At the first such court which was held in 1807, the bench was occupied by the new Chief Justice, William Tilgham, successor to the late Judge Shippen.

At the Circuit Court which is to commence in Lancaster on Monday next, Mr. Tilgham, the Chief Justice of Pennsylvania, will preside in person.

—*Lancaster Journal*
May 1, 1807

To be Continued in 1954.