

Proprietary Affairs In Colonial Pennsylvania 1726-1739

by Alan Tully

In both its first and second generations the proprietary family stood at the center of public affairs in colonial Pennsylvania. Historians of early Pennsylvania have always played close attention to William Penn and his policies; so, too, have they recognized the important role Thomas Penn played in Pennsylvania affairs in the eighteenth century. In neither case, however, have they given equal attention to all stages of the proprietary involvement with Pennsylvania. In William Penn's case his active organization, and direct participation in the early years of the Pennsylvania experiment have drawn the closest examination; in the case of his son it has been the later years—the years after 1746 when he succeeded to elder brother John's half interest in the province.¹

For William Penn, such skewing of interest may be justified, but surely not in the career of his son. For important those later years were, Thomas Penn formulated many of his policies and prejudices during the years 1726-1739. It was during the late 1720s that the younger Penn first took an interest in running the province and it was against the backdrop of provincial affairs, as he appraised them from England, that his ideas took shape. Moreover, we tend to forget that from 1732 through the early 1740s Thomas Penn was a resident of Pennsylvania, fully responsible for the direct management of proprietary affairs whether those affairs be the Maryland boundary dispute, proprietary land policy or local politics. The point is that only after gaining some sense of the complexities of proprietary affairs during this period, and some feel for the experiences of Thomas Penn, can we fully understand the role the proprietary played in eighteenth century Pennsylvania.

Throughout the 1720s proprietary control of land settlement was at a minimum in Pennsylvania. The reason for the laxity was simple enough:

no one knew where authority lay. When William Penn died in 1718 he left all of his lands in America, with the exception of a number specific bequests, to his three sons—John, Thomas and Richard—by his second wife Hannah Callowhill “in such proportion and for such estates” as she should “think fit.” The validity of the will, however, was questioned by the offspring of Penn’s first marriage, the Springett branch of the family, and a long Chancery suit ensued. In the summer of 1727, the Court established the legality of the will but the title that was then vested in John, Thomas, and Richard was still encumbered by a heavy mortgage their father had contracted. As well, Springett Penn, William Sr.’s grandson, vaguely defined claims to the power of government in Pennsylvania.

During the next four years these obstacles were eliminated. By January 1730 the mortgage had been discharged, and in September 1731 William Penn, 3rd, having inherited his brother’s claims when Springett died in the winter of 1730-31, relinquished his rights in exchange for £5,500. Agreement, too, had been reached within the Callowhill branch of the family. After Hannah’s death in 1727 the exact terms of the disposition of the Pennsylvania estate were worked out and formally agreed to by her three surviving sons. Finally, in May 1732 the descent of the property was established among Pennsylvania’s three young proprietors—John, Thomas and Richard Penn.²

The fourteen years of uncertainty within the Penn family were mirrored by public affairs in Pennsylvania. In his will William Penn left the management of his colonial estate to five Pennsylvania trustees. These men interpreted their trust as an obligation to manage the proprietary lands until the mortgage against the estate could be discharged. But although the contesting of Penn’s will meant that the duties of the trustees, *qua* trustees, went into abeyance, four of them were still responsible for managing the Penn family affairs in the interim. As commissioners of property they had the unenviable task of overseeing the operations of the Pennsylvania Land Office.³

The main function of the Land Office was to grant land titles to those who wanted to purchase land. ⁴ With William Penn’s death, however, clear title was exactly what no commissioner of property could provide. Because no one knew where the proprietary power resided, no deputy could conclude a contract on the proprietary behalf. Had there been little demand for such transactions an effective expedient might have been found, but it was the future proprietors’ misfortune to be thus paralyzed at a time when land hungry immigrants were arriving in growing numbers. Between 1720 and 1730 Pennsylvania’s population shot up from approximately 35,000 to 50,000. No matter whether the newcomers were English, Scotch-Irish or German, most of them wanted land.⁵

In response to this demand, Secretary of the Land Office, James Logan devised what expedients he could.⁶ For those few who would risk it and pay a price “better than common” Logan granted title by the authority delegated to the commissioners of property by William Penn.⁷ Most prospec-

tive purchasers, however, hearing of the confusion in proprietary affairs did not even apply for a warrant—an application for purchase that in normal circumstances was followed by a Land Office survey and the granting of title.⁸ Yet it was inconceivable that the proprietary men should merely step aside and allow the immigrants to sit down at will on land of their choice. Logan reasoned rightly that the new arrivals, settling in groups, as they did, would form a “general combination” and prove “unmanageable” at a later date.⁹ To establish some leverage on these groups, Logan made tacit agreements with “those who made the best appearance.”¹⁰ In such a situation “tho’ we would never by any means mention a price, yet they expect it must be £10 per 100 acres and perhaps interest from the time of settlement.”¹¹ Many of those who were a party to such understanding successfully pressed the Land Office to survey their land and thus the survey alone, came to represent a legitimate property right.¹²

As a short term expedient this plan was realistic but over a period of 14 years it had severe limitations. Many of the poorer settlers were deliberately excluded from participation, others refused to come into any sort of understanding, and still others were either ignorant of, or indifferent to, the informal arrangements. Such men marked out the bounds of their claims and “resolutely” sat down “without any manner of right of pretence to it.”¹³ Although Logan undoubtedly exaggerated when he wrote to Hannah Penn that 100,000 acres had been taken up “in such a fashion,” his assertion that in newly organized Lancaster County “settling without leave” was the “common practice” may well have been true.¹⁴

*B*y the mid 1720’s there were several different kinds of property rights—warrant, warrant and survey, survey, and quiet possession—all of which were known as “improvements.”¹⁵ Such rights were protected by law and capable of being alienated.¹⁶ The settlers who lived on them “pay [ed] taxes maintained roads as well as [did] freeholders.”¹⁷ Of course, the Land Office officials tried to protect from excessive exploitation the proprietary land on which these rights were located: Receiver-General James Steel pursued those who settled for a short time “without any grant or license . . . dispose [d] of the same under the name of improvements” and then “remove [d] to another place with the same design”;¹⁸ James Logan demanded foreknowledge of the scale of any approved settlement, suggested that those allowed to settle should post a bond against permanent damage to the plantation, and attempted to stop despoiling of any unsettled land. But these efforts were usually ineffective.¹⁹

The long period of delay in settling William Penn’s estate was not the only factor that prohibited orderly land settlement in Pennsylvania. The boundary line between Pennsylvania and Maryland had never been drawn, and, after William Penn’s death, the proprietary family of Maryland, and Baltimores, pressed their claims with renewed vigor.²⁰ The Maryland charter of 1632 placed the colony’s northern boundary at 40° latitude, a line which in 1714 was rumored to be approximately ten miles north of Philadel-

phia.²¹ Although Charles Calvert, the 5th Baron Baltimore publicly claimed that he should have all the land south of the line, custom dictated otherwise. In the seventeenth century all parties to the dispute had been satisfied that the line lay about 20 miles **south** of Philadelphia. In 1682, the 3rd Lord Baltimore had run a boundary line from the mouth of the Octorara River to the coast and the commissioners of property for Pennsylvania, having accepted "Lord Baltimore's line" as valid, had taken possession down to that line by settling land that far south in the early 1700s.²² In the 1720s the Pennsylvania commissioners continued to recognize that boundary; they agreed to settlements north of those early "Nottingham lots" and refused to allow settlements below that point.²³ Yet, as Logan recognized, the Baltimore claims to such a large section of Pennsylvania was the "deeper cause" of the proprietary paralysis;²⁴ for even when the family dispute was settled new land titles had to be conditional on the conclusion of a boundary settlement.²⁵

Given the uncertain state of the proprietary title, the reaction of many Pennsylvania residents was both predictable and sensible: they refused to pay quitrents. If the commissioners of property did not have the power to grant titles, how could the receiver-general have authority to collect their rents? If quitrents were paid to one representative of the Penn family, might not others demand the same as arrears once the succession had been settled? If Baltimore was to be their proprietor in the future, what could be gained by paying rent to the Penns?²⁶

Throughout the late 1720s and early 1730s Logan bombarded the Penns with complaints and suggestions. Little could be expected in the way of revenue, methods of making even modest remittances were few, and the trustees had never been given any commission or instrument that would publicly designate them as proprietary agents.²⁷ The proprietary interest was swiftly "bleeding" away, and only resolute action could prevent its destruction.²⁸ The family dispute had to be resolved; an agreement concluded with Lord Baltimore; and, above all, one of the proprietors, preferably elder brother John who owned one half of the proprietary interest had to come to Pennsylvania and, personally, reassert his family's authority.²⁹ When, in May 1732, Lord Baltimore finally affixed his signature and seal to a boundary agreement, all bars to such a visit seemed to have disappeared.

During the 1720s the tenor of intercolonial relations between Pennsylvania-Maryland had been firmly established. Harassments, assaults, and jailings typified dealings at the local level; procrastination, intrigue, and intransigence characterized activities in Philadelphia, Annapolis, and London.³⁰ The compromise of 1732, which established the boundary line roughly 15 miles south of Philadelphia, resolved nothing.³¹ When Lord Baltimore arrived in Maryland shortly after concluding the pact, he was quickly convinced that he had given away far too much, and his commissioners who were to cooperate with Pennsylvania counterparts in surveying the line, scuttled negotiations with their wild construction of the agreement text.³² By August 1734, Baltimore was back in London making more

trouble for the Penns by petitioning the King to transfer control of Delaware, or the three Lower Counties as it was then known, from the Penns to himself. The Lords Committee of the Privy Council dodged the issue by ruling that either party might begin a suit in Chancery to determine title to the Lower Counties and the exact location of the Pennsylvania-Maryland boundary. Accordingly on June 21, 1735, the Penns filed suit in equity—a suit that was not to be settled for fifteen years.³³

While news of Baltimore's unwillingness to honor the 1732 agreement and of his subsequent activities brought gloom to Philadelphia, it brought new hope to Annapolis. The Marylanders, who had everything to gain and nothing to lose, busied themselves plotting a new strategy. East of the Susquehanna River, where Pennsylvania's authority over the Nottingham lots and the old Octorara boundary line gave the Penns strong claims, Maryland's gains could be no more than marginal. West of the Susquehanna, however, prospects were much better; there, Pennsylvania had established no right of possession south of the 40th parallel, consequently, Maryland had the opportunity to do so first.

In Philadelphia, James Logan was fully aware of what the Marylanders were thinking and he pressed his Lancaster County associates to forestall them, consequently, in 1729 two Pennsylvanians, John and James Hendricks, found themselves set up on two newly surveyed plantations on the west side of the Susquehanna directly across from the Pennsylvania settlement at Hempfield. News of this development and of the simultaneous organization of Lancaster as Pennsylvania's first western county, stirred the Marylanders into hurrying their own plans. By April 1731, eight Maryland families were settled on the disputed land, and agents were circulating through western Pennsylvania recruiting German immigrants to do likewise. This sudden wave of Maryland activity apparently influenced public opinion on the frontier for Lancaster justice of the peace John Wright immediately reported to James Logan that "most of the people" on the eastern side of the river believed that the "hominny" presence on the western shore nullified any right the Penns might have had.³⁴

Such black days were not to last, for shortly after Thomas Penn arrived in Philadelphia in the late summer of 1732, he began to encourage the establishment of rival settlements under Pennsylvania aegis. In 1734 Penn asked local leader Samuel Blunston to distribute special land licenses for plantations in the west. These licenses did not confer title because Penn had not yet made the necessary Indian purchase but they required no money payment, authorized settlement and surveys anywhere west of the Susquehanna, and carried an implicit guarantee that once Penn had extinguished the Indian claims they could be converted into regular titles.³⁵ By issuing these special warrants, the proprietor formally served notice of what he had privately stated since his arrival from England: Pennsylvania had a right to the disputed land and he was determined to protect that claim. His forthright action restored confidence in the Penn claim and

settlers with and without licenses moved westward to settle nominally under the jurisdiction of the Quaker colony.

From 1730 through 1738 the rival activities of the Pennsylvanians and Marylanders centered mainly on the land lying directly across the Susquehanna from Hempfield Township. It was there that the Hendricks claim had first been laid out and occupied in 1729 and it was there that the most resourceful Maryland leader, Thomas Cresap, chose to reside. Cresap was one of those first half dozen Marylanders who settled there in early 1731 and was a forceful presence from the moment of his arrival. Before the year ended he was accused of encouraging Pennsylvania Germans to settle near by under Maryland survey, of stealing a bound servant from a Hempfield resident, of harassing the local Indians, and of attempting to arrest a Pennsylvania freeman. In return Cresap charged Pennsylvania authorities with denying his justice and of attempting his murder. This exchange set the tone for what followed. Over the next four and a half years, reports from the frontier were filled with news of destroyed livestock, harassed residents and assaults in the name of arrests.³⁶

It was not until the latter half of 1736, however, that events reached a critical point. During the summer of that year Maryland surveyors had been busy setting out a series of new tracts and in doing so they ran roughshod over a number of old property lines that purportedly carried with them a valid Maryland title. To the German settlers who had bought the plantations and who had abandoned their allegiance to Pennsylvania in order to acquire secure land titles, this was the last straw. They felt that the Maryland magistrates had mistreated them and now their property was in danger. In late August, after consulting with Samuel Blunston they sent a letter to Annapolis renouncing their Maryland overlords and petitioned the Council in Philadelphia to accept their allegiance. Five weeks after the Pennsylvania Council had agreed to deal with them as Pennsylvania residents, 300 Maryland militia appeared on the banks of the Susquehanna opposite Hempfield. Thanks to the resourcefulness of the Lancaster County sheriff, Samuel Smith, who quickly managed to assemble a force of 150 volunteers, and to the disagreements that arose between Maryland's militia leaders and Thomas Cresap, the invading force did not mount an attack. After plundering a few of the German homesteads and making a few half-hearted attempts to squeeze promises of continued loyalty to Lord Baltimore from their occupants, the militia men straggled back into Maryland.³⁷

It was this appeal to force and the exposure of a Maryland inspired plot to forcefully dispossess the turncoat Germans in the dead of winter that finally stirred the Pennsylvanians to action. Since January 1735 the Lancaster magistrates had possessed a warrant for Cresap's arrest for murder; the time had come to serve it. Unfortunately, Cresap had ample warning of Sheriff Smith's approach and the Lancaster posse found him barricaded in his cabin. But the Pennsylvanians were not to be deterred by the niceties of due process; they fired the cabin and collared Cresap when he burst through the door.³⁸

After this event both sides settled down in preparation for continued hostilities. Blunston and Smith organized a voluntary militia to guard the eastern shore of the Susquehanna and to garrison the fortified cabin on the Hendricks plot; the Marylanders established their own stronghold and mounted periodic raiding parties—to terrorize the Germans, to arrest several Pennsylvanians, to assault others and to raid the Lancaster jail. For a time in the spring of 1737, when the Lancaster residents felt the full effects of Maryland's marauding militia, the morale of the Pennsylvanians dipped low. But time was on their side.³⁹

In early 1737, the boundary dispute again came before royal eyes on the presentation of Maryland petitions—this time changing the Pennsylvanians with murder, assault, and inhuman cruelty. After reviewing the evidence, the Crown issued a quieting order on August 18th. Dissatisfied with this directive which forbade further settlement in the disputed areas, Baltimore and John Penn finally agreed to a temporary settlement of their own making, and on May 25, 1737, an order-in-council approved it. According to the agreement a temporary line was to run 15 ¼ miles south of Philadelphia west of that river. The actual surveying of that boundary in 1737-39 ended the long reign of the Maryland boundary dispute as the foremost issue in Pennsylvania's public affairs.⁴⁰

During the 8 years in which the Marylanders had most vigorously pursued their claims, many Pennsylvania residents shared a common preoccupation with the threat from the south. The Baltimore family claims and the actions of their agents clouded the hopes and expectations of all those who felt they had a stake in the province's future. Those who treasured their religious freedoms feared Catholic oppression; those who valued Pennsylvania's peculiar constitution decried the Maryland alternative; those who held land in lower Chester and in Lancaster believed they were in danger of losing that possession; those who lived in Philadelphia feared that if Baltimore gained control of the rich lands of southeastern Pennsylvania and of the Lower Counties, he would direct their trade away from the Delaware River.⁴¹ Because the Maryland threat was a commonly shared, external threat, Pennsylvanians met it with determined unanimity. Members of the proprietary family defended their claims in London, Governor Patrick Gordon and his Council did so in the provincial capitals, and the Assembly identified itself with the common cause on all occasions.⁴² What was at stake was the security of many provincial residents, a security that depended directly on the validity of the proprietary charter. Thus, it was the proprietary family that events thrust to the fore, and colonial agents, Quaker interest groups, provincial spokesmen, and local authorities all looked to the Penns for leadership.

Thus, Thomas Penn's stay in Pennsylvania presented him with a substantial opportunity to build up goodwill and influence all over his province. Throughout the colony there were men who had, already, irrevocably committed themselves to his case—not merely the political heavyweights such

as Provincial Councillor James Logan, merchant Isaac Norris, Sr., and Assemblymen Jeremiah Langhorne and Andrew Hamilton, but also local residents in Nottingham and western Pennsylvania who had chosen to settle under the questionable right of the Penn family. What they asked for and expected in return for their support was leadership. It was precisely this demand, however, that Thomas Penn could not supply. Handicapped by his account-book mentality and acutely aware of his own claim to social pre-eminence, Penn was not the man to make dramatic and encouraging appearances on the frontier, to deal with local leaders as partners in a common enterprise, nor to actively build up a personal following of any sort. Immediately after his arrival Penn started out on the right foot when he underwrote all expenses incurred in the boundary dispute. But by 1737, Lancaster politician Samuel Blunston reported, with bitterness, that the proprietor's behavior in past months had left no doubt about his feelings; he believed that "all his pains and expense" had been "chiefly taken for the benefit of the inhabitants" and they had done little to help themselves. As long as the dispute with Maryland continued Blunston and others kept their anger under control; county officials strove to keep squatters off the proprietary manors, defending the Penn property just as they hoped the Penns were protecting their titles and claims. But by wasting away the initial enthusiasm that Pennsylvanians had for one of their long-absent proprietors, and by failing to convert the cooperation of necessity into mutual trust and friendship, Thomas Penn squandered an important opportunity to guard the proprietary against the day when the boundary crisis and the self-interested harmony that accompanied it, would no longer survive.

When Thomas Penn sailed for Pennsylvania in the summer of 1732 he believed that his foremost duty was to bring system and order to the Land Office and thereby gain for the family the income to which they were entitled. Back rents and uncollected purchase money were to be called in, and from 1732 new conditions were to apply to the purchase of all Pennsylvania land; quitrents were to rise from 1 or 2 shillings per 100 acres to $\frac{1}{2}$ penny per acre sterling and the common price of land from £10 per 100 acres to £15-10/ Pennsylvania currency.⁴⁴ But while making alterations in the conditions of land purchase was a simple procedure, thorough implementation was not. Provincial residents continued the practices they had followed in the preceding decade: some took out warrants—at the new price, of course—but then neglected to have their tract surveyed and patented; others took the first two steps but failing to make the final payment on their land, were denied formal title; still others, simply came and sat down as they had in the past, professing as always that when properly asked, they would pay for their land.⁴⁵

Despite his intentions, Penn had no alternative but to sanction many of these arrangements. It was impossible to demand full payment on the issuance of a warrant for seldom did the purchaser have that kind of ready money. Consequently, many made a first payment of one third the value of the land and agreed to pay the balance in six months only to default after

obtaining the warrant and marking out or having surveyed the limits of their new plantations.⁴⁶ In the disputed territory in Lancaster and even on the east side of the Susquehanna, Penn allowed deputy surveyors Samuel Blunston and Zachariah Butcher to set out lots on verbal or written application alone, and with no money payment other than surveyor's fees, in order to bind the interests of settlers more tightly to the Pennsylvania cause.⁴⁷ Of course, on the west side of the Susquehanna River the Blunston licenses established another type of property right without any consideration money or application for the usual legal instruments.

Expediency dictated these policies, and it was to expediency that Penn bowed. His real sentiments were never in doubt; he pointed out to his agents that the only way to force provincial residents to pay for the land they worked was to stop the sale of improvements. If this could be done, land would have to be paid for and titled before a property transaction could be completed. But practically this was no solution. The locally elected officials over whom Penn had no effective control would not lift a finger to implement such instructions.⁴⁸

Although the obstacles were too great for Penn to bring about the kind of ordered situation he had envisaged, not all of the proprietor's efforts were lost. The Land Office did begin to issue patents in large enough numbers to bring in some revenue, and the large number of warrants that were taken out signified that many were, at least, asking permission to settle. Two natural inducements helped Penn persuade settlers that they should take out warrants, surveys, and patents; established improvement rights could be challenged by a new warrantee, an action that could lead to an expensive law suit, and no man was eligible for aid from the provincial loan office unless he had established a secure title or was using the loan to finance that purchase. But given the great backlog of improvements that had built up, the continuing, rapid rate of immigration in the 1730s, and the difficulties created by the Maryland boundary dispute, systematic regulation and distribution of land titles was dishearteningly slow.⁴⁹

What was eventually to bring the proprietors the greatest amount of trouble was not the demand that new grants of land be subject to a higher purchaser price, but that old improvement rights, settled or acquired before 1732, should be subject to the new prices. After William Penn's death, Logan had, indeed, told settlers that he could "neither make nor propose any terms to them," but there was widespread belief that £10 per acre, which was the consideration most commonly asked, would be the eventual price.⁵⁰ The very indefiniteness of the arrangement coupled with the fact that the Land Office did on occasion grant land at an even lower price created a misleading set of expectations among the settlers. In fact, the 1732 increase in the price of land did no more than allow for the depreciation of Pennsylvania currency so that in pounds sterling the Penns asked no more than they had received prior to the emission of Pennsylvania currency in the 1720s. Such reasoning, however, evoked no sympathy

among the tight-fisted immigrants. To them £10 had come to mean £10 in Pennsylvania currency, and Thomas Penn's appearance in the colony meant the land would now cost £5 more.

The situation in Donegal, Lancaster County, illustrates both the kind of mistakes Thomas Penn made and the kind of hostility he encountered. In 1719 James Logan had settled a group of Scotch-Irish families in Donegal, hoping that if need should arise they would serve as the nucleus of a frontier militia. In settling them there Logan made no concession beyond the usual £10 per 100 acre land price.⁵¹ Those who did not take out warrants, undoubtedly, expected the same terms,⁵² but in the winter of 1733-34, after turning down their petition for these terms, Thomas Penn gave them a choice of three alternatives, all of which constituted a heavier payment than the old prices and quirents had been.⁵³ After two years of negotiation Penn had given some ground but it was still not enough to satisfy the intractable Donegalians.⁵⁴ In the meantime, Penn had accepted Samuel Blunston's advice and ordered him to go ahead and survey the inhabitants' improvements, reasoning that once this had been done warrants could be filled out detailing both the size of the plantation and the cost.⁵⁵ By the end of 1737, when Blunston had finished up most of the surveying, Penn was beginning to see the folly he had committed. In paying Blunston's surveying fees and allowing him to proceed, the inhabitants had obtained the strongest possible improvement right they could get—a survey—and this without paying any consideration money. Dealing from this new position of strength, the spokesmen for the Donegal residents renewed their requests for the old rates and liberal credit terms.⁵⁶

Faced with this evidence of bad faith, absolutely convinced of his own rectitude, and humiliated by his own naivete, Penn's patience crumbled. In December 1738, he ordered Blunston not to survey any more plantations unless the applicant had taken out a warrant on one of the three sets of terms he had offered in 1733-34.⁵⁷ Nine months later, when news of the Penn-Baltimore agreement reached Philadelphia, Penn acted with swiftness.⁵⁸ On November 23, 1738, the proprietaries issued a proclamation condemning all of those who now possessed warrants, surveys, or bare improvement rights and had not paid the necessary consideration money. According to the proclamation they had to pay this money by March 1, 1739, or be "proceeded against according to the law, on order to be removed from their possessions."⁵⁹ Proprietary negotiations had accomplished nothing; the time had come for confrontation.

Much the same sort of evolution in proprietary affairs occurred over the question of quitrent payments. The old yearly rate that the Penns had most often reserved on grants of land before 1732 had been 1 shilling per 100 acres. Throughout the 1720s, however, many refused to pay it because of the confusion over the proprietary title. This excuse remained valid for some of the Chester and Lancaster County residents until 1738. But most of the old settlers in Philadelphia, Bucks, and northern Chester recognized their obligation to pay. The important question, for them, was not whether to pay, but how much to pay. According to their land grants the quitrents

were payable in sterling but after the adoption of a paper currency in 1723 the common standard exchange in the colony had become the Pennsylvania shilling. Moreover, the Paper Money Acts that authorized the printing and distribution of the provincial currency stipulated that it be accepted as legal tender for all outstanding debts. Since the value of 12 English pence, or 1 shilling, fluctuated between 18 and 20 pence Pennsylvania currency, local residents were tempted to pay their quitrents in the devalued provincial money.⁶⁰ When Thomas Penn arrived in Pennsylvania some residents professed their willingness to compromise and pay a 4 pence premium on the shilling in accordance with an English statute of 1707 which pegged colonial currency at 16 pence on the shilling.⁶¹ Despite the pressing needs of the family, however, Penn refused to allow his receivers to accept anything but the full amount according to the current exchange rate.⁶² Both he and brother John hoped that they could persuade the provincial Assembly to exempt quitrents from the legal tender clause of the Paper Money Acts. Predictably, the Assemblymen were cold to Penn's initial suggestions, but they were aware that the proprietor possessed the means to force the issue.⁶³ In October 1737, the Reemitting Act, which had kept Pennsylvania's currency in circulation, was to expire, and the approximately £69,000 in bills of credit would thereafter gradually disappear from circulation.⁶⁴ Because local opinion was virtually unanimous that Pennsylvania's prosperity depended on the availability of this currency, the proprietary power to withhold executive consent from a new Currency Act became a powerful bargaining point. Fully aware of this, the Penns instructed Governor George Thomas when he was commissioned in 1737, to refuse assent to any currency bill that did not expressly state that all proprietary quitrents were to be paid according to the current rate of exchange.⁶⁵

As soon as Governor Thomas reached Philadelphia in the summer of 1738 the Assembly presented him with a bill to re-emit and increase the amount of provincial currency. Thomas managed to postpone consideration of the bill by arguing that insufficient time remained in the summer session for him to master such a complex affair, but when a new Assembly had convened for its January session in 1739 that excuse was no longer acceptable. In the first exchange between the Governor and the Assembly, Thomas put the proprietary arguments: the quitrents ought to be paid in the equivalent of sterling because they had been contracted as sterling debts; to "honest men," the "justice" of this proprietary instruction was plain enough.⁶⁶ The Assembly's replies stressed a different point: if an exception were made in the case of the quitrents the value of the currency would be adversely affected and the exchange rates would fall even lower. If this happened the proprietaries would lose far more from outstanding debts for land, than they could ever recoup in the quitrent arrears.⁶⁷ Thomas Penn eventually admitted the validity of this reasoning and in May 1739 the two parties reached a compromise.⁶⁸ The proprietors would accept 16 pence on the shilling; the Assembly would pay the proprietors £1,200 immediate compensation and an annual stipend of £130 during the life of the

On May 19, the relevant legislation passed, and Thomas Penn had no need to bide his time any longer. In August 1738, he had written to John that as soon as a settlement had been reached he would "lose no time to seize on the tenants and use all methods the laws allow to make a speedy collection of the whole."⁷⁰ On June 28, 1739, only 5 ½ weeks after the Governor had passed the two acts Richard Peters, the new Secretary of the Land Office, placed a notice in the *Gazette* commanding all who had been in arrears to appear in October and November to discharge their debts. Default would result in legal action.⁷¹ In the cases of quitrent arrears, as in all Land Office affairs, the Penns' determination to collect what was theirs and the settlers' predisposition to avoid payment, produced a growing estrangement between proprietor and people.

The politics of the early 1720s in Pennsylvania are well known for their factional quality. William Keith, the gentleman whom William Penn had appointed Governor in 1717, had capitalized on the confusion over the proprietary title and on an economic recession to promote his own interest. Gambling that the Crown would expropriate both Pennsylvania and the Lower Counties, in the not-too-distant future and hoping to ease his way to a royal governorship by building up "popular" support in the colonies, Keith courted the electorate as no other Pennsylvania governor had done. Allied with the renowned old champion of Assembly rights, Speaker of the House, David Lloyd, Keith took the popular position that Pennsylvania should meet her economic problems by printing paper currency. When those who supported the proprietary interests from their appointive positions on the Provincial Council opposed this inflationary policy, Keith and Lloyd again joined together to argue vehemently that the Council had no place in Pennsylvania's constitution. The provincial government consisted of an executive with full discretionary powers and an elected Assembly and the council was merely a body that existed on the sufferance of the Governor to tender advice if, and when, asked.⁷²

The political furor Keith aroused was not to last long into the second quarter of the eighteenth century. Wearied of Keith's insubordination and worried about its effect, Springett Penn agreed to appoint Patrick Gordon in Keith's stead, and the new governor assumed office on June 22, 1726, three months before the annual October election. Still, Keith had a breath or two left. Determined to keep his political career alive, the former Governor set his eyes on what was the only suitable elected post for an ex-governor to take—the Speakership of the Assembly. Keith's announcement of his political intentions only made public and irrevocable what had already taken place. Ever the realist and knowing from his experience that no man was more dead than yesterday's governor, David Lloyd had immediately accommodated himself to the new chief executive and joined in a reconciliation with James Logan. Despite Keith's success in winning the 10 Philadelphia city and county seats, the 16 Bucks and Chester County representatives firmly supported Lloyd in his bid for re-election as Speaker, and, once he had secured that position, he continued to cooperate with the

Governor and proprietary allies. For the next year Keith remained in Pennsylvania, nursing his ambition and his public support in the hopes that fate might intervene on his behalf. After he failed to pick up more seats in the 1727 election, Keith realized that further efforts in Pennsylvania would reap no results and set sail for London, hoping that there he could convince the powerful to secure him another governorship. Following his departure in February 1728, Keith's confederates in the Assembly became increasingly hostile towards their Lloydian counterparts, and in May of that year they attempted to bring the legislative process to a halt by refusing to attend house sessions. After the October election, however, the two groups worked out a compromise and, when Patrick Gordon agreed to accept a new paper money emission, the Keithians were robbed of popular grounds on which to resume their quarrel. The paper money advocates who threatened to do violence in Philadelphia, faded away into silence and the Keithians again became simply Pennsylvanians.⁷³

By the end of the 1720s Pennsylvania's political leaders were tired of the needless contentions that had recently disturbed the province. Once the Penns had discharged Keith from office he lost the legitimacy he had derived from his position as governor and stood condemned by the universally recognized values of concord and amity.⁷⁴ This genuine predilection for peace that Pennsylvania residents shared was reinforced by the growing seriousness of the Maryland boundary dispute—an external threat which drove politicians to subordinate their differences to their common concern for security. When the Penn family dispute was finally settled in 1731, Pennsylvania brightened to the prospect of a new future in which the proprietor could unite with the local gentlemen and freemen in clearing the provincial title and in solving the many public and private problems that the preceding decade of neglect had produced.

By the time Thomas Penn arrived in Pennsylvania in 1732 changes in the political scene already reflected the new provincial circumstances. With William Keith gone and his followers bereft of leaders, with James Logan incapacitated by a broken hip, with former trustee Isaac Norris, Sr. retired to his country estate, and with David Lloyd dead, Andrew Hamilton quickly established himself as the most influential politician in the colony. Hamilton had been educated at the Inns of Court and about 1715 finally settled in Pennsylvania, where he became a close associate of David Lloyd's. Like Lloyd, Hamilton cooperated with Keith, accepting the post of Attorney General in 1717 and later filling a seat in the Provincial Council. Despite his public prominence, Hamilton managed to stay clear of the bitter debates that divided Philadelphia in the early 1720s, and in the summer of 1724 he resigned his posts and left the overheated city atmosphere for England. After receiving the Penns' assurance of goodwill, he returned to Philadelphia in the summer of 1726 and immediately made his weight felt in local politics. He took charge of the proprietary election campaign in the Lower Counties, intervening with such skill that William Keith, who had expended great effort to build up a personal following there, was defeated as an Assembly candidate. Such spectacular success

solidly cemented his political alliances with James Logan and Bucks County notable Jeremiah Langhorne. In 1727 Hamilton was elected as a Bucks County representative to the Pennsylvania Assembly. Two years later he succeeded David Lloyd to the Speakership, and by 1730 he held the posts of recorder of the Philadelphia Municipal Corporation, prothonotary in Philadelphia County, and acting trustee of the Loan Office.⁷⁵

When Thomas Penn arrived in Pennsylvania in 1732, Andrew Hamilton was prepared to use his network of power and influence to support the proprietary interest, and in future years he did perform important services. He served as a provincial representative on the 1732 boundary commission, acted as emissary to Annapolis in 1734, constantly advised Penn on legal procedures, fought for the release of those Pennsylvanians who were jailed at various times by the Marylanders, encouraged applicants to the Loan Office to pay the purchase price of their land to the proprietors, and worked for a quitrent arrears settlement that would compensate the Penns for their losses.⁷⁶

The reasons Hamilton was able to do all of this and still retain the confidence of most Pennsylvanians were several. Of central importance was the belief—widespread among provincial inhabitants—that as long as the Maryland boundary dispute was unsettled they should avoid being at odds with their proprietor. Unquestionably this worked to prevent the surfacing of animosities that might have produced contention among Pennsylvania politicians. But, that is no reason to take anything away from Andrew Hamilton. Despite his occasional unwillingness to “brook a slight from those who he expected a better treatment,” Hamilton was a consummate politician—a master at generating compromise, perspicacious in his choice of allies and attentive to his friends.⁷⁷ Only once in ten years did he slip badly. That was in 1733 when, after he had become involved in a brief but sharp dispute with Governor Gordon, his friends “dropped” him and he failed election as a candidate for Bucks County. Defeat, however, was momentary. Almost before the returns had come in Hamilton bounced to his feet and began to paste together a new political world. He resigned as prothonotary of Philadelphia County on the condition that the office go to his son James, patched up his quarrel with Governor Gordon and with the help of Jeremiah Langhorne, who was the most respected political leader in Bucks County, he re-entered the Assembly in an election. In October 1734 he was again chosen by his peers to be Speaker of the house.⁷⁸

Important, too, in explaining Hamilton's predominant role in the politics of the 30s was his well deserved reputation as a spokesman for popular rights. As a matter of tactics, alone, Hamilton had to assume leadership in popular causes simply to keep control of them, but this was not the only reason that he did so. Despite his concern for proprietary privileges, Hamilton shared the same whiggish sentiments that other popular politicians professed and in 1735 he displayed them for all to see. In that year his magnificent success in defending printer Peter Zenger of New

York against charges of libel brought him popular acclaim as America's spokesman for liberty of the press.⁷⁹

Thereafter, public esteem for Hamilton continued to grow for almost as soon as he returned from New York he emerged as a leading advocate of the rights of Pennsylvania freeholders in their protests against the province's equity court. From 1720, equity jurisdiction in Pennsylvania had been administered by a chancery court voted into existence by an Assembly resolve and presided over by the Governor and a number of provincial councillors. Although the court sat but seldom, the presence of a vigorous and determined proprietary landlord led to speculation that Penn might use the court to prosecute delinquent debtors.⁸⁰ Such suspicions were not entirely ill-founded for the Penns did indeed want a court that was free of elected sheriffs and of juries, one that was composed of "knowing and experienced men" with the Governor to "preside therein."⁸¹ Fortunately, for those who were worried about possible abuses of the equity court, the best possible grounds were found for revoking the Assembly resolution that had brought it into existence. Article 6 of the 1701 Charter of Privileges specifically stated that no person should "be obliged to answer any complaint, matter, or thing whatsoever, relating to property, before the Governor and council . . ."⁸² Along with other legislative spokesmen, Hamilton praised William Penn's foresight in including this provision which allowed them to repudiate the Assembly resolution and thus forward what in the founder's words was "the great end of all government—to support power in reverence with the people, and to secure the people from the abuse of government."⁸³ Throughout the 1730s, then, Andrew Hamilton was the most important political leader in Pennsylvania and Hamiltonian politics were peaceful politics. There were no major disruptions, no cases of serious contention, and no conflicts among politicians, sufficiently quarrelsome, public, and prolonged to warrant being called factional outbursts. That is not to say, however, that there were no significant alterations in power relationships. Even during periods of peaceful politics rarely, if ever, does the distribution of political power and the reputation of politicians remain static. There are usually a great variety of changes, often subtle and partially disguised, and very often those changes, when exposed, reveal a noticeable drift in public affairs. And in Pennsylvania during the 30s public affairs drifted in such a way as to leave the proprietary interests stranded by the decade's end.

When the two Penn brothers sailed up the Delaware, Thomas in August 1732 and John two years later, the tides of proprietary popularity reached heights that would never again be attained. Those many Pennsylvanians who had felt deserted in the 1720s but had nevertheless remained steadfast in the proprietary cause felt that their loyalty would soon be rewarded. Others, threatened by the increasingly serious Maryland boundary dispute and tired of the political factionalism that had characterized Sir William Keith's days, looked forward to a period of cooperation under proprietary leadership. But John Penn had to return to England again in 1735 before he had the opportunity to influence proprietary policies, and al-

though Thomas succeeded to some extent in the narrow task of increasing the family revenue, he failed miserably at the larger task of protecting and expanding the family's influence.

Even for a tactful man—which Thomas Penn was not—the burden of straightening out proprietary affairs was a Herculean task. Because of European experiences new immigrants were deeply distrustful of all landlords, and those who had settled during the 1720s, accustomed to thinking of the land as their own, deeply resented the demand that they should now pay principal, interest, and an annual quitrent. Others, like the Scotch-Irish at Donegal, saw each new offer Penn made as a betrayal of past promises. “Grumblers and malcontents” increased, especially during the equity court dispute.⁸⁴ Reasoning that if those in arrears thought it “likely” that the proprietors intended to use the court to persecute the offenders they would “think it more proper to comply,” Thomas Penn did nothing to discountenance such rumors.⁸⁵ By 1738-39, when Penn could move against those who owed him money for land, these sentiments had spread, and the very circumstances that allowed him, at that point, to prosecute debtors vigorously—the settlement of the Maryland boundary dispute—removed the outside threat that encouraged men to work with the proprietor and to hold in check what ill feeling they harbored. The proclamation of November 1738, which demanded compliance with Land Office procedure, was followed less than a year later by the quitrent settlement and the June 1739 proclamation demanding immediate payment of all arrears. In December 1739 Thomas reported on the results of his new tough policies to elder brother John: James Steel, the Proprietary's Receiver General had “for eighteen months has gone through more business than ever he did for two or three years past.”⁸⁶ The effects of such officiousness were predictable. When in September 1739 Reverend Samuel Thomson of Pennsborough was examined before the Donegal Presbytery for writing a letter “containing some things which were very offensive to the humble proprietors,” his defense was short and pointed: these were “not his own thoughts but the thoughts of the people.”⁸⁷

In addition to the obvious hostility that Penn's land policies generated during the 1730s, a whole series of subtle changes in power relations so weakened the proprietary interest that by 1739 the Penns were left with only slender, ill-defined bases of popular support. Throughout the 1720s James Logan had kept the western reaches of Chester County firmly in the proprietary interest. He maintained firm ties with his fellow Quakers who settled there and in partnership with the leaders of the Scotch-Irish community, he also built up a powerful fur trading empire. In these early, formative years Logan helped draw the Quakers and the Scotch-Irish into a cooperative relationship, and under his tutelage they worked together in order to forward their own, James Logan's, and the proprietor's interests. While this local pattern of cooperation was reinforced in the 1730s under direct threats of an expansionist Maryland the old leadership ties with Philadelphia underwent serious alteration.⁸⁸

Throughout the decade of the 1730s the Scotch-Irish remained a pow-

erful voice in Lancaster affairs. They constituted a large portion of the politically active community, they shared in the common danger that the Marylanders posed and made up a large part of the Pennsylvania contingents that had to confront Thomas Cresap and his gang, they had strong local leaders such as politicians Andrew Galbraith, John Emerson, James Mitchell, and Samuel Smith, and they believed that the most effective way to deal with their present problems was to work with the proprietor. To this end they chose James Hamilton, Andrew's son, along with one or two local Scotch-Irish representatives to sit as Lancaster County legislators in the Provincial Assembly.⁸⁹ But the continued representation of the Scotch-Irish Presbyterians in the Assembly did not mean that power relations had not altered. Immobilized with a broken hip, predisposed to retire from the most burdensome public and private affairs, and unable to influence an independent Thomas Penn to the extent that he hoped, James Logan's political empire gradually disintegrated, and no new proprietary spokesman in Philadelphia emerged to establish a special relationship with the Scotch-Irish. Consequently, on the level of provincial politics the balance between Quaker and Presbyterian that had existed through Logan disappeared.

*I*t was during these same years that the credit of a small group of men who had been reared as Quakers increased significantly in Lancaster County. Samuel Blunston, John Wright, his two sons, James and John, Jr., Jacob Minshall, and John, James, and Tobias Hendriks all owned property on either the east or west side of the Susquehanna River at the point that was later to become Columbia and Wrightsborough, the very place where Thomas Cresap and his followers determined to challenge Pennsylvania possession.⁹⁰ Throughout the violent days of the 1730s, these were the men who with the support of their Scotch-Irish and German Friends, held the Pennsylvania supporters together and kept them loyal to the Penn cause. Of this group the one man who was most responsible for establishing the basis for future Quaker leadership in the county was Samuel Blunston.

Previous to Thomas Penn's arrival, Blunston had cooperated with James Logan in organizing the Pennsylvania resistance to the Maryland incursions and doing so he strengthened his influence among Lancaster residents and recommended himself to Thomas Penn. When Penn needed someone in 1734 to grant licenses for settling on the disputed land west of the Susquehanna River, Blunston was the obvious man. A year later, Blunston convinced Penn that many of the old improvement rights in Lancaster ought to be surveyed before warrants were taken out, and when the residents of Hempfield and Donegal respectfully petitioned Penn to appoint Blunston as deputy for the job, Penn granted the request. Again, in 1737 Penn allowed Blunston to hand pick the men who might purchase land for a plantation in a tract of rich land which had originally been set aside as a proprietary manor. Thus, Thomas Penn put tremendous power in Blunston's hands; he could choose who should be allowed to settle on broad expanses of good land, and in a colony where possession of a registers

survey was virtually as strong as an official title, he could decide who, among the old residents of Donegal and Hempfield, merited such a survey. While sharing Penn's trust, and carrying on an apparently candid correspondence with the proprietor that proved his loyalty, Blunston used his immense discretionary power along with his influence as a gentleman, private businessman, justice of the peace, deputy register, and prothonotary to build up his own political interest.⁹¹ In his dealings with local residents he clearly cast himself in the hero's role, defending Pennsylvania's claim to western lands, and pleading the case of the Donegal and Hempfield residents against a grasping proprietor.⁹² It was a dazzling exhibition of political dexterity and when, in 1736, James Logan warned Presbyterian minister James Anderson that Samuel Blunston was seducing the Scotch-Irish, it was already too late. The foundation for a later anti-proprietary, Quaker-led, alliance had already been laid.⁹³

These political changes in the west were accompanied by equally significant ones in the east. Although Andrew Hamilton's influence in Bucks County remained solid during the 1730s, founded as it was on longstanding friendship with Jeremiah Langhorne, Joseph Kirkbride, and Lawrence Growdon, the same could not be said about the other two old counties. In Philadelphia County, Hamilton's position had weakened for his quarrel with the Norris family in 1733 had left hard feelings and the power of his old friend James Logan was on the wane.⁹⁴ In Chester, where non-Quakers were always at a political disadvantage, the good will that Hamilton had inherited from David Lloyd had slowly dissipated after the latter's death, and, when, in 1739, the Assembly agreed to reimburse the Penns for their quitrent arrears losses, 7 of the 8 members from Chester refused to endorse Hamilton's compromise settlement.⁹⁵ The casting of these dissentient votes dramatically pointed out the changes that had taken place in Andrew Hamilton's political support. Whereas in the early 1730s Hamilton had gained power with the support of the influential county leaders who had opposed the city based William Keith, by the end of the decade Hamilton had become somewhat of a city man himself, associating more and more with his son-in-law William Allen, the Plumsted family, and some of the old supporters of Sir William Keith.⁹⁶ But the quiet erosion of his old political alliances was masked by a unique situation. In 1735 Hamilton had become an Anglo-American hero, a figure of international renown. His magnificent success in defending printer Peter Zenger of New York against charges of libel brought him to the high point of his career. The reputation Hamilton thereby gained as spokesman for liberty of the press furnished him with a popularity in Pennsylvania that was to continue until his retirement in 1739. What his close friends and associates did not see was that his popularity and the power that it brought was based on personal reputation. And that was something that could not be bequeathed. While Hamilton's influence remained real enough during the later 1730s, the legacy he left to his city friends was to prove illusory.⁹⁷

As significant as these general political changes in both eastern and western counties were in the gradual deterioration of a once powerful pro-

proprietary interest, none were more so than the demise of the old Penn family friends and the circumstances of their successors. In Bucks County the longtime political overlord and proprietary ally, Jeremiah Langhorne, fell ill in 1739 and died shortly thereafter. Coinciding as it did with the retirement and subsequent death of Andrew Hamilton, this loss was a heavy blow to proprietary influence. Langhorne's lieutenants Lawrence Growdon and Joseph Kirkbride, did not wield the same power their former associate had. Nor were they as firmly entrenched in the proprietary interest. In Philadelphia an even greater failure of succession took place. Despite a long apprenticeship under the skillful tutelage of his father-in-law, Andrew Hamilton, William Allen had not matured as a politician—something that he was soon to display to all Pennsylvania.

In the ranks of Penn's administrators, changes in personnel brought similar results. James Logan's power continued to decline despite his activities as President of the Council between Governor Gordon's death in August 1736 and Governor Thomas' assumption of duties in June 1738. Logan's waspish tongue still spread fear and commanded subservience but his peevish manner encouraged many of his old associates to avoid him now that they were able to do so.⁹⁸ Rather than James Logan, it was the Receiver-General, James Steel, who was responsible for preserving much of the good will that the proprietor did meet with in the countryside. In the course of his duties Steel was constantly in touch with countrymen of all sorts, rectifying an error, rendering a service, dampening down an enflamed mind. Kind and affable, he entertained extensively on the proprietor's behalf, helping to dissolve away some of the rancor that Thomas Penn's actions and policies produced.⁹⁹ But by 1739 "old James" was unable to handle the growing volume of proprietary business.¹⁰⁰ Two years later he was dead.

Thomas Penn's replacements for Logan and Steel did nothing to restore the diminishing country influence of the proprietary. The new Secretary of the Land Office, Richard Peters and Receiver-General Lynford Lardner, were Anglican outsiders recently arrived from England who lacked friends and contacts in the Pennsylvania countryside.¹⁰¹ Even in Philadelphia their political influence was limited by the circles in which they moved. Lardner was to remain little more than a sycophant; Peters, on the other hand, was to become a good political tactician, a sharp observer, and an efficient manager. He recognized the obstacles he faced and used his power as Land Office administrator and as proprietary spokesman to try to offset them. But while he was undergoing the seasoning that eventually helped him to understand the nuances of Pennsylvania society, the old country interest that had supported the Penn family slowly slipped away.

The appointments of Lardner and Peters were important not just for what they meant in terms of diminishing proprietary influence but also because they represented an explicit statement of the one guiding principle Thomas Penn consistently paid service to during his stay in Pennsylvania. Rather than seek closer alliances with provincial residents, Penn was deter-

mined to extricate himself from a former dependence on local leaders. In the proprietor's role as landlord this seemed simple enough to accomplish; once Penn had mastered the details of administration and reorganized the Land Office, he appointed administrative officials who were proprietary dependents. He intended Peters and Lardner to be his creatures, and in large measure they proved to be so. Of course, in the administration of land the proprietor could not be totally independent of local officials, and, in fact, Penn grossly underestimated just how important the discretionary power of deputy surveyors and other officers might be; but Penn felt that as long as those at the administrative center were strong, local officials could be used rather than having them use the proprietor.

In the second proprietary role, that of titular Governor, Penn followed a similar inclination. He stayed aloof from local politicians, asking their cooperation on occasion but concluding no firm alliances or friendships with any of them.¹⁰² In Penn's view, such coalitions were both dangerous and unnecessary—dangerous because they exposed the proprietary to the possibility of betrayal and unnecessary because the executive part of the government was under complete proprietary control.¹⁰³ The functioning chief executive, whoever he might be, was a proprietary appointee and it was through him and the power of his office that political affairs ought to be managed and controlled.¹⁰⁴

Penn's undiscerning notions of how the proprietary should function as landlord and in government were grounded in shallow appraisal of what colonists recognized as legitimate. In land policy, for example, Penn thought that it was enough for him to have proper legal rights. To Penn, his lawful claims were "just" claims, and the exercising of justice was something men had no right to deny or resent.¹⁰⁵ In government, similar logic prevailed. The balanced constitution that all men desired was threatened in Pennsylvania because of the weakness of the executive. In any attempt to protect or regain executive privileges, all sensible men of property could be expected to support the proprietor for dangerous consequences had always followed the enjoyment of too much liberty.¹⁰⁶

Beneath the principles that guided Penn's behavior and the ostensible justification for it, there lurked the motives for the proprietor's actions. One of the reasons Penn did not mix and form friendships with the local political leaders was that his reserved personality set him apart. Another was that Thomas Penn was determined that the social distance that lay between himself and other Pennsylvanians should be recognized. He was an Englishman; they were provincials. He was a landlord; they were his tenants. He was the proprietor; they were dependents. Finally, Penn was deeply distrustful of the province's leading men. When Andrew Hamilton visited England in 1724 he prevailed upon the Penn brothers to grant him a valuable property right without confiding in them just how valuable it really was.¹⁰⁷ What was true of Hamilton, could be said about any of the other rich provincials: they had used the power the proprietors had bestowed upon them to build up their own personal fortunes.¹⁰⁸ When Thomas Penn came to Pennsylvania he found James Logan, Isaac Norris, Andrew

Hamilton and others living as proprietors should, while the Penn family was staggering along under a heavy burden of debt. To Thomas Penn the lesson was clear: if provincials were granted the proprietary favor they would inevitably betray it, and the greater the trust, the greater the betrayal. This belief was deeply imbedded in Penn's mind early in the 1730s, and his dealings with men like Samuel Blunston in situations where he had to rely on local leaders strongly reinforced his prejudice. The only close friendships Penn enjoyed during his nine years in Pennsylvania were with Robert Charles—a recently arrived English and proprietary placeman—and Richard Hockley—the son of his deceased London business partner.¹⁰⁹

But despite Thomas Penn's unwillingness to dutifully cultivate a "proprietary interest" in Pennsylvania, there still existed two rather ill-defined sources of proprietary support in the colony at the end of the decade. In Philadelphia, of course, Andrew Hamilton's city friends composed a loose opinion group that was somewhat sympathetic to the Penn's and to the executive branch of the government. A second current of goodwill towards the proprietary began to flow in 1734-35, when John Penn, who because of his birth in the colony was known as "the American," visited Pennsylvania. His visit evoked a nostalgic response from some of the old country Quakers, and when he returned to England to defend the family title against renewed attacks of Lord Baltimore, the good will of many Pennsylvanians went with him. In London, Pennsylvania agent John Paris and the London Quakers had kept the land hungry Baltimores at bay until the elder Penn's return, and from that moment the London Meeting of Sufferings and the senior proprietor worked together to protect the Penn title. News of this cooperation between John Penn and the London Quakers reached Pennsylvania Friends and nourished that sense of fondness for the senior proprietor, that his brief visit had sparked. Through this vicarious relationship, provincial Quakers came to know an amiable, whiggish John Penn and their estimate of his character, as such, played an important part in determining Quaker political strategy during later years.¹¹⁰

Despite the formation of the two loose centers of proprietary support in the second half of the decade, the Penn family influence had suffered severely in the 1730s. Opportunities for consolidating a strong proprietary following had existed but Thomas Penn failed to take advantage of them. It was less that Thomas Penn was a poor politician than that he simply refused to be one. This decision, however, was clearly unwise. The hostile feelings that proprietary land policies had generated were bound to spill over into governmental relations, and Penn would only add to these if he was determined, as he openly avowed, to redress the balance of power between the magistracy and the people. Any attempt to offset the power of elected sheriffs, local juries, and constables by establishing a proper chancery court and a regular militia or to curb the power of the legislature by ending the Assembly's claim to unilateral appropriation of the Loan Office revenues would bring on serious political contention. Because the executive and proprietary were so weak, as Penn tacitly acknowledged when he mentioned such reforms, the executive could never hope to control the course of

conflict between the two branches of government without support from the electorate and from leading politicians. Not that Penn could have gained widespread support for such extreme measures; surely, he could not. It is conceivable, however, that had he taken full advantage of his opportunities he could have impeded the Assembly's accumulation of powers; certainly, had he developed closer contacts with local leaders, he would have become much more aware of the possible limits of successful political action. But the proprietor did not seriously try to establish such relationships. By standing on his rights and by refusing to participate in the active management of provincial politics, Penn left himself without the means to effect the kind of policies he was determined to pursue. □

NOTES

¹See for example Gary B. Nash *Quakers and Politics, Pennsylvania 1681-1726*. (Princeton, 1968); William S. Hanna, *Benjamin Franklin and Pennsylvania Politics*, (Stanford, 1964); James H. Hutson, *Pennsylvania politics, 1746-1770. The Movement for Royal Government and its Consequences*. (Princeton, 1972).

²The derivation of the Penn title is an exceedingly complicated matter. For further information see William R. Shephard, *History of Proprietary Government in Pennsylvania* (New York, 1896), 183-204; Howard M. Jenkins, "The Family of William Penn," *Pennsylvania Magazine of History and Biography* 1-29, 158-175, 370-390, 435-455; 21 (1897), 1-19, 137-160, 324-346, 421-444. Hereinafter cited as *PMHB*. William B. Rawle, "The General Title of the Penn Family to Pennsylvania," *PMHB*, 23 (1899), 60-68, 224-240; Hannah Brenner Roach, "The Family of William Penn, *Pennsylvania Genealogical Magazine*, 25 (1967), 69-96.

³Of the 5 commissioners of property appointed by William Penn in 1711, two—Edward Shippen and Samuel Carpenter—had died by 1725. In that year Hannah and Springett Penn re-confirmed the three survivors—James Logan, Isaac Norris, Sr., and Richard Hill—as commissioners and added Ralph Assheton and Thomas Griffith. When Penn's will was confirmed in 1727, the Penns commissioned the four surviving trustees of the will—James Logan, Richard Hill, Isaac Norris, Sr. and Samuel Preston as commissioners so that they could execute their trust. John H. Martin, *Martin's Bench and Bar of Philadelphia* (Philadelphia, 1883) 172.

⁴For the procedure in obtaining a patent see Shepherd, *Proprietary Government*, 31-36.

⁵James Logan to John Penn, June 23, 1726, Penn Papers, Official Correspondence, I. Hereinafter cited as PPOC. James Logan to John Penn May 16, 1728, Logan Papers, James Logan Letterbook, IV. Hereinafter cited as JLLB. James T. Lemon, *The Best Poor Man's Country: A Geographical Study of Early Southeastern Pennsylvania* (Baltimore, 1972), 23; James Logan to John Penn, September 23, 1727, October 22, 1727, JLLB, 1717-1743; September 11, 1728, PPOC, II; July 21, 1729, JLLB, 1726-1732. Unless otherwise stated all manuscripts cited are in the Historical Society of Pennsylvania.

⁶As Proprietary Secretary, Commissioner of Property, and trustee of the Penn estate, Logan was mainly responsible for the management of proprietary affairs. He worked closely with Surveyor-General Jacob Taylor and with Acting Receiver-General James Steel. Martin, *Bench and Bar*, 172-174.

⁷James Logan to James Steel, November 18, 1729, PPOC, II; *Pennsylvania Archives* 2nd ser., VII, 129-130; XIX, 721-766. Hereinafter cited *PA*.

⁸Between 1724 and 1732 the Land Office issued only 49 patents. Patent Book #A6, 1724-1735. Pennsylvania, Department of Internal Affairs, Land Records. Philadelphia City Archives.

⁹James Logan to John Penn, June 26, 1727, JLLB, 1717-1743; October 18, 1728, JLLB, III, 1726-1732; May 14, 1729, PPOC, II.

¹⁰James Logan to John Penn, June 26, 1727, JLLB, 1717-1743.

¹¹James Logan to Elisha Gatchell, December 4, 1727, JLLB, 1726-1732.

¹²James Logan to James Steel, November 18, 1729, PPOC, II; PA, 2nd ser., VII, 136; James Logan to Samuel Blunston, JLLB, 1726-1732; James Logan to Jacob Taylor, November 20, 1730, JLLB, 1726-1732.

¹³James Logan to Hannah Penn, January 1, 1726, PPOC, I.

¹⁴*Ibid.* James Logan to John Penn, November 25, 1727, JLLB, 1717-1743; August 13, 1729, PPOC, II; James Logan to Samuel Blunston, March 13, 1731, JLLB, 1726-1732.

¹⁵Samuel Hazard, ed., *Register of Pennsylvania*, 18 vols (Philadelphia, 1828-1836), XII (1833), 342. Of the different improvement rights possession of a survey or warrant and survey was the most secure. *Ibid.*, XIII (1834), 320; PA, 3rd ser., II, 167-235.

¹⁶*Register of Pennsylvania*, XIII (1834), 355, 356. Administrators of estates sold "improved and even warranted and surveyed land, as mere chattels, without any order of the Orphan's Court." *Ibid.*, 320.

¹⁷PA, 2nd ser., VII, 229-231.

¹⁸James Steel to John Thompson, April 13, 1731; James Steel to Patrick Moor and Thomas Melsop, January 11, 1732, Logan Papers, James Steel Letter Book, 1732-1742. Hereinafter cited as JSLB.

¹⁹James Logan to Jacob Taylor, September 19, 1728, March 15, 1731, James Logan to Elisha Gatchell, May 20, 1730, James Logan to James Anderson and Andrew Galbraith, March 2, 1731, JLLB, 1726-1732; James Steel to Proprietaries, May 21, 1731, James Steel to Samuel Blunston, January 21, 1732, James Steel to John Carnahan, January 11, 1733, James Steel to John Hare, October 6, 1733, James Steel to Edward Farmer, January 2, 1734, JSLB, 1732-1741.

²⁰For background material on the boundary dispute see Shepherd, *Proprietary Government*, 117-133; Nicholas B. Wainwright, "The Missing Evidence: Penn versus Baltimore," *PMHB*, 80 (1956), 227-235 and "Tale of a Runaway Cape: The Penn-Baltimore Agreement of 1752," *Ibid.*, 87 (1963), 251-293.

²¹PA, 2nd ser., VII, 44-45.

²²*Ibid.*, 45-46; Governor Gordon to Governor Ogle, May 15, 1736, PPOC, III; James Logan to John Penn, October 18, 1728, JLLB, 1726-1732.

²³For examples of sanctioned settlement above Nottingham see James Logan to Elisha Gatchell, December 4, 1727, JLLB, 1726-1732; Elisha Gatchell to James Logan, November 28, 1727, PPOC, I. About others settled below Logan wrote the following to John Penn: "those people have always owned themselves under Pennsylvania . . . nor has Maryland ever pretended to have any authority over them. Therefore, as they have hitherto known no other government but this, it ought to take care to fix some boundaries amongst them for the preservation of the public peace, though no titles of any kind be made to them." James Logan to John Penn, May 14, 1729, PPOC, II; James Logan's Memorandum, JLLB, 1726-1732, 301.

²⁴James Logan to James Steel, November 18, 1720, PPOC, II.

²⁵At one point, Logan succinctly stated the proprietary dilemma: "honest men cannot take people's money for a precarious title and to refuse it is dangerous because it seems a tacit confession of the invalidity of your [Penn's] right or claim." The only "expedient" was to grant titles above the disputed land and work out an understanding with those who settled below the 40° latitude. James Logan to John Penn, June 26, 1727, James Logan to John, Thomas, and Richard Penn, July 29, 1728, JLLB, 1717-1743.

²⁶James Logan to John, Thomas, and Richard Penn, July 29, 1728, James Logan to John Penn, May 16, 1728, JLLB, IV.

The Penns' problems in Pennsylvania were compounded by their difficulties in the three Lower Counties. The proprietor's possession of the Delaware counties was dependent

on the legitimacy of the Duke of York's right by conquest. On the strength of their Maryland charter the Baltimore family had challenged this right three times since 1681 and in the 1720s was building up support for a Maryland takeover among the residents of the Delaware Peninsula. Others, including the Duke of Southerland and Governor William Keith of Pennsylvania, argued that neither Penn nor Baltimore had a right and that the Crown might claim the counties as a royal colony, or grant it to some other proprietor. For the Penn family, the most important immediate result of this uncertainty was the refusal of residents to pay quitrents. Wainwright, "Tale of a Runaway Cape," 251-293; James Logan to Hannah Penn, January 11, 1726, Patrick Gordon to Proprietaries, July 23, 1726, James Logan to John Penn, October 22, 1727, PPOC, I; James Logan to John Penn, JLLB, 1717-1743; Fayr Hall to Thomas Penn, April 19, 1736, Penn-Bailey Mss.; John Penn to James Logan, April 21, 1726, Penn Papers, Letters of Penn Family to James Logan, II; PA, 2nd ser., VII, 54-56.

²⁷James Logan to John Penn, June 26, 1728, October 17, 1730, PPOC, II; James Logan to Joshua Gee, June 2, 1731, James Logan to John, Thomas, and Richard Penn, July 29, 1728, JLLB, 1717-1743.

The Pennsylvania trustees named in William Penn's will were James Logan, Samuel Carpenter, Richard Hill, Samuel Preston, and Isaac Norris, Sr. By the time the will had been confirmed in 1727 Carpenter had died. Two years later Hill was also dead, Logan was virtually immobile with a broken hip that would never heal, and Isaac Norris lived in the country in semi-retirement. By 1729, then, only Samuel Preston was really capable of continued service as a commissioner of property. The trustees construed their legal obligations as narrowly as possible arguing that when the Ford mortgage which encumbered the proprietary title to Pennsylvania on William Penn's death was discharged, their obligations were ended. The Penns thought otherwise and wanted them to continue as proprietary agents. Although Logan and Norris refused, in fact they had to continue as proprietary managers until Thomas Penn arrived in Pennsylvania in 1732. PA, 2nd ser., VII, 109-113, 116-117, 134-138, 138-146, 1st ser., I, 203; Richard Hill, Isaac Norris, Sr., Samuel Preston, and James Logan to John, Thomas, and Richard Penn (undated but after Logan's accident), Gratz Coll., Supreme Court of Pennsylvania, Case 2, Box 12; PMHB, 34 (1910), 123; James Logan to John Penn, May 14, 1729, James Steel to Proprietaries, August 2, 1731, PPOC, II.

²⁸James Logan to John Penn, November 24, 1725, PPOC, I.

²⁹James Logan to John Penn, November 25, 1727, June 28, 1728, JLLB, 1717-1743; August 2, 1731, PPOC, II. The Penn letters in reply to Logan demonstrate how badly the 3 sons misunderstood the proprietary problems. For example see John Penn to James Logan, November 11, 1728, Gratz Coll., Governors of Pennsylvania, Case 2, Box 33a.

John Penn was the eldest son and held $\frac{1}{2}$ of the proprietary interest in Pennsylvania and Logan dealt, principally, with him after Hannah Penn's death. It was Thomas Penn, however, who with his younger brother Richard shared the remainder of the estate, began to show the most interest in Pennsylvania affairs. By 1731 Thomas was determined to come to the colony and only the death of his business partner, Richard Hockley, Sr., prevented him from doing so. Thomas did arrive with his brother-in-law, Thomas Freame, in August of 1732. John followed in September of 1734.

³⁰James Logan to Henry Goldney, April 8, 1723, PPOC, I; Patrick Gordon to Springett and John Penn, October 1, 1729, PPOC, II; James Logan to John Wright and the Justices of Lancaster County, April 13, 1730, James Logan to Elisha Gatchell, July 9, 1730, JLLB, 1726-1732. An agreement to settle the dispute had been signed by Hannah Penn and Lord Baltimore in February 1724. The parties agreed to recognize present possession and not to survey any new lands for at least 18 months, so that a boundary line would be surveyed. Nothing at all was done to implement this agreement. PA, 2nd ser., XVI, 28-29; Mabel P. Wolff, *The Colonial Agency of Pennsylvania, 1712-1757* (Lancaster, Pennsylvania, 1933), 16-17.

³¹In the 1732 agreement Baltimore theoretically gained 5 miles over the old understanding that had placed his northern boundary 20 miles south of Philadelphia. In fact "Lord Baltimore's line" was not that far south. "A Map of Parts of the Provinces of Pennsylvania and Maryland with the Counties of Newcastle, Kent and Sussex on Delaware," PA, 2nd ser., XVI, appended. Wainwright, "Tale of a Lost Cape," 256.

³²Wainwright, "Tale of a Lost Cape," 259-265; Samuel Hazard ed. *Minutes of the*

Provincial Council of Pennsylvania, (Philadelphia and Harrisburg, 1852-1853), III, 497-500. Hereinafter cited as *CR*. Report of Commissioners, November 24, 1733, Penn-Baily Mss.

³³The best summary of events in London is in Wolff, *Colonial Agency*, 59-71.

³⁴Abdel Ross Wentz, "The Beginnings of the German Element in York County, Pennsylvania," *Proceedings of the Pennsylvania German Society*, 24 (1913), 69-87.

³⁵Thomas Penn to Samuel Blunston, August 8, 1734, July 29, 1734, February 14, 1737, Penn Papers, unbound mss.; Thomas Penn to Tobias Hendriks, May 6, 1736, Penn Papers, Additional Miscellaneous Letters, I; Wentz, "German Element," 48-50.

³⁶*PA*, 1st ser., I, 295, 311-314, 330-331, 350-351, 352, 353-363, 399, 410-423; Governor Gordon to Governor Ogle, February 21, 1732, June 25, 1735, PPOC, II; *CR*, III, 542-543; John Hendriks to Thomas Penn, February 22, 1734, Penn Papers, unbound mss.

³⁷*PA*, 1st ser., I, 489-493, 518-528, VII, 213-216; *CR*, IV, 56-58, 61-65, 68, 69, 71, 76-79; James Logan to John Penn, May 20, 1737, PPOC, III; Samuel Blunston to Thomas Penn, January 13, 1737, Lancaster County Misc. Papers.

³⁸*CR*, IV, 100-118; *PA*, 1st ser., I, 500-503, 505-519; James Logan to John Penn, November 28, 1736, PPOC, III; Thomas Penn to Samuel Blunston, February 4, 1734, January 10, 1735, Penn Papers, unbound mss.; Charles P. Keith, *Chronicles of Pennsylvania from the English Revolution to the Peace of Aix-la-Chapelle, 1688-1748* (Philadelphia, 1917), 763-764. By the summer of 1735, Thomas Penn had let it be known that Cresap's arrest was worth a £50 reward. Thomas Penn to Samuel Blunston, June 9, 1735, Penn Papers, unbound mss.

³⁹*PA*, 1st ser., I, 316-320, 529-533; *CR*, IV, 116-118, 147-156, 160-161, 188-189, 228-232, 250-252; Samuel Blunston to Thomas Penn, March 7, 1737, Penn Papers, unbound mss.

⁴⁰*CR*, IV, 116-118, 121-124, 130, 143, 144-147, 253-255, 263, 298-301; Gertrude MacKinney ed., *Votes and Proceedings of the House of Representatives of the Province of Pennsylvania*. *Pennsylvania Archives*, 8th series (Harrisburg, 1931-35), III, 2420-2423. Hereinafter cited as *Votes*. John and Richard Penn to Thomas Penn, February 25, 1738, Hazard Family Papers; John Penn to James Logan, September 6, 1737, May 5, 1738, John Penn to Thomas Penn, May 23, 1738. Penn Papers, Thomas Penn Letterbook, I. Hereinafter cited as *TPLB*. *PA*, 2nd ser., I, 556-561, 568-576; Papers of the Board of Trade and Plantations, Proprietaries, XIII, 589; XIV, T1, T7; *The Pennsylvania Gazette*, 10, 1738, September 7, 1738. Hereinafter cited as *Gazette*.

Those who had settled under Maryland or Pennsylvania rights but under the agreement were situated on the wrong side of the boundary, were to remain under the authority of the colony under which they had settled until Chancery handed down decision. The final decree was not issued until October 1750, when the Court ordered performance of the 1732 agreement.

⁴¹James Logan to John Wright, May 3, 1729, James Logan to John Paris, December 29, 1731, JLLB, 1726-1732; James Logan to John Penn, July 20, 1727, JLLB, 1717-1743; Thomas Penn to Samuel Blunston, May 5, 1735, Penn Papers, unbound mss.; *CR*, III, 595-596.

⁴²*PA*, 1st ser., I, 330-331, 428-235, 461-488; *CR*, III, 566-568, IV, 202-203; Wolff, *Colonial Agency*, 59-72. Patrick Gordon held the post of Governor of Pennsylvania from 1726 to 1736.

⁴³*PA*, 1st ser., I, 532-533.

⁴⁴Shepherd, *Proprietary Government*, 34; a letter of instructions to Thomas Penn on his going to Pennsylvania, May 20, 1732, TPLB, I. The three Penns believed that even though Baltimore had repudiated the 1732 agreement it would eventually prove binding. Consequently, they were willing to grant lands north of the 15 mile boundary. John Penn to Thomas Penn, August 31, 1733, TPLB, I.

⁴⁵*Register of Pennsylvania*, XIII (1834), 317-320; XII, 361-362. Wentz, "German Element," Thomas Penn to Richard Peters, May 30, 1750, Penn Papers, Saunders-Coates.

⁴⁶*Register of Pennsylvania*, XIII (1834), 318; John Penn to Richard Penn, March 10, 1735, TPLB, I; William H. Kain, "The Penn Manorial System and the Manors of Springettsbury and Maske," *Pennsylvania History*, 10 (1943), 227.

⁴⁷*Register of Pennsylvania*, XIII (1834), 319; Thomas Penn to Samuel Blunston, February 14, 1737, November 3, 1737, Penn Papers, unbound mss.; Samuel Blunston to Proprietaries, May 10, 1736, Penn-Bailey mss.

⁴⁸Thomas Penn to Samuel Blunston, February 14, 1737, December 9, 1737, Penn Papers, unbound mss.; Register of Pennsylvania, XIII (1834), 316; PA, 2nd ser., VII, 229-231.

⁴⁹PA, 3rd ser., VIII, XXIV; Thomas Cookson to Thomas Penn, November 13, 1742, Cadwallader Coll., Thomas Cadwallader, Coates List #28; Votes, III, 2117-2120; John Swift to John White, September 20, 1747, John Swift Letter Book.

⁵⁰James Logan to Elisha Gatchell, December 4, 1727, JLLB, 1726-1732.

⁵¹James Logan to James Steel, November 18, 1729, PPOC, II.

⁵²At least, some were willing to take the depreciation of Pennsylvania currency into account and pay £ 15-10/ and 1 shilling per 100 acres. Samuel Blunston to Thomas Penn, April 9, 1735, Cadwallader Coll., Box 2, Thomas Penn Letters; Thomas Penn to Samuel Blunston (?), December 22, 1735, Penn Papers, unbound mss.

⁵³The three proposals were: a) £16-15/ and 1 shilling quitrent per 100 acres, b) £15 and 2 shillings per 100 acres, c) £6-10/ and 1 penny per acre quitrent. Penn felt that these terms should be adequate for the inhabitants had been "settled 12 or 15 years" and had "paid no consideration for that favor." Thomas Penn to (?), January 23, 1733, Penn Papers, unbound mss.

⁵⁴The two terms Penn offered were £18 per 100 acres and 1 shilling quitrent and 15-10/ per 100 acres and ½ penny per acre quitrent. Thomas Penn to Samuel Blunston, May 5, 1735, June 9, 1735, Penn Papers, unbound mss. The only difference that divided the proprietor and the more tractable settlers at this point was Penn's insistence and the inhabitants' refusal, that they pay back interest on the principal. Thomas Penn to Samuel Blunston, January 24, 1735, Penn Papers, unbound mss.

⁵⁵Benjamin Eastburn to John Taylor, April 20, 1736, Taylor Papers, Taylor's Survey; James Steel to John Taylor, June 5, 1734, JSLB, 1732-1741; Samuel Blunston to Thomas Penn, February 3, 1734, Lancaster County Misc. Papers, 1724-1772.

⁵⁶Thomas Penn to Samuel Blunston, July 8, 1738, Penn Papers, unbound mss.

⁵⁷Thomas Penn to Samuel Blunston, December 9, 1737, Penn Papers, unbound mss.

⁵⁸Governor Thomas' proclamation announcing the 1738 Order-in-Council appeared in the *Gazette* on September 7th.

⁵⁹*Register of Pennsylvania*, XIII (1834), 316. Land office officials had previously published notices ordering delinquents to pay up (eg., *Gazette*, November 21, 1734), but the proclamation of 1738 struck a more ominous tone. Fearful inhabitants petitioned the Assembly to interpose with the proprietor on their behalf and the Assembly did draw up an address to Thomas Penn. In his reply Penn promised to grant more time. Votes, III, 2474-2475, 2476. Apparently, some of the Donegalians failed to take out patents for in 1743 Penn threatened to declare void all of the old Blunston surveys and warrant the land to new applicants. Samuel Blunston to William Parsons, June 2, 1743, Lancaster County Misc. Papers, 1724-1772.

⁶⁰Ann Bezanson et al., *Prices in Colonial Pennsylvania* (Philadelphia, 1935), 318-319.

⁶¹*British Statutes at Large* (London, 1769), IV, 324-325.

⁶²Keith, *Chronicles*, 790.

⁶³James Logan to Thomas Penn, December 5, 1733, Misc. Mss.; PA, 2nd ser., VII, 163-164, 176-177, 185-186; Clement Plumsted to John Penn, October 4, 1736, PPOC, III.

⁶⁴James T. Mitchell and Henry Flanders ed., *The Statutes at Large of Pennsylvania from 1682-1801*, (Harrisburg, 1896-1915), IV 198. Hereinafter cited as *Statutes at Large*.

⁶⁵Instructions to Colonel Thomas, August 11, 1737, Penn Papers. Penn versus Baltimore, 1739.

⁶⁶Votes, III, 2427-2428, 2460-2463, 2465-2466, 2469-2471.

⁶⁷Votes, III, 2464, 2467-2469, 2472-2474, 2474-2475.

⁶⁸*Notes*, III, 2482-2483, 2484, 2485, 2486. At the time of the 1729 emission members of the Provincial Council had agreed with the Assembly that exemptions of quitrents would adversely affect the exchange rate of the currency. James Logan to Proprietaries, April 30, 1729, JLLB, 1726-1732.

When Thomas Penn informed John of the impending deal John and Richard sent a letter releasing Governor Thomas from the instruction. It failed to arrive in time but Governor Thomas agreed to the legislation anyway under the direction of Thomas Penn who assumed responsibility for his action. John and Richard Penn to Thomas Penn, March 26, 1739, John Penn to Colonel Thomas, September 2, 1739, TPLB, I.

⁶⁹*Statutes at Large*, IV, 322-326.

⁷⁰Thomas Penn to John and Richard Penn, August 16, 1738, Penn Papers, Small Letter Book.

⁷¹*Gazette*, June 28, 1739.

⁷²See generally Roy N. Lokken, *David Lloyd, Colonial Lawmaker* (Seattle, 1959) Thomas Wendel "The Keith-Lloyd Alliance: Factional and Coalition Alitics in Colonial Pennsylvania," *PMHB*, 92 (1968), 289-305; William Keith, Lieutenant-Governor of Pennsylvania and the Three Lower Counties, 1717-1726" (unpublished doctoral dissertation, University of Washington, 1964).

⁷³James Logan to John, Thomas, and Richard Penn, April 30, 1739, PPOC, II. For the division between Keithians and Lloydians in the Assembly see Alan Tully, *William Penn's Legacy: Politics and Social Structure in Provincial Pennsylvania 1726-1755*, (Forthcoming, The Johns Hopkins University Press, 1977) Chapter VII. The peaceful elections of 1729 and 1730 signified the end of the Keithian disturbances. Patrick Gordon to Springett and John Penn, November 15, 1729, October 16, 1730, PPOC, II; John Penn to Colonel Gordon, January 20, 1730, TPLB, I.

⁷⁴Tully, *William Penn's Legacy*, Chapter VII.

⁷⁵For background on Hamilton see Alva Burton Konkle, *The Life of Andrew Hamilton, 1676-1741* (Philadelphia, 1941); James Logan to John Penn, May 10, 1727, PPOC, I; Patrick Gordon to John Penn, January 1, 1728, PPOC, II.

⁷⁶Thomas Penn to Samuel Blunston, February 4, 1733, Penn Papers, unbound mss.; Governor Gordon to Governor Ogle, May 15, 1736, Clement Plumsted to John Penn, October 4, 1736, PPOC, III; Governor Gordon to Governor Ogle, May 14, 1734, Gratz Coll., Governors of Pennsylvania, Case 2, Box 32; James Logan to Proprietaries, March 25, 1735, Gratz Coll., Chief Justices of the Supreme Court of Pennsylvania; *Notes*, III, 2117-2119, 2120, 2196-2197.

⁷⁷James Logan to John Penn, June 23, 1726, PPOC, I.

⁷⁸James Logan to John Penn, November 17, 1734, Logan Papers, X, Additonal Letters and Business Papers; *The American Weekly Mercury*, September 13, 1733, September 20, 1733, September 27, 1733, October 4, 1733, October 18, 1733, December 21, 1733, December 29, 1733, January 8, 1734, February 4, 1734. Leonard W. Labaree, ed., *The Papers of Benjamin Franklin* (New Haven, 1959 -), *Notes*, III, 2194, 2198, 2235-2236; Charles Norris to Isaac Norris, Jr., January 15, 1734, Norris Papers, Isaac Norris Letterbook.

⁷⁹Stanley N. Katz, ed., *A Brief Narrative of the Case and Trial of John Peter Zenger, Printer of the New York Weekly Journal by James Alexander* (Cambridge, Massachusetts, 1963).

⁸⁰Thomas Penn to John and Richard Penn, January 14, 1736. Penn Papers, unbound mss.

⁸¹Thomas Penn to John and Richard Penn, August 10, 1736, TLPB, I.

⁸²For Assembly and Council proceedings on this issue see *Notes*, III, 2302, 2305, 2307, 2309-2314, 2310, 2315-2316, 2317, 2338-2339, 2340-2346, 2347-2352; *CR*, IV, 22-23, 27-32, 34-40, 41-46. According to James Logan, William Allen was the one who realized how this article would be used to upset the court. James Logan to James Alexander, January 16, 1750, JLLB, 1748-1750. There is evidence, however, that as early as January 1734, Andrew Hamilton was thinking about the problem of equity administration. *Notes*, III, 2206.

⁸³Quoted in the *Gazette*, December 24, 1735.

⁸⁴Samuel Blunston to Thomas Penn, April 9, 1735, Cadwallader Coll., Box 2, Thomas Penn Letters.

⁸⁵Thomas Penn to John and Richard Penn, January 14, 1736, Penn Papers, unbound mss.

⁸⁶Thomas Penn to John Penn, December 4, 1739, Penn Papers, Small Letter Book.

⁸⁷Minutes of Donegal Presbytery, lb (1736-1740), 255. Presbyterian Historical Society.

⁸⁸Francis Jennings, "The Indian Trade of the Susquehanna Valley," *Proceedings of the American Philosophical Society*, 110 (1966), 406-424, and "Incident at Tulpehocken," *Pennsylvania History*, 35 (1968), 335-355.

⁸⁹Hamilton represented Lancaster from 1734 to 1738, the five year period during which the Maryland crisis was at its peak.

⁹⁰Blunston and the Wrights owned land at present day Columbia and directly across the Susquehanna River at Wrightsboro John and James Hendriks held the improvement right to the first Pennsylvania survey that was made on that side of the river in 1729. Later, after James had been killed in a hunting accident, Jacob Minshall purchased the deceased's right. Tobias Hendriks was one of the men Blunston settled on Conestoga Manor.

⁹¹Blunston also possessed a special power of attorney, dating from January 11, 1734, to settle disputes on the west side of the Susquehanna. Cadwallader Coll., Box 28, Penn Documents.

⁹²Simultaneously, Blunston carried on an apparently candid correspondence with Penn. For example, see Samuel Blunston to Thomas Penn, February 20, 1738, Gratz Coll.; March 3, 1738, March 25, 1738, Lancaster County Misc. Papers, 1724-1772.

⁹³James Logan to James Anderson, January 22, 1736, Logan Papers, X, Additional Letters and Business Papers.

⁹⁴*Ibid*, James Logan to John Penn, November 17, 1734

⁹⁵*Votes*, III, 2483.

⁹⁶Isaac Norris, Sr. to Isaac Norris, Jr., November 2, 1734, Norris Papers, II.

⁹⁷James Steel to Joseph Calder, August 11, 1735, JSLB, 1732-1741; John Reynell to Daniel Flexney, February 16, 1738, Reynell-Coates Papers, John Reynell Letter Book, 1737-1738.

⁹⁸Jennings "Incident at Tulpehocken," James Logan to Edward Shippen, July 3, 1733, Logan Papers, II, Logan Correspondence; James Logan to Susanna Wright, May 3, 1732, James Logan to Andrew Cornish, May 30, 1732, JLLB, 1731-1732, 1741-1742.

⁹⁹There was not a man of influence in the county with whom Steel failed to have dealings. See JSLB, 1732-1741; James Logan to John, Thomas, and Richard Penn, November 17, 1729, JLLB, 1726-1732; *PA*, 2nd ser., VII, 131.

¹⁰⁰John Penn to Thomas Penn, July 9, 1739, May 23, 1738, TPLB, I.

¹⁰¹Peters was commissioned Secretary of the Land Office in 1737. Lardner began to assist James Steel in 1740 and he became Receiver-General on Steel's death in 1741. Lardner came to Pennsylvania in 1740 after his sister had married Richard Penn. For background material of Richard Peters see Hubertis Cummings, *Richard Peters, Provincial Secretary and Cleric*, 1704-1776 (Philadelphia, 1944). On Lardner see *PMHB*, 22 (1898), 72.

¹⁰²Penn's desire to persuade the Assembly to legislate a quitrent arrears settlement produced more proprietary lobbying than any other issue. For example see *PA*, 2nd ser., VII, 176-177.

¹⁰³Logan became exasperated by what he recognized as proprietary shortsightedness and kept urging Penn to cultivate the local county leaders. *Ibid.*, 153-154.

¹⁰⁴And Thomas Penn did keep close counsel with Governor Gordon. Robert Charles to Isaac Norris, Jr., July 22, 1734, Norris Papers, II.

¹⁰⁵John, Thomas, and Richard Penn to James Logan, January 20, 1732, TPLB, I.

¹⁰⁶Tully, *William Penn's Legacy*, Chapter VII.

¹⁰⁷James Logan to John Penn, October 17, 1726, PPOC, I; John Penn to James Logan, February 10, 1728, Penn Papers, Letters of Penn Family to James Logan, II.

¹⁰⁸For the case against James Logan see Francis P. Jennings, "Miquon's Passing: Indian-European Relations in Colonial Pennsylvania, 1674-1755" (unpublished doctoral dissertation, University of Pennsylvania, 1965), 275-311 and "Incident at Tulpehocken." 335-355.

¹⁰⁹On Charles see Clement Plumsted to John Penn, October 4, 1736, William Allen to John Penn, October 3, 1736, PPOC, III. On Hockley see any of the Penn-Hockley letters.

¹¹⁰Wolff, *Colonial Agency*, 70-72. The London Quakers had worked with Penn in the early 1730s but Pennsylvania Friends did not then pay the elder proprietor the attention that they did after his visit. Wolff, *Colonial Agency*, 59-69. □