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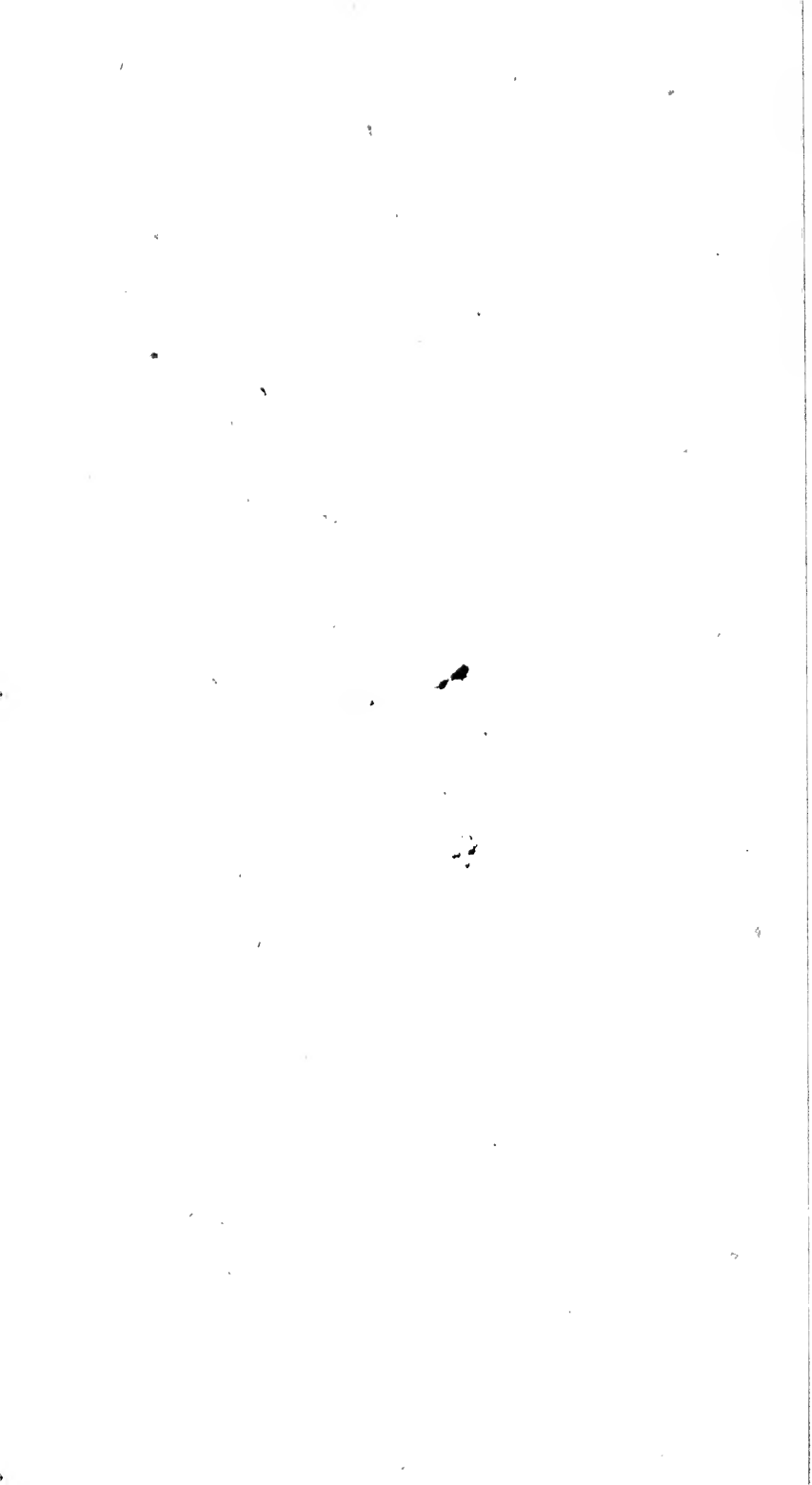
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**ANNUAL DISCOURSE**

DELIVERED BEFORE THE


**HISTORICAL SOCIETY**

OF THE

STATE OF PENNSYLVANIA,

ON

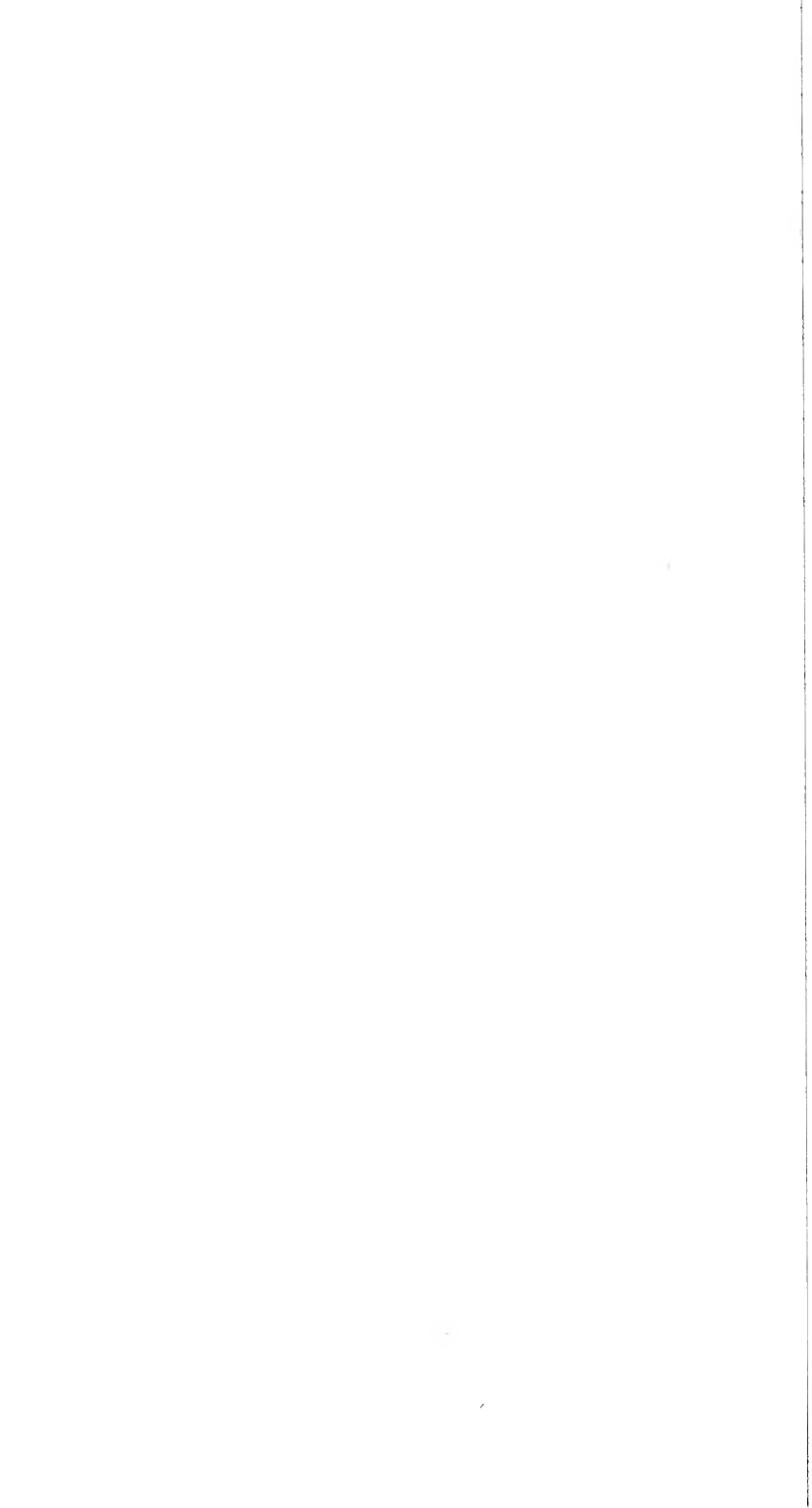
THE TWENTY-NINTH DAY OF NOVEMBER, 1832.

  
BY PETER M·CALL, ESQ.

**Philadelphia:**

E. LITTELL, CHESNUT ABOVE SEVENTH STREET.

1833.

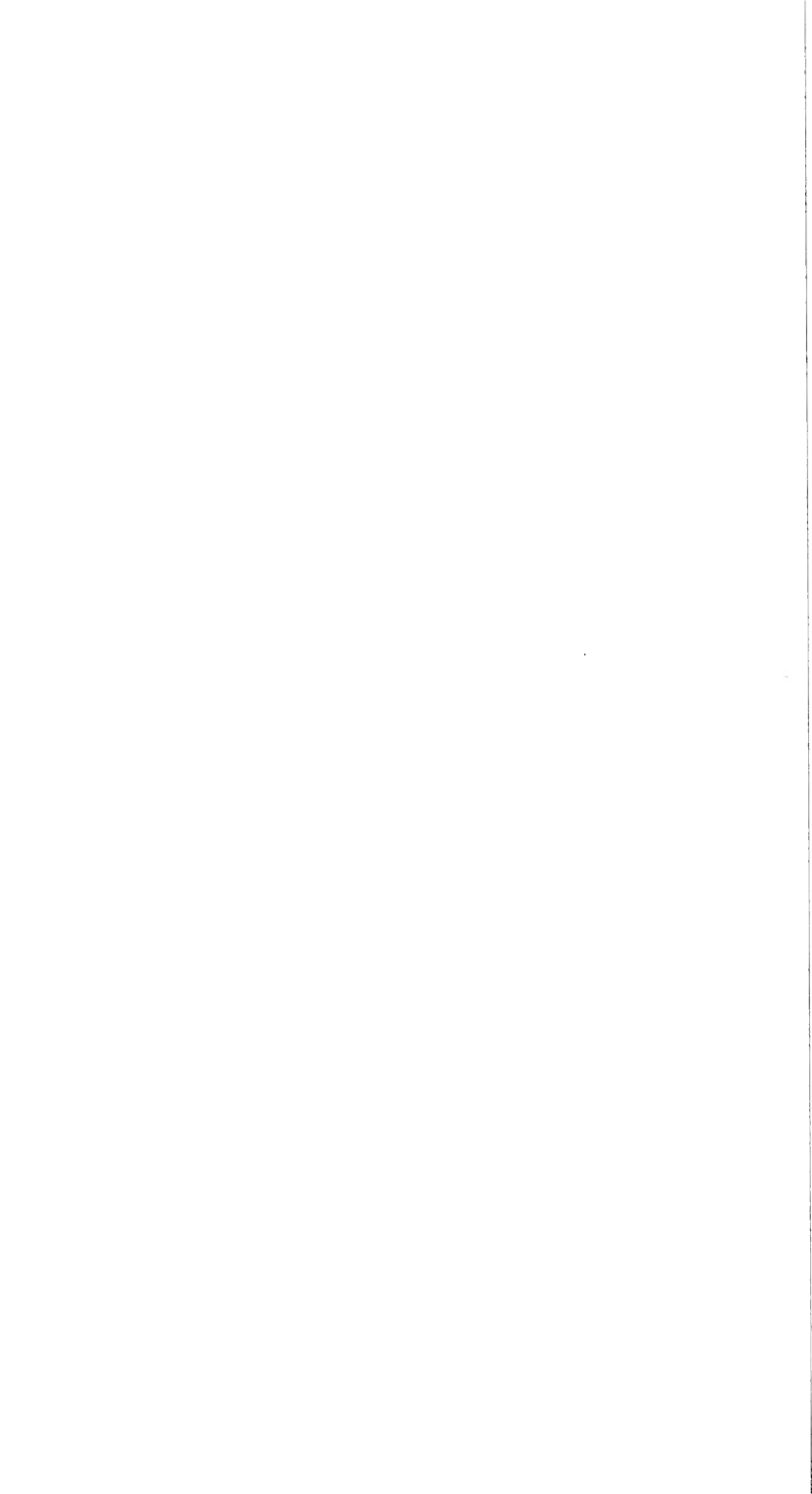


At a meeting of "The Historical Society of Pennsylvania," held at Philadelphia, on the 29th day of November, 1832, it was

*Resolved,* That the thanks of the Society are due, and they are hereby presented to PETER M'CALL, ESQUIRE, for his interesting and beautiful oration this day delivered, and that he be desired to furnish a copy for publication.

From the minutes,

J. R. TYSON, Sec'ry.





## ANNUAL DISCOURSE.

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MR. PRESIDENT,

AND GENTLEMEN OF THE HISTORICAL SOCIETY.

Your kindness in assigning to me the present duty is indeed only equalled by my presumption in its acceptance. Had the salutary admonitions of prudence been duly listened to, the youngest of your associates would have shrunk from the honour which your flattering invitation conferred. He had however the consolation to reflect that next to the ability to perform an action has ever been deemed a well-meant endeavour in its behalf. Though he has no pretensions to the former, he may at least support a claim to the latter: though he cannot merit your praise he may hope to secure your indulgence.

The career which Pennsylvania has sustained during the period of a century and a half, a period of great events and extraordinary developments, has been recently depicted in an anniversary address to a sister institution.\* There was much in that survey to gratify an honest pride, and excite a laudable ambition. It displayed in the gradual advancement of our state to her present prosperity and happiness, the majestic triumph of liberty and knowledge. The review of her early history presents results equally inte-

\* Mr. Duponceau's discourse before the Society for commemorating the Landing of William Penn; delivered Oct. 24, 1832.

resting, if not equally splendid, with those which have attended her separation from the mother country. It does not exhibit the slow and sickly growth which is too often the fate of colonial dependencies. Planted by good faith, and watered by unbroken peace, the scion struck far and deep into the soil; and while yet in the period that usually defines the infancy of a nation, reared its lofty trunk and vigorous branches to the admiration of mankind.

In reflecting on the causes of a prosperity so unexampled, I have been led to attribute a prominent influence to the peculiar character and principles of the men who founded and long governed Pennsylvania.

I need hardly remind this audience that the little band of pioneers who surrounded William Penn, were principally followers of the religious standard which he then bore. For many years the population of the colony was chiefly composed of members of the same religious denomination. Philadelphia was emphatically a Quaker city—Pennsylvania a Quaker province: and when their numbers and their importance receded before the flood of immigration, the memory of their services, and the influence of their virtues, enabled them still to sway the councils of the growing nation. They gave a tone to our manners: they gave a temper to our laws. The leading actors on the arena of public life, the objects of popular applause and proprietary favour, the Logans and the Lloyds, the Shippens and the Norrises, were prominent members of that society. With one exception, that of Thomas Lloyd, deputed by Penn in 1691, whose ability and virtue are the theme of contemporary praise, the political representatives of the proprietary did not profess the religious sentiments of the Friends: but their opinions were, in most cases by positive instructions, in all more or less by the high respectability and elevated character of its members, controlled by the provincial council, who,

together with the popular branch of the government, during the first seventy years of our colonial existence, were chiefly composed of professed Quakers. Let me then invite your indulgence while I attempt to sketch the progress of the Society of Friends in Pennsylvania, and their influence on our institutions, literary, benevolent, and political. Few subjects connected with our early history possess superior interest or more eminent importance. Our hands now reap the harvest of their toils. Let us not refuse to the fathers of our birth place, the homage dictated alike by gratitude and justice. I fear there may be something too old fashioned and repulsive in the severe simplicity of the patriarchs of our soil, for the genius of a refined and luxurious age; that like the portraits of our ancestors, discarded as useless furniture, or at best sent to adorn a garret, or a lumber room—their images seldom dwell in our memory, or rest in our affections. Let it not be so. Let the pencil of truth be dipped in the glowing colours of filial affection, to reanimate the canvass which time has dimmed. While in the exercise of those inherent rights of conscience which they valued beyond price, many of us may differ from them in our principles or our practice, we shall find in their example much to cherish, to admire, to emulate.

It is worthy of remark that a society whose cardinal principle is peace, sprung into existence at a period of bloodshed and confusion. At that memorable period of English history, when the foundations of the constitution were broken up, and an unfortunate monarch buried beneath its ruins, many sought a retreat from the horrors of civil tumult in the precepts of the enthusiastic founder of this sect. The peaceful doctrines and deportment of these “Children of the Light,” as the Quakers were originally styled, could not, however, shield them from bitter and relentless persecution—the persecution of vindictive laws, and the yet severer

persecution of thoughtless derision. The most opposite parties, and the most hostile interests: republic, protector, king, the merry monarch himself, who cared for the religion as little as for the liberty of his subjects, all united in the arbitrary oppression of the Quakers. The Founder himself afforded a striking illustration of Verulam's beautiful remark, that "virtue is like precious odours, most fragrant when they are incensed or crushed." Twice expelled his paternal roof, and twice confined in the tower of London for his inflexible adherence to a proscribed sect, he maintained, through every vicissitude of fortune, a spirit which no tyranny could daunt. His memorable trial at the Old Bailey in 1670, leaves us at a loss which most to wonder at, the shameful servility of the bench, the collected fortitude of the accused, or the intrepid firmness of the jury, who stood between oppression and the rights of a fellow citizen. As a chapter in the instructive volume of human experience, the sufferings of the Quakers cannot be read without interest: how greatly enhanced is that interest by the recollection that those sufferings formed the main inducement to the establishment of a new colony! Our fathers were wanderers for religion's sake. The ancients would have called this voluntary exile, a sight worthy of the gods. Their history presents no such example. Actuated by no motives of commercial gain, the fathers of Pennsylvania, like those of Plymouth, abandoning the comforts of civilised society, the endearments of friends, and the associations of nativity, courted and obtained in an untrodden wilderness that freedom of conscience which was denied them at home.

In the spring of 1681 the work of colonisation was commenced. Three vessels, whose names as well as the names and characters of some of these primitive settlers, have been recorded by the industry of that honest and painstaking chronicler, Robert Proud, bore the germ of a great and

flourishing commonwealth. The shores of the majestic river which they entered were not entirely destitute of the labours of their brethren. A few members of the Society of Friends had established themselves under grants from Sir Edmund Andross, in the territories afterwards chartered to Penn. West New Jersey had been previously colonised by Quakers, and a settlement made on the right bank of the Delaware, in the vicinity of the Falls. Meetings for religious worship already existed at Chester, and at Shakamaxon, now the scite of our Kensington. The arrival of the proprietary himself in the following year, brought strength to their numbers, and confidence to their hopes. An assembly was soon convened, the great law enacted, and the machine of government set in motion. The high grounds of Coaquannock were marked out for the future metropolis. In less than a year from its foundation, eighty dwellings and three hundred plantations in its vicinity, attested its rapid prosperity. Stimulated by the delightful climate, the exuberant fertility, and above all, the free constitution and the equal laws of the new colony, immigration rapidly increased; scattering into the bosom of a dreary wilderness the cheering rays of civilisation and Christianity.

The township of Byberry, in the county of Philadelphia, was settled by families of industrious Friends, shortly after the arrival of William Penn. The Knights and the Carvers, the Waltons and the Rushes,\* transported their families to Byberry in the years 1683-4-5.

The history of this little home of patriarchal simplicity has been, with laudable industry, collated by Mr. Isaac Comly. It presents the simple annals of a poor, yet laborious and thrifty community, who, ignorant of the refinements which gild the asperities of life, were equally ignorant

\* The last were the ancestors of that illustrious ornament of his profession and his country, the late Dr. Benjamin Rush.

of the artificial necessities which those refinements create. The shock of the Keithian controversy was felt throughout these peaceful precincts : and in the political contests which agitated the province, the Friends of Byberry enlisted with ardour in the popular cause.

The learned and venerable Pastorious, accompanied by a society of Friends from Cresheim in Germany, laid the foundation of the village of Germantown in 1682.

The flourishing settlements at Haverford, Merion, and Radnor, established the same year, deduce their origin from the Quakers of Wales. Among them, Hugh Roberts, a native of Pennlyn in Wales, is deserving of particular notice. It is no trifling proof of merit that he enjoyed, in an eminent degree, the confidence of Penn himself, who consulted him in relation to the original settlement of the province. He was equally conspicuous for his civil and religious services. His abilities, which are described as of no ordinary character, rendered him an efficient member of the provincial council.

The Welsh settlements were reinforced in 1697 by the arrival of William Jones and Thomas Evans, who obtained a grant of the township of Gwynedd, within the limits of the present county of Montgomery. Their followers, professors of the established faith of England, soon became converts to the predominant persuasion, and in 1700, erected an edifice for divine worship, on the scite at present occupied for that purpose. The spirit of improvement in a few years brought into existence the townships of Goshen, New Town, and Auchland. The names of Gwynedd, and North Wales, indicate the Celtic origin of their early inhabitants.

The settlement at Abington claims the honour of great antiquity. A monthly meeting was there established as early as 1633 ; which was subsequently incorporated with those of Oxford and Poetquessing.

The township of Plymouth was originally purchased and settled about the year 1635, by James Fox, Francis Rawle, and others, emigrants from Plymouth in England.

Meetings for worship were established at Neshaminy 1682; at Oxford and Cheltenham in the following year.

Bucks County was settled at a very early period of our colonial history. Carrying their ploughs along the banks of the noble stream which afforded them the means of ready access to their friends of West Jersey, the first emigrants seated themselves on the Delaware. In 1683 we observe, among the inhabitants and extensive landholders in this county, a family that long illustrated the annals of Pennsylvania, the Growdens of Bensalem. The names of Thomas Janney, Phineas Pemberton, and Jeremiah Langhorne, have descended to posterity with honourable testimonials of their civil merits and religious services. The highest judicial honours of the province were sustained with reputation by the sons of Langhorne and Growden.

Some years prior to the grant to Penn, a few individuals of the Society of Friends had found an asylum in that portion of his territory, afterwards designated as Chester County. Robert Wade, accompanied by some followers of the same sect, established himself at Upland in 1675. It is upon record that the first monthly meeting of Friends in Pennsylvania, was held at Wade's house in 1681. The meetings of Springfield, Providence, and Middletown, were erected in 1696. Chester County continued for many years to be chiefly inhabited by members of that Society, and it remains to this day strongly impressed with the character of its early population.

The spirit of emigration, which was rapidly felling the gigantic forests of Pennsylvania, and urging their original occupants towards the declining sun, reached Conestogo, the scene of many a council talk, and long esteemed as the Thule

of civilisation, in 1732. That year witnessed an establishment of Friends at Lancaster.

It is difficult, if not impossible to approach precision in the attempt to estimate the relative strength of the Quaker population at different periods of our history. Our early statistics are much too barren and incomplete to afford assistance in the research.

Oldmixon, in his "Account of Pennsylvania in 1703," says, in relation to this subject, "the opinion of the Quakers prevails so far that they are by much the majority, as the English are of all the other nations." The assembly, in their address to the governor in 1711, and again in 1724, speaks of the Friends as composing a majority of the members of the house, and of the inhabitants of the province. If any thing were required to show the strength of Quaker influence at this period, I might refer to the instructions of Hannah Penn, the relict of the founder, to Sir William Keith, in relation to the admission of members to the council board, in which there is this remarkable passage: "As that country was first principally settled by those of our profession called Quakers, it is expected that at least one half of the whole number shall be of that profession."

Though still in the zenith of their political influence, the numbers of the Friends were fast yielding to the tide of immigration which was setting from Germany and other nations of Europe. Yet their moral ascendancy survived their numerical superiority. In an official document addressed to the Lords Commissioners of Trade and Plantations in 1740, Governor Thomas computes them at one third of the population. "Yet," adds he, "from their union they have a much greater influence on all public affairs than the other societies." In the celebrated pamphlet entitled "A Brief State," published in 1755, the entire population of the province is estimated at two hundred and twenty thou-



sand; of whom the Germans composed nearly one half, the Quakers not quite two fifths of the residue. From this period may be dated the extinction of their active political influence in Pennsylvania. The aspect of public affairs was now materially changed. The peaceful sky that had sheltered and fostered their sect, was overcast with clouds, that threatened to burst in Indian vengeance and French hostility. The conflicts between religious principle and political expediency, to which the Quakers were inevitably exposed, led ultimately to their withdrawal from the halls of legislation.

I regret that it is not in my power to present to you more complete historical information on the progress of the Society of Friends in Pennsylvania. In the records of the various religious meetings lie buried the sources of a more detailed and authentic knowledge. To rescue them from undeserved obscurity would be an object worthy the lover of times gone by. They would, indeed, afford little to captivate the imagination, or gratify a taste for high-wrought adventure. No dazzling exploits: no fascinating romance: simply a picture of the homely realities of a new settlement: the slow but well assured ascent to unrivalled prosperity, of a highly moral, industrious, and free people. Yet there would be enough richly to repay the labours of the antiquarian. Unqualified praise is to be accorded to Mr. Comly, for the assiduity with which he has rescued from the grasp of oblivion, the annals of a small but flourishing section of our state. Let us indulge the hope that an example so praiseworthy may not be without its proper influence, and that the archives of your society may be enriched with other contributions of a similar character and of equal merit.

The memory of not a few of our early fathers has been transmitted to us through the medium of a beautiful custom, peculiar, as far as I am aware, to the Society of

Friends : that of embalming the memory of the great and virtuous of their community in public testimonials : monuments round which the affection of posterity may throw its chaplets. It is thus that the names of Taylor, Jennings, Wynne, Lloyd, Cooke, Roberts, Chalkley, Carpenter, Owen, Pusey, Evans, Pemberton, and others, have been carried down to us with consecrated fame. They were the great men of those primitive days ; whose path through life was adorned by their private virtues and their public services.

Regarded without reference to the moral of the story, the mere physical progress, the rise or fall of nations, presents but little interest to the philosophical observer. The intrigues of courts, the revolutions of states, the subjugation of empires, illuminate the pages of history. Were history confined to these, philosophy might well refuse its claim to kindred association. With far deeper pleasure and more permanent interest we survey the social relations of civilized man, and draw from the manners and morals, the literature and laws, the institutions, civil and political, of ages and nations that are past, the lessons of experience, and the torch to our footsteps, in the paths of honour and greatness. I propose to cast a rapid glance at Pennsylvania from these several points of view, with particular reference to the influence exerted on them by the Society of Friends. And first of our early literature.

I. In this age of universal literary pretension, the charge of an illiberal proscription of humane letters, involves a grave and serious accusation. Yet, such a charge springing in part from the example of some of the early fathers of that sect, but principally from its well known tenet, which renders the functions of the ministry independent of the illuminations of human learning, has not unfrequently been preferred against the Society of Friends. I can attempt

no more on the present occasion, than briefly to show that the charge referred to, equally unfounded in the principles or the history of that Society, cannot invoke the authority of the Quakers of Pennsylvania.

It is undoubtedly true that the golden fruits of literature are the precious result of long and tender culture, and are brought to maturity only in the genial sunshine of prosperous leisure. To prepare the soil, to scatter the seed for the harvest of future labourers, is all that can be accomplished by those whose great and absorbing study is, to live. We do not therefore see, nor expect to find, learning or its professors among the pioneers of a wilderness. But in general education, the comprehensive genius of our founder saw the massive arch of the political fabric, the only effectual means of permanent security and happiness. His first frame of government, the reflection of a clear, profound, and cultivated intellect, contains a memorable provision, "that the governor and provincial council shall erect and order all public schools, and encourage and reward the authors of useful sciences and laudable inventions."

Point me to an instance in the charters or constitutional documents of our sister colonies, where the interests of science and learning are thus directly taken under the fostering wing of the government itself.\*

\* Several instances are to be found on the records of provincial Pennsylvania, of invention applying for the protection of the law—all in relation to a common article of domestic use—*lamp-black*. The first application contained in the votes of assembly, Vol. 2. p. 240, 1713, 3d mo. 31st., is as follows: "The petition of Andrew Bradford, setting forth that he has been at a considerable expense in finding out the right method of making lamp-black; and having completed the same, desires leave to bring in a bill to prohibit all others from making lamp-black for twenty years, was read. Ordered that he attend the house at their next sitting, and acquaint them at what rates he can afford to sell it."

Bradford again invited the attention of the house to the matter, but I have not been able to find that they acted definitively upon it.

Seven years had not elapsed from the landing of Penn, before an institution arose, within whose venerable walls some of the brightest ornaments of our country laid the foundations of their usefulness. The Friends' Public School of Philadelphia: a noble monument of the liberal and expanded views of our primitive Quakers. Their temporary dwellings are yet shaded by the native grandeur of the forest when there arises a temple to science open to all worshippers.\* This was not a mere reading, writing, and ciphering school, like that established in 1683, by Enoch Flower, the primitive schoolmaster of Pennsylvania, who taught to "read, write, and cast accounts," at "eight shillings by the quarter." It was an institution of much loftier pretensions, where the pupil was conducted through the regions of the pure mathematics, and taught to venerate the spirits of antiquity in the language of Greece and Rome.

"Romano et Græco quæ docet ore loqui,"

says Thomas Makin, the successor of the celebrated George Keith, in its magisterial duties, whose muse was prompted to describe in Latin numbers the physical and moral beauties of the infant province.

Few, among the early Friends of Pennsylvania, attained a more distinguished and just celebrity than David Lloyd.

\* The following minute of council exhibits the solicitude of the early settlers of Pennsylvania on the subject of education.

"At a council held at Philadelphia ye 17th of ye 11th month, 1683, present, William Penn, Proprietary and Governor; James Harrison, John Syncock, Christian Taylor, Lasse Cock, William Biles, William Clayton, Thomas Holmes.

"A law proposed to encourage making of linen cloth.

"A law proposed for making of several sorts of books, for the use of persons in this province."

"Proposed, that care be taken about the learning and instructing of youth; to wit, a school of arts and sciences."

His claims to our notice as a scholar are equally interesting, if not as imposing, as those which exhibit him on the arena of public life, the master spirit of the assembly, and the soul of the popular cause.

But the luminary that casts the broadest circle of light on our early literature, is the secretary Logan: a name full of reverend honour and exalted worth. The wreath that encircles his venerated brow yet blooms with unfaded and unparticipated lustre. In him the profound and abstruse sciences were crowned with the accomplishments of elegant learning. He was familiar with the sublimest abstractions of the mathematics; but he had also drunk deeply at the soul-inspiring streams of classical literature. Like the philosopher of Tusculum, whose beautiful reflections on old age were the subject of his version, the sage of Stenton found in the society of the muses a retreat from the anxieties of political distinction. The patron of Godfrey, the correspondent of the most eminent literati of the old world, his splendid collection of books attests his love for science and his munificent appropriation of it, his zeal for the public good.

Nor ought we on the present occasion to omit a name highly distinguished abroad and at home in the departments of natural science—that of the Quaker John Bartram, whom Linnæus dignified as the greatest natural botanist in the world. His amiable disposition threw a mild lustre over his great talents, and rendered him the object of universal love and esteem.

The literary resources of a people, the dissemination of its press, and the extent of its libraries, afford no mean criterion of its intellectual wealth. Apply this remark to the “Quakers” of Pennsylvania, and if they are not found intellectually rich, they must at least be acknowledged to have

laid the foundations of mental affluence. In which of the colonies, as in Pennsylvania, was a press established within four years from the first print of the emigrant's footstep? Among the earliest contributors, the warmest promoters, and the most active managers of the public library which adorns our city, not a few were members of the Society of Friends.

A bequest by Thomas Chalkley in 1748, of a small collection of books, formed the germ of the library belonging peculiarly to the Society. Enriched by the munificence of various donors, among whom John Pemberton and Anthony Benezet are the most conspicuous, this institution has reached a highly respectable station, and embraces the gems of polite literature, as well as the standards of scientific knowledge.

II. A prominent characteristic of the present age, distinguishing it from the most polished periods of antiquity, is the spirit of active and enlightened philanthropy. No longer confined to the circle of individual effort, its sphere is now diversified and enlarged by associated and systematic exertion. To her Quaker inhabitants is justly due the credit of having steadily propelled the career of disinterested and practical benevolence that has been so honourably sustained by Pennsylvania. Its fruits are beheld not in the splendour of eleemosynary erections, but in those solid foundations of unobtrusive usefulness which it is not vanity to boast of: in the reform of prisons, the relief of disease, and the general alleviation of human misery. If from the early annals of our commonwealth, we descend to the history of later times, and trace the origin and progress of those numerous institutions of benevolence which characterise our community, we shall not hesitate to attribute much of their efficiency and success to the powerful co-operation of the Society of Friends.

A historical detail of these institutions, however gratifying in itself, and connected with the present subject, would transcend the limits to which I am confined. I cannot, however, forbear a reference to one, which, in the scope of its design and the excellence of its details, stands unrivalled in this country—the Pennsylvania Hospital. This noble monument to humanity had its origin in the philanthropic exertions of the Friends, received its largest contributions from that society, and has always been subject to their peculiar superintendence and control. In the earliest roll of its managers, we recognise some of the most prominent Quakers of the province;\* and its calendar during the lapse of eighty years, exhibits the steady impress of their influence.

III. It remains for me to direct your attention to other and more important points in our general outline. To trace the distinctive features moulded on our civil polity by a body of men who long held the plastic powers of legislation, involves not a little that is interesting and instructive. Time has thrown its shadows over many of their labours. Innovation, which experience shows not always to be improvement, has forced new channels over many ruined structures of our forefathers. There yet remain imbedded in our constitution, principles coeval with its existence, and which, I trust, neither time nor innovation will be able to efface—and least of all, the principle of *religious toleration*.

1. I do not claim for Penn or his associates any merit of originality in the conception of the principle. It is native to great minds of all ages and countries. Bacon advocated it at the elbow of a bigoted and despotic prince. To Milton and Locke it was a truth congenial and self-taught. Yet to make liberty of conscience an article of political faith—to

\* Joshua Crosby, Isaac Pemberton, jr., Hugh Roberts, Joseph Morris, John Smith, and Charles Norris.

sever church from state, was long regarded as a dangerous heresy in the systems of the most enlightened nations. The honour of having burst the fetters of ancient prejudice, and given to the world the first practical illustration of the compatibility of religious liberty with civil security, has been the subject of competition, and may be considered as still "*sub judice.*" The name of Roger Williams has long been consecrated by its association with this illustrious merit. His claims have met with formidable opposition in those of Coddington, the leader of a community of Quakers, and the principal instrument in the settlement of Rhode Island. Of one fact there is perhaps no longer any doubt, that religious liberty was first engrafted on the civil constitution in the charter granted to Rhode Island, in 1663, by the second Charles. If to a sister colony be due the honour of having first adopted the principle, let us not be insensible to the extraordinary merit of the founders of Pennsylvania, in establishing as a fundamental article of their system, what was certainly a novel theory in legislation. It would be injustice to our ancestors to judge of their productions by the lights of our present experience. We believe with confidence, and we rejoice in the belief, that the sceptre of intolerance is for ever broken by the spirit of enlightened inquiry, before which the crown and the tiara have bowed with submissive deference. Intolerance has certainly few avowed, perhaps few secret advocates. Religious freedom seems as essential to our existence as the very atmosphere we breathe; and, as with that atmosphere, in the general diffusion of the blessing, we lose our sense of its value and importance. Fairly to appreciate their merits, we must reflect on the great and wonderful advance of Penn's institutions beyond the genius of his age. It must not be forgotten that from the days of Wickliffe till a very recent period, intolerance has with more or less seve-



rity reigned over the land of Newton and Locke. We must recollect, too, that even in America, not all our sister colonies can boast of having thrown wide their doors to the victims of oppression. In New England, founded by fugitives from oppression, the Quakers were proscribed with a severity almost incredible. What must have been the spirit which dictated the law of Massachusetts Bay, of the 20th October, 1658, condemning every person convicted of belonging to the *curst sect* of Quakers, to banishment on pain of death! And how delirious the fanaticism which actually inflicted on four individuals the final penalty of this inhuman law! The cruelties exercised toward this sect in Massachusetts and other provinces endeavour to find an apology in the temper of the age; as the biographers of Calvin have sought to justify his sanguinary persecution of Servetus, by its being the habit of the time. If the records of Pennsylvania are stained by no similar excesses, the exemption is in a great measure to be attributed to the liberal, comprehensive, and statesman-like policy of her Quaker founders. In Maryland, the Church of England was at an early period established by law; and a poll-tax of forty pounds of tobacco levied for the support of the parochial minister. In South Carolina, a similar establishment was made a fundamental article of the constitution, in opposition to the opinion and advice of its great author, Locke; and a court of enquiry instituted, bearing the features of the celebrated High Commission. In Massachusetts, church membership was an indispensable qualification for the administration of the civil government, and even the exercise of the elective franchise. The elders or ministers, though not regarded as forming a separate estate, were consulted in matters of civil as well as religious nature; and no affairs of moment were determined without a formal reference to their judgment. It would have been no difficult measure

for the quakers to have erected for themselves an ecclesiastical superiority in Pennsylvania, long regarded as the peculiar asylum of their sect. But such an establishment was equally hostile to their religious tenets and their political sentiments. Universal liberty of conscience and equality of worship were made the corner-stone of their building, written in capitals on the final charter, and declared to be an indestructible element of the constitution of Pennsylvania.

2. Nor is there a brighter page in the annals of our state, than that which records her signal efforts in the suppression of the African slave trade. Were every other monument of her wisdom blotted from existence, the friends of humanity would yield to this the homage of unceasing admiration.

The merit of having given the impulse to public sentiment in Pennsylvania on this interesting subject is due to the Society of Friends. The suppression of this odious traffic, which the common feelings of civilised mankind now join in viewing with abhorrence, has always been regarded by that society as a duty peculiarly imperative. Among the earliest advocates of the oppressed African, were the founder of the society and his disciple Edmondson. Their example has been pursued by their followers with a zeal which no obstacles could dishearten. A brief abstract of their labours in Pennsylvania is essential to our subject, and, I trust, will prove not entirely destitute of interest.

The first public protest against the buying, selling, and holding of slaves, issued from an humble fraternity of Quakers at Germantown, in the year 1688. The great truths here proclaimed were soon echoed throughout the several religious meetings of the Province.

The year 1711 is distinguished in our legislative annals by a law to prevent the importation of negroes and Indian slaves. But the spirit which dictated the "cursed assiento"

guided the councils of the mother country, and rendered abortive the earliest colonial effort to check the growth of this hideous offspring of European avarice.

In the following year, a duty of twenty pounds was imposed on every negro imported into the province.

The attempt to restrain, like that which sought the entire abolition of slavery, perished at its birth.

Every legislative effort to extirpate the moral disease which contaminated Pennsylvania, being thus defeated by the misguided policy of the English cabinet, no field remained but that of private individual exertion. On this the Society of Friends entered with a zealous integrity of purpose, which was the surest harbinger of their success.

The importation and purchase of negroes were in the most absolute and unqualified manner prohibited by the yearly meetings in 1715, 16, and 19; and the quarterly meetings were directed, in 1737, to report the conduct of their members on this subject.

A still more convincing testimonial of sincerity in the work in which they had so ardently engaged, is exhibited in the resolution of the Society, of 1755, disowning from their religious communion all who persisted in the infamous practice of holding slaves.\*

The consummation of the work yet remained. To strike off the chains which were already riveted, required a disinterested sacrifice of personal interest, such as seldom adorns the records of human actions. In pursuance of a resolution of 1753, John Woolman, an enthusiastic labourer in the cause of emancipation, was deputed to visit the owners of slaves, with the view of effecting, by argument and persuasion, their manumission. Success is said to have attended his charitable efforts. But the decisive act which sealed

\* See Bettle's Notices of Negro Slavery.

the testimony of the Friends, was the resolution of 1776, disowning from their society all who refused to manumit their slaves.

Thus the year which saw proclaimed our political independence, witnessed a glorious illustration of the great truth which that independence consecrated—the equal rights of man.

It is gratifying to reflect that the names of these early champions of justice have not perished in undistinguishing oblivion. Posterity will place Woolman and Sandiford and Lay in the first rank of modern philanthropists. Nor will Benezet be forgotten while injured humanity shall find an advocate.\* No proud inscriptions record the services of these humble Friends; but the prayers and the blessings of emancipated beings are a tribute to their memory, more illustrious than the sculptured marbles which emblazon the achievements of the hero and the conqueror.

3. The policy pursued by our fathers towards the aboriginal possessors has attracted the applause and admiration of civilised mankind. We may indulge an honest pride in the reflection that the title to our inheritance is unstained with blood, that it was not wrested by the arm of superior power, nor stolen by artifice and fraud. The unsullied purity of faith, the sacred regard for justice, which presided over our Indian relations, merited the eulogies of Voltaire and the Abbé Raynal.

If Pennsylvania did not bleed with savage cruelty—if her history records the exploits of no warrior Philip, desolating with ruthless barbarity her infant settlements, it is to the pacific policy of her Quaker rulers that she owes her exemp-

\* Vide Memoirs of these individuals, by Roberts Vaux.

tion from the unhappy fate of the other colonies.\* Through every vicissitude of political mutation, from the conference under the Elm Tree, to the association of '55, the children of Onas, as the Quakers were styled by the aborigines, were the advocates of peace, and the guardians of Indian rights.

But I forbear pursuing a subject which has been treated at length in an address formerly delivered on a similar occasion.†

4. In developing the influence exerted on our early institutions by the Society of Friends, the criminal jurisprudence of our state claims a share of our attention;—I mean that ameliorated code which the Founder and his associates substituted for the barbarous penalties of the English law.

Capital punishment, the lawfulness and expediency of which have of late been the theme of such frequent and animated discussion, while it did not militate with any positive tenet of their religious faith, found no congeniality in the feelings or the judgments of the settlers of Pennsylvania. To reform rather than to exterminate, was the dictate of reason as well as humanity; and of this truth they never lost sight in their legislative labours. In this, they have the extraordinary merit of anticipating the enlightened spirit of the present age—of striking out a path in which they have been industriously followed by the Romil- lies, the Mackintoshes, and the Peels, of later times.

\* The growth of New Hampshire and Massachusetts was materially impeded by their Indian wars. It is computed by Hutchinson, (p. 200,) that from the commencement of Philip's war in 1675, to the year 1713, five or six thousand of the youth of the country had perished by the enemy, or by distempers contracted in the service.

† Discourse delivered by Roberts Vaux, Esq.

By the royal charter, the laws relating to felonies were to be and continue the same as they were for the time being in England, till altered in the due course of provincial legislation. The sanguinary code of the mother country, with its bloated catalogue of capital offences, was thus engrafted on our jurisprudence. To prune its monstrous excrescences, was one of the chief and earliest cares of our ancestors. Their sense of humanity revolted at its lavish expenditure of life; their sense of justice was shocked at the indiscriminating severity of its sanctions.

In the great law, published at Chester in 1682, our fathers erected an imperishable monument of their wisdom and philanthropy. It ought never to be forgotten by their sons that in this first act of legislation, without an example from the records of English or colonial jurisprudence, the last and most solemn sanction of the law was imposed on the single offence to which it is now restrained,—wilful and premeditated murder. Corporal punishment, imprisonment, and pecuniary satisfaction, were substituted for an ignominious death.

It is somewhat remarkable that crimes so malignant in their character, so deeply affecting the interests of society, as treason and robbery from the person, are entirely omitted in this extraordinary document. They were both felonies of death in England; they were therefore capital here. The former remained untouched by legislation.\* It has been thought by some that our primitive legislators, unaccustomed to the distinctions and boundaries which legal precision has marked out, intended to include robbery

\* As early as 1685, we find "a commission directed specially to William Clark and John Cann, for the enquiring, hearing, and determining, of an accusation of treasonable words uttered by John Curtis, of Kent county." The grand jury returned an ignoramus to the bill.

under the provisions against theft. Certain it is, however, that not many years elapsed before robbery was distinctly noticed and made the subject of imprisonment and pecuniary satisfaction.\*

The enlightened humanity which dictated the great law, continued to shed its mild lustre over the pages of our statute book, until the year 1717. During this period, our code stands in striking relief amidst the penal systems of colonial America.† The provisions of the great law were with various modifications substantially re-enacted on the accession of Fletcher in 1793, and by Governor Evans in 1705. It was deeply rooted in the affections and religious sentiments of the great body of the people.

But the inveterate attachment of the mother country to the ancient system of capital punishment, demanded from Pennsylvania the abrogation of that mild and lenient policy which was her distinguishing ornament and pride. A new system arose during the administration of Keith in 1717, modelled on the rigours of the English law. Its stern behests met no response in the hearts of the Quaker population. Compelled to suffer what they wanted the power to resist, they looked back with veneration on the great law, whose mild and equitable provisions were engraven on their affections.‡

\* In the provincial law presented to Governor Fletcher in 1693, for his ratification, the 164th and 165th relate to robbery and stealing.

† In Massachusetts Bay, no less than ten crimes were, by its early laws, punished with death. The penal system of that colony was formed on the Jewish mode; cursing and smiting of parents, blasphemy, and idolatry, were punished capitally.

‡ For further information on this interesting subject, reference may be usefully had to the notices of the original and successive efforts to reform the penal code of Pennsylvania, &c. by Roberts Vaux.

5. We have yet to notice a prominent feature of the policy of our state, whose origin is to be traced to the religious sentiments of its early settlers;—its pacific policy. The unlawfulness of war, it is well known, is a cardinal point of the Quaker faith. Regarding it as the grand source of human misery, the mildew of social happiness—at once the effect and the promoter of those blighting passions that have brought “death into the world and all our woe,” the founders of this sect carried their denunciation of warlike measures to an extent hardly compatible with the actual constitution of society in an iron age. The hostile relations of the two great powers of Europe, from the year 1693 to the latter half of the 18th century, were felt throughout the extremities of their respective dominions. The Canada frontier was for many years the theatre of a war aggravated by the cruelties of savage barbarity. New York was more immediately exposed to the enemy, but the peaceful province of Pennsylvania had a deep and kindred interest in her security, and our Quaker assemblies were frequently called on to sustain their share of the general burthen. No subject of colonial politics produced an agitation more deep-felt and extensive. On the one hand, the proprietary representatives, shackled by no religious scruples, and jealous for the honour of the crown, and the interests of their employers, pressed with every art and all their influence, the establishment of a militia. Governor Evans played off his “alarm;” Governor Gookin menaced; Governor Thomas expostulated; but all in vain. Headed by that indefatigable champion of the people, that bold, eloquent, and able advocate of their rights, David Lloyd, the assemblies of Pennsylvania, through good report and evil report, continued to resist every effort to draw them into military measures. Armed with the panoply of religious



scruples, they maintained the inviolability of conscience against the artillery of squibs, pamphlets, newspaper essays, sermons, and even judicial charges directed by their adversaries. From the pulpit, Gilbert Tennant preached the lawfulness of defensive war. From the bench, the learned chief justice of the lower counties, Mr. Chew, in an elaborate charge to the grand jury, derived its sanction from the law of nature, and the precepts of revelation.

In the universal toleration of religious sentiment ; the humane regard for the rights of the Indian and the negro ; the amelioration of the penal system, and the general tendency to pacific measures, we have traced the most prominent features of our civil polity, as affected by the peculiar principles of the Society of Friends. To fill up the portraiture, it would be my pleasing duty to show you other lineaments, expressive of the same parentage—to exhibit Pennsylvania as she was during the influence of her Quaker administration, her free constitution, and her wise laws.

I would point to the existing systems of the mother country, and show you the venerable errors and abuses which a great genius has attempted to reform, swept away with an unsparing hand during the first seventy years of our existence.

I would invite you to survey the legislation of our sister colonies during the same period, and with a modest pride would show you Pennsylvania standing on the vantage ground of social improvement. All this would be essential to the complete execution of the present duty. But I must abandon a field so attractive, yet so vast. Much of it has been already trodden by those after whose footsteps it would be vanity in me to hope to glean.

A brief survey of the general character, political and moral, of Pennsylvania, during the period that the weight and influence of the province were embodied in the Society of Friends, will occupy what is left of your patience. The subject to which your attention is now directed, would occupy no inconsiderable figure in a tract of domestic literature hitherto unattempted;—a constitutional history of Pennsylvania. We have lately beheld a distinguished scholar exploring with industrious and impartial criticism, the venerable political structures of a country to which we are indebted for the most cheering examples. May we not hope that the time is near at hand when some gifted son will attempt for Pennsylvania, what Hallam has done for England? Let us be assured that the result of such an enquiry would not diminish that devoted attachment to our institutions, which, though jealousy or disaffection may stigmatise it as national vanity, is no inefficient safeguard of our country—is a main ingredient of patriotism itself.

The early settlers of Pennsylvania were practical, rather than speculative men, with more of judgment than erudition, acquainted with the evils of arbitrary power, from their own, rather than from the records of past experience.

Contrast with the labours of these comparatively unlettered men, the offspring of one of the most god-like intellects with which the Deity has condescended to illuminate mankind—I mean John Locke. What might not have been anticipated from a mind so comprehensive, a genius so profound, a knowledge of history and of governments so extensive, as were possessed by this greatest of modern philosophers! The constitution of South Carolina was his *beau idéal* of a state—the fruit of his reflection and experience. Yet the fabric was scarce erected, before its cumbrous piles were found to be totally unadapted to the circum-

stances and necessities of those for whom they were intended.

What strikes us with admiration and astonishment in the institutions of Penn and his followers, is their extraordinary advancement in all those liberal principles which the revolutions of later times have developed and propagated.

The great features of our constitution, as it now stands, are to be found in the rights guaranteed to Pennsylvania during the first twenty years of her colonial existence. Pennsylvania did not acquire her freedom when she secured her independence. Born a republic, and from the cradle cherished in republican principles, the government, though in form proprietary, was essentially the government of the people. Their approbation and assent were necessary to the formation of the laws, and, holding in their hands the keys of the public treasure, they had the power of seeing those laws executed.

The constitution of Pennsylvania, in the space of twenty years, passed through three transitions from its primitive organisation in 1681, till its final development in the charter of 1701.

Let us pursue it through its changes. In each we shall observe the popular principle acquiring increased volume and firmer consistency.

The original frame of government of the 25th of April, 1682, is in all respects a very extraordinary production. Where will you find more profound speculation on the origin and nature of the social compact—more comprehensive views of the science of government; and the great ends of legislation, enforced with greater cogency, and more luminous conciseness? Throughout this noble offspring of the Founder's wisdom is breathed a spirit of exalted freedom, not that spirit which the Greeks worshipped under the name of liberty, whose rites were the delirium of wild ex-

cess, whose path was marked by licentious tumult ; but a liberty of law, chaste, sober, and regulated ; freedom according to his own unparalleled definition,—“ that country is free, where the laws rule and the people are parties to those laws ; and more than this is tyranny, oligarchy, or confusion.”

By the first article of this frame, all the functions of government were vested in the governor and freemen, in the form of a provincial council and general assembly.

The great principle of the republican creed, the agency of the people through the medium of representation, was established by the first charter on the broadest basis. The representation of the province was effected by two distinct bodies : the Provincial Council, consisting of seventy-two persons, “ of most note for wisdom, virtue, and ability ;” and the General Assembly, composed of two hundred members annually elected, whose object is expressed in the 14th section to be “ that all laws prepared by the governor and provincial council may yet have the more full concurrence of the freemen of the province.” An annual rotation of one third of the provincial council secured a constant circulation of public sentiment in the deliberative body ; while a provision forbidding the re-election, during the space of one year, of every member thus annually leaving the main body, was calculated to diffuse a general knowledge of the duties of legislation throughout the community.

A similar division of the representative functions is not, as far as I am aware, to be found in the history of ancient or modern states. In Massachusetts, indeed, during the early period of the colony, when the necessities of the settlers did not admit their long absence from domestic concerns, the freemen of each plantation delegated two or three before every general court, to confer of and prepare for their subsequent deliberation, such matters as the inte-

rests of the state might require.\* This, however, was an arrangement of convenience, not a provision of the law. In the provincial council, in conjunction with the governor, were vested, by the frame of government, the responsible duties of digesting and preparing the necessary laws, the care of their execution, the general superintendence of the peace and safety of the province, the location of its cities, ports, and market towns, the inspection of its fiscal operations, the erection of public schools, and the encouragement and patronage of useful talent. A standing committee, subdivided into committees of plantation, of justice and safety, of trade and treasury, of manners, education, and arts, possessed all the powers of the provincial council, subject to their supervision and control.

The general assembly had no participation in these important duties. A simple affirmative or negative to the laws proposed by the governor and council, with the privilege of suggesting alterations and amendments, summed the extent of their legislative functions.

Possessing neither the right to originate laws, nor to discuss those submitted to their sanction, without the privilege of sitting on their own adjournments, or the power of resisting dissolution by the governor and council,† they were but a subordinate member of the political machine; the shadow of a representative assembly.

How faint a resemblance do we here trace to the assembly of after times—to that body of enlightened statesmen, who, animated by a pure and lofty patriotism, erected the standard of political independence.

The experience of our own, and the history of other coun-

\* Hutchinson, p. 35.

† In Massachusetts, the governor convened the general court, but had no power to adjourn or dissolve it.

tries, have demonstrated the salutary effect of an intermediate check between the executive and the immediate representatives of the people. Such a check seems to have been proposed in the provincial council. But the accurate adjustment of the balance, (the most difficult problem in the science of government,) was ill secured in the original frame of our constitution. Too much weight was thrown into the scale of the provincial council. The assembly was a weak and helpless infant, destitute of the power of self-motion, and dependent for its vitality of action on the impulses of the council.

A scheme so unequally poised could not be of long duration. The people must and will speak their own wants through the channel of their immediate representatives. How diminished the usefulness as well as glory of the commons of England or the congress of the United States, were their halls closed in silence to those animated discussions which light up truth in the irradiations of eloquence, and elicit from the conflict of sentiment the true interests of the country!

In the charter of 1682, three privileges were wanting, essential to the existence of a dignified, efficient and independent representation :—the power of originating bills, of free discussion, and of self-adjournment.

The first two powers were soon obtained. At the first provincial assembly held in 1682, it was proposed and voted in the affirmative, that any member might offer any bill, public or private, tending to the public good, except in case of levying taxes.

Freedom of debate was anxiously provided for by our primitive legislators. At the first session of the assembly, a code of parliamentary rules was established, in which, among other wholesome regulations, is to be found one not unworthy the attention of their successors. “None to fall

from the matter to the person; and superfluous and tedious speeches may be stopt by the speaker."

The practical operation of a year developed inconveniences in the original frame, which was remodelled in 1683.

The unwieldy size of the legislative body was one of the most pressing inconveniences of the existing constitution. The provincial council was now reduced to thirty-six, the assembly to seventy-two members. But the most striking alteration was a restraint imposed on the executive power, which strongly denotes the current of public sentiment. The charter of 1682 armed the governor with a treble vote in the provincial council. That of 1683 took from his hands this solitary weapon, and directed that he should perform no act relating to the justice, trade, treasury, or safety of the province, without the advice and consent of the provincial council.

Strengthening with the strength, and expanding with the increase of the colony, the popular influence demanded from Governor Markham, in 1696, a guarantee of existing rights, and a concession of new privileges. The necessity of an immediate supply drew from Markham the third frame of government, in which the right of the assembly to prepare and propose laws, and to sit upon their own adjournments, is distinctly recognised.

The charter of 1696, though never formally sanctioned by the proprietary, continued to form the basis of government, until supplied by the charter of 1701, emphatically styled the charter of privileges.

The charter of 1683 being found, to use the language of Penn, "not so suitable to the present circumstances of the inhabitants," was surrendered by the people in May, 1700, on the pledge of a new constitution, or an amended restoration of the old one. This pledge was redeemed by the

Founder on the eve of his final departure for the mother country, where his presence was required to counteract a growing influence malignant to the interests of the infant colony. It is painful to reflect that disappointment and misfortune obscured the evening of this great and good man's days.

The charter of privileges is a noble monument of his parental tenderness and wisdom.

Liberty of conscience, as the first and greatest of blessings, was for ever guarantied as an unalterable principle of our civil polity; "Almighty God," in the solemn and impressive language of the first article, "being the only Lord of conscience, Father of lights and spirits, the author and object of all divine knowledge."

The entire change effected by this charter in the machinery of the government, merits our attention.

The provincial council as a legislative body was struck from the system.

All the legislative functions of the state were vested in the governor and assembly, who now sat upon their own adjournments, prepared bills, impeached criminals, redressed grievances, and were clothed with all other powers and privileges of a legislative assembly, according to the rights of the free-born subjects of England, and as were usual in any of the king's dominions in America.

The charter of 1701 marks an era in the constitutional history of Pennsylvania—the ascendancy of the popular branch of the government.

We have witnessed the general assembly, from small and crude beginnings, advancing gradually into notice and power, expanding its rights, enlarging its privileges, till at length the light of the provincial council was absorbed in its more powerful splendour. The assembly, as they held in their disposal the treasures of the province, were vir-



tually the masters of the state. The inferior condition of the proprietary representative, dependent on their bounty for his support, is feelingly portrayed by Governor Thomas.\* “ ‘Starve him into compliance or into silence,’ ” says the irritated governor, “ is the common language, both of the assembly and people here, when a governor refuses his assent to a bill, or proposes what they dislike.”

We have reason to believe that a more faithful adherence to the blended forms of the British constitution, than is contained in the charter of 1701, would have been congenial to the political views of the Founder. In a curious charge delivered in 1723 to a grand jury of this county† by the participant of his counsels, James Logan, is a passage which, from the high authority of its author, I shall take the liberty of quoting. “ The same method of government,” speaking of the union of monarchy, aristocracy, and democracy, “ also obtains not only in Britain, but in all its dominions abroad, where regular governments are established : this one colony of Pennsylvania and the adjacent counties excepted. And this only through the perversity of some few persons on a certain occasion, much contrary to the intentions or inclinations of the wiser Founder ; which I here mention on my own knowledge, lest this defect which is to be found amongst us only, and is a kind of blemish and exception to the uniformity of the British government throughout its dominions, should be charged to the memory of that great man whose judgment absolutely condemned it.”

It is not to be supposed that by the mixture of aristocracy here referred to as entering into the original plan of Penn, was intended any distinct class or privileged order similar to the British peerage, as a constituent member of the government.

\* Letter to lords commissioners, before referred to.

† Printed by Andrew Bradford, at the sign of the Bible, in 1723.

No people could be more averse than the early settlers of Pennsylvania, to the pomp and splendour essential to the dignified support of such a body.\* It militated further with

\* More regard seems to have been paid to distinctions of rank in Massachusetts and South Carolina than in the other colonies. In the former an endeavour was made from the earliest period to preserve two distinct ranks or orders; the gentry and commonalty. There was a general disposition to elect the governor and principal officers from the former rank—the ministers preached it as a Christian and moral duty. A curious paper has been preserved by Hutchinson, to whom I am indebted for the foregoing statement. It is an answer to Lords Say, Brooke, and other gentlemen of distinction, who had conceived the plan of establishing themselves in New England. Their proposals required that the commonwealth should consist of two distinct ranks, hereditary gentlemen and freeholders: the first rank to enjoy hereditary seats in the parliaments or public assemblies, and to give their votes in person: the consent of both ranks being essential to the making and repealing of all laws. Their proposals met a favourable reception; the answer to the first proposal is expressed in these words: “Two distinct ranks we acknowledge from the light of nature and Scripture, the one called princes, or nobles, or elders, (among whom gentlemen have their places,) the other the people. Hereditary dignity or honour we willingly allow to the former, unless by the scandalous and base conversation of any of them they become degenerate.”

The constitution of South Carolina was modelled by Locke on feudal principles. The eldest of the lords proprietary was Palatine. The province was divided into counties, each county consisting of eight signiories, eight baronies, and four precinets. There were as many landgraves, and twice as many cassiques as counties. These formed the hereditary nobility of the province, and were by right of their dignity members of the parliament. Each landgrave had four baronies, and each cassique two baronies, hereditary and unalterably annexed to his dignity. In every signiory, barony, and manor, the respective lord had power in his own name to hold court-leet, for the trial of causes civil and criminal. The restraints upon alienation were strict and unwise.

Georgia was likewise established by its trustees on a feudal basis. Each tract of land was considered as a military fief, for which the tenant was to appear in arms and take the field, when called on in the public defence.

Lands were granted in tail male only and on failure of issue reverted to the crown. The plan was not crowned with success. The trustees in 1752

the well known republican sentiments of Penn; and the memorable failure of Locke's constitution of South Carolina, with its various orders of nobility, its palatines, landgraves, and cassiques, was a fresh example of the inaptitude of such a scheme, to the circumstances of a newly settled country. It is probable that the wisdom of the Founder contemplated nothing more than a separate deliberative body, as a member of his political system, more limited in its numbers and permanent in its duration than the assembly, to serve as an anchor against the shifting tides of popular caprice.

It is apparent from this imperfect sketch of the early constitutional history of our state, that our forefathers, averse as they were to military measures, were nevertheless fearless champions of their political rights.

The records of the assembly are replete with examples of their hawk-eyed jealousy in relation to their political immunities and privileges. Strongly as that harmonious union which was the practical result of their religious doctrines illuminated their private associations, their public career does not furnish an exception to the observation which has passed into a trite aphorism that party spirit is allied to a republic. Pennsylvania, in common with the other colonies, had her proprietary party, and her popular party—her court, and her country party. But it may be said of her early political conflicts, what cannot perhaps be affirmed of them at all subsequent periods, that they were contests rather of principles than of persons.

Similar divisions founded in the jealousy of royal or proprietary encroachment existed in most of the colonies. It was during the administration of that imbecile representative

surrendered their charter to the king, who established a legislature similar to the other royal governments in America.

of the proprietary, Governor Evans, that the lines of these divisions became distinctly visible in Pennsylvania.

They were headed by no ordinary leaders. With an ardour that brightened under defeat, the popular cause was espoused by David Lloyd. An accomplished lawyer, his forensic habits gave him an advantage in the field of controversial dispute over his more profound and liberal adversary Logan, in whom the proprietary interests found an unwavering advocate.

The arms which old age compelled Lloyd to relinquish were afterwards wielded by the giant powers of Franklin. The profound and elegant author of the Farmer's Letters lent his eloquence and his abilities to prop the tottering fortunes of the house of Penn.

The Quakers as a body enlisted under the banners of the popular or peace party.

Some notice of their merits as a political association is essential to the subject before us.

The task is one of no small difficulty. In vain do we look for an impartial sentence from the excitement of contemporary partisans. It is the office of posterity to pronounce a decree which justice shall sanction. And even when time has thrown his shadows over the events and the actors of the great drama, the force of prejudice perpetuates the errors which the fever of the moment gave birth to. Who can have studied the elaborate monuments of genius which the historians of the two great parties of England have erected, without feeling that the severe impartiality of the judge is too often lost in the ingenuity of the advocate? In our own annals we can never cease to regret that the effulgence of Franklin's intellect was clouded by the rancour of party. The fame of the philosopher and the man of genius derives no brilliancy from the labours of the historical partisan.

The proprietary instructions long continued to be the source of misunderstanding and contention. The right claimed by the proprietary family of fettering the official conduct of their deputies by private instructions, was resisted by the assembly as a claim unauthorised by the constitution, unknown to the laws, and an obvious resumption of powers granted by the charter to the executive branch of the government. The proprietary representatives were bound in heavy penalties to the scrupulous observance of their instructions. A chain was thrown round the free exercise of their official duty ; the more oppressive because imposed by foreign residents, without reference to the immediate exigencies of the state. It is not to be wondered at that such unyielding restrictions which interfered with the enactment of salutary statutes, were regarded by the people as an incubus on their growing prosperity. The pretensions maintained at times by the council to a co-ordinate legislative rank with the assembly were likewise the fruitful source of bitterness and dissension. It was contended with much weight of reason, that the frame of Markham and the charter of 1701 had entirely abrogated the legislative functions of the council, who could no longer be regarded in any other light than as the mere private advisers of the governor. There can be little doubt than on both these important points of difference, the sounder argument rested with the popular party. Allusion has been already made to the dissensions excited in the province by the attempts to organise a military force.

Minor causes of irritation existed : these, however, were the chief grounds of the long and animated controversy between the popular and proprietary parties. Like all similar associations, in the ardour of conflict, both occasionally lost sight of reason and moderation. The former have been charged with ingratitude to the proprietary family. In pass-

ing our sentence on their conduct, we must not forget that as jealousy is the companion of love, so a noble ardour for liberty is for the most part attended by an overvigilant fear of encroachment.

Such Mr. President is a rapid and imperfect sketch of the civil polity established by the followers of Penn. To discuss its merits, to test its relative advantages by comparison with the political systems of other ages and nations, would carry me beyond the limits of the present undertaking. Its prominent and most beautiful features have been preserved and I trust will ever be perpetuated in our present excellent constitution.

If, as we have seen, the founders of Pennsylvania guarded their political rights by the solemn assurances of charters, and fenced them round with legislative enactments, it cannot be denied that they possessed a muniment of their freedom far better than any written sanctions. I allude to their virtue—the simplicity of their manners—the purity of their morals—the industrious economy of their lives. They were indeed good men : and “ good men,” as Penn admirably observes in the preface to his Frame of Government, “ are better than good laws : for good laws may want good men, and be abolished or evaded by ill men : but good men will never want good laws, nor suffer ill ones.” The law is in theory supreme : but public opinion is the sovereign of the law, because its aid is essential to the effectual execution of the law. It is only when they move together in the same sphere of justice that the public happiness attests their harmonious co-operation.

The influence which the principles and the discipline of the Society of Friends exerted on the moral health and

consequently on the political soundness of our community is a point to which your attention may well be directed, as it is essentially interwoven with the causes of our early prosperity. That influence has not ceased to operate, but it operates with a force diminished by the greater extent of the surface over which it is diffused.

The lover of ancient reminiscence will perhaps discover, in the wonders of modern improvement, a sad departure from the pristine character of our community. Lingered with delight on those patriarchal days, when the representatives of provincial Pennsylvania, the assembled majesty of the people, scrupled not to take refuge from the rigours of their own simple apartment\* in the comfortable mansion of Isaac Norris; when a dinner to the newly installed mayor was an event of no inconsiderable magnitude, the admirer of time and things gone by, may be tempted to exclaim with the Roman, “O morem præclarum, disciplinamque quam a majoribus accepimus, si quidem teneremus: sed nescio quo pacto jam de manibus elabitur.”

It is true that the prints of our father's footsteps are fast buried in the sweeping tides of luxury and wealth. The virgin settlement† of Penn, now grown into the matron mother of science, commerce, and the arts, vies in proud embellishment with European elegance and splendour. Yet are we still surrounded with vestiges of the olden time. In our streets, in our dwellings, in our institutions, around and

\* In the votes of assembly 1699, 12th mo. 7th, it is recorded that the assembly “adjourned to Isaac Norris's house, (by reason of the extreme cold) for an hour—at which time and place the house met, &c.”

† Penn, in his valedictory address to his friends in 1684, uses this language, “And thou, Philadelphia, the virgin settlement of this province, named before thou wert born, what love, what care, what service, and what travail has there been to bring thee forth, and preserve thee from such as would abuse and defile thee.”

on every side, exist monuments of an influence that has not passed away. In the steadiness of movement, the peaceful regularity, the chastened repose, the unambitious solidity of comfort, the aversion to unsubstantial glitter, to sudden changes of sentiment and action, and to all the high flights of folly and fashion which have stamped a distinctive character on Philadelphia, we cannot fail to recognise the silent, but wide spread and durable influence of the Society of Friends.

Few speculations within the range of the philosopher possess more curious interest than the analysis of national character. To trace manners to their origin, often deep-seated in antiquity, and by reference to climate and local circumstances to exhibit the connection between the moral and physical constitution of man, is one of the most agreeable and useful exercises of philosophical enquiry. But of far deeper interest, because of far greater importance, is the relation which exists between the condition of society, the morals and the manners of a people, and its political destinies. It is therefore the duty of history faithfully to portray the manners while it records the actions of a people. It is thus, and thus only, that it claims its highest merit—that of teaching by examples.

Poets of all countries, in embodying their thoughts of man as he ought to be, not as he is, have described a period of the world, an age of purity, happiness, and peace, which never had existence but in the rainbow colours of their own beautiful fancy. The picture of the primitive society of Pennsylvania needs but the touch of this enchanting pencil to elevate it to a golden age. The belief in mysterious and supernatural agency, and the discussion of subtle points of theology, literally rent New England in pieces. A single trial for witchcraft, which ended, however, in an acquittal,



stands upon the records of Pennsylvania, as the Keithian controversy was the only one that disturbed the harmony of the Society of Friends. Indeed it is a striking feature of that society, that will doubtless recommend it to the good opinion of not a few, rather studiously to avoid than to invite or willingly engage in polemical discussion.

Eminently calculated to diffuse a spirit of harmony and order, to systematise society, and to promote that tranquillity which is the great motive of its institution, the end and object of its laws, the principles of the Friends inculcated a deep and solemn veneration for the constituted authorities of government. "Government," says Penn,\* "seems to me a part of religion itself, a thing sacred in its institution and end." Thus regarded as an emanation of divine power, and invested with a religious reverence, the moral guilt of arresting or disturbing its functions enhanced the civil crime.

The spirit of private litigation is perhaps more fatal to the peace of society, than the daring outrage which *openly* insults the majesty of the law. It unseals the bitter fountain of evil passion; it saps the morals, it weakens the energies of a community. The early inhabitants of Pennsylvania endeavoured to set bounds to an evil that militated with their pacific principles, and made frequent legislative efforts to check and control what they could not wholly exterminate. In illustration of their peaceful character, it is related that the adversary of the venerable Pastorius, a name honourably distinguished in our annals, to deprive him of all professional assistance, retained the entire bar of the province. Happy age! when such a stratagem could be effected; when Pennsylvania required the services of but three lawyers.

\* Preface to his Frame of Government.

An honest and straightgoing simplicity, a simplicity truly republican, adorned the path of our fathers. In dress, habits, manners, accomplishments, learning, legislation, in every sphere and department of life, in public and in private, this is the pervading beautiful characteristic.

In the statute book, it is seen to reject with an unsparing hand, the cumbrous forms and artificial processes which time, not reason, had consecrated in the mother country. While it never flattered vanity at the expense of truth, nor sacrificed utility to senseless show, the simplicity of our ancestors was entirely aloof from the ascetic severity of gloomy fanaticism; it claimed no kindred with the sanguinary spirit which dictated the blue laws of a sister province. Springing, not from the physical necessities of a new settlement, but from the purer source of religious principle, it continued to adorn their conduct, when wealth unlocked her stores, and invited them to banquet.

It requires no depth of penetration to discover, that the simplicity and pacific disposition enjoined by the testimonies of the Friends, must have powerfully contributed to the preservation of social order. Could principles like these,—principles which, by chaining the passions, restrain the chief agents of human misery, be brought into general and effectual operation, our jails would be empty, our criminal tribunals deserted, and prison discipline matter of curious speculation, rather than as now a subject of immense practical importance.

What, indeed, on the score of morals and social improvement, might not be hoped for from a system which sought to destroy the current, by stopping up the source of vice? How profound and practical is the wisdom of that memorable provision of the first laws, which dictated that all children of the age of twelve years “be taught some useful trade or skill, to the end that none may be idle, but the

poor may work to live, and the rich, if they become poor, may not want!" A specific is here furnished for the maladies which the political physician is required to treat, more sovereign and effectual than sanguinary edicts, or the rigid sanctions of penal enactments.

It may, perhaps, be thought that a state of society so pure, so simple, so regular, is congenial only to the limited scale of a narrow and unambitious community. It is true, indeed, that the theories of political experimentalists have seldom been fairly tested on an extensive scale. In not a few of its features, the system established by the Friends of Pennsylvania resembles the beautiful model attributed to the genius of the humane and enlightened Berkeley.\* If it did not exhibit the rich colourings, the high-wrought mouldings, the splendid ornaments of some other systems, its arrangements were more convenient, its foundations were deeper, its materials more solid; it was better calculated to resist the shocks of faction, and the waves of time.

It is but a just tribute to her Quaker rulers to say, that under their mild and equable administration, Pennsylvania, the youngest of the colonial sisters, advanced with unparalleled rapidity in her career of prosperous improvement. Commerce poured her treasures into the lap of peace.† The canvass of her merchants whitened the most distant waters. Long before the Parrys and the Franklins of our day had achieved immortality by their heroic enterprise,

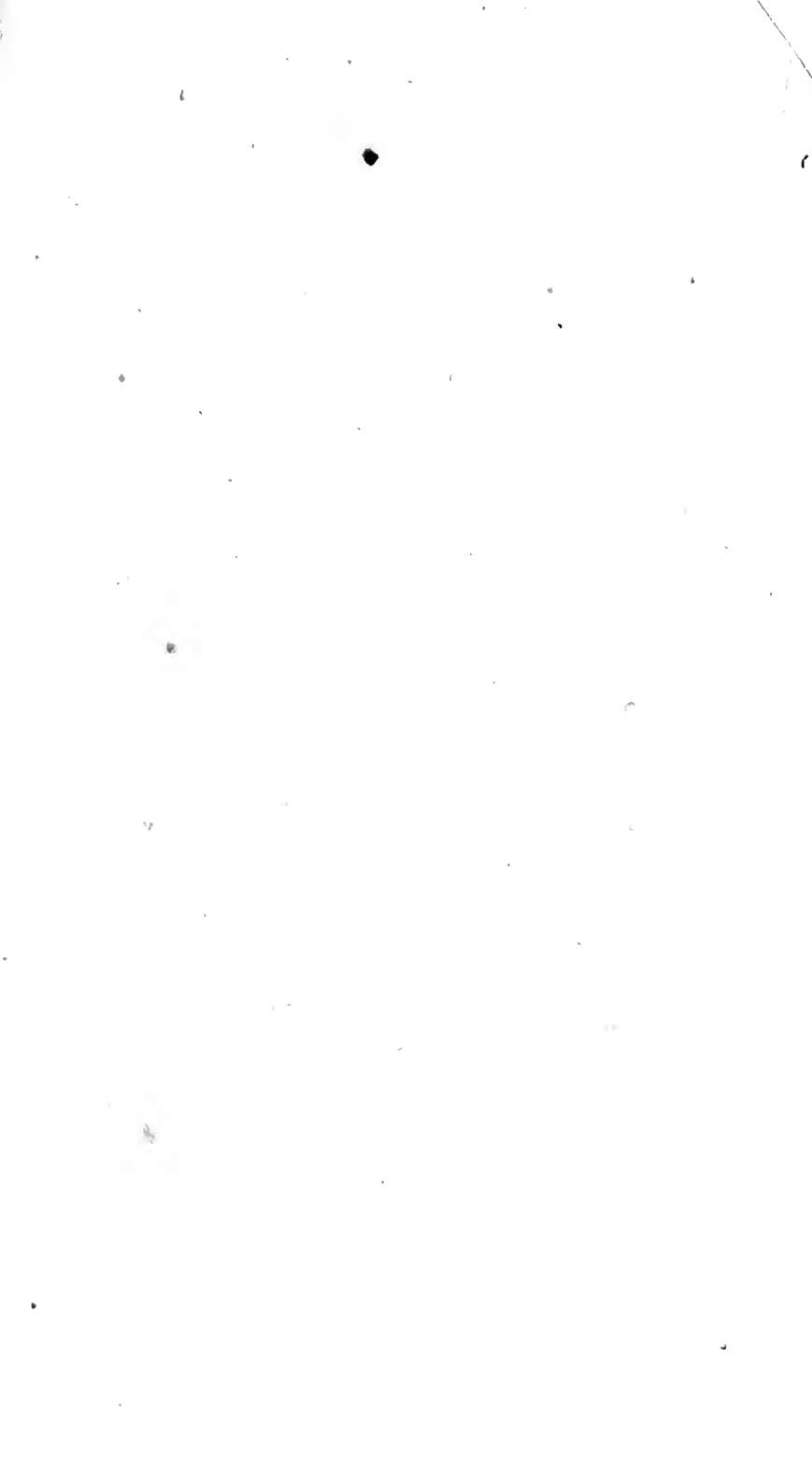
\* Contained in the political romance of "Gaudenzio di Lucca."

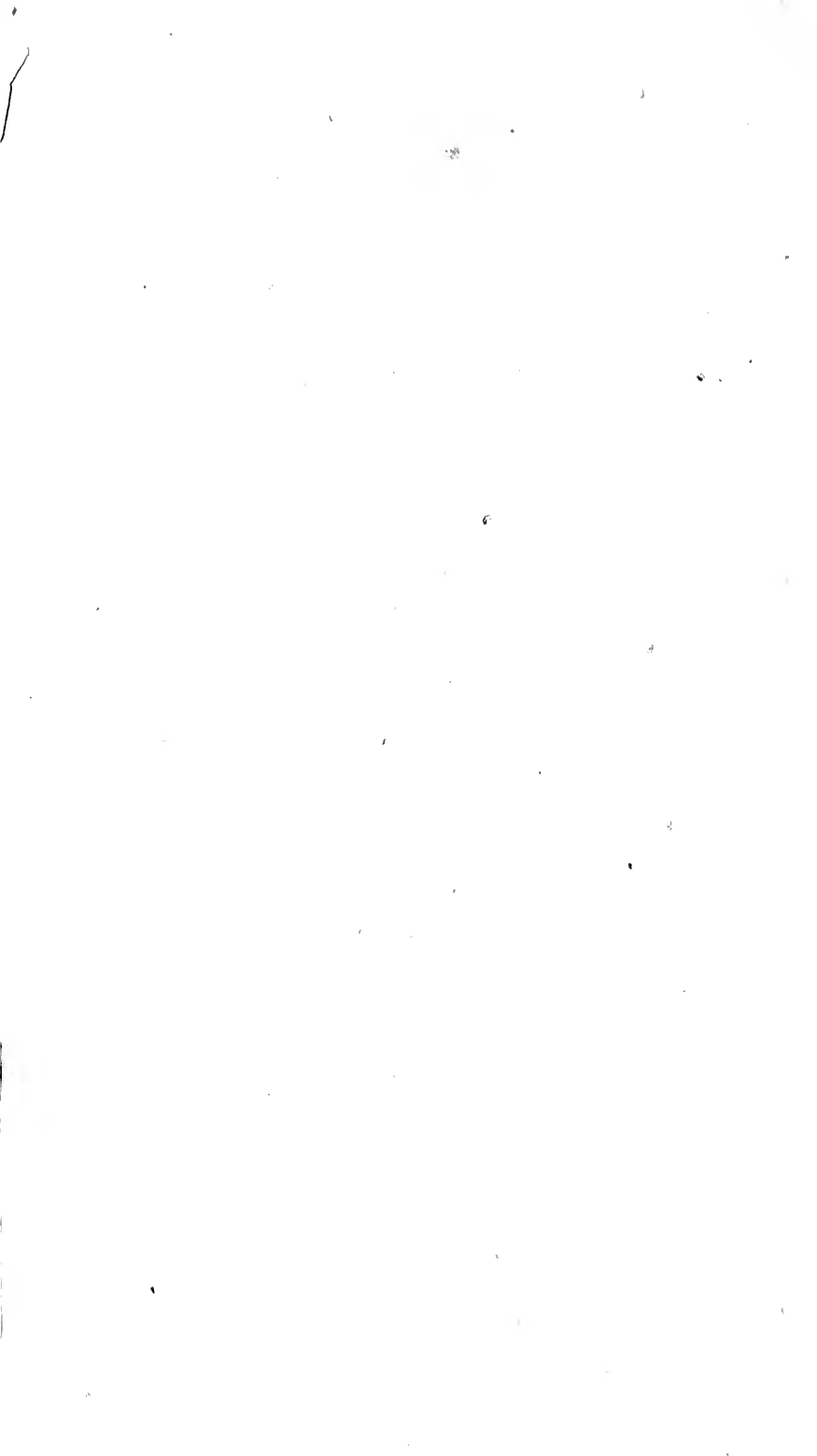
† Philadelphia began at an early period to acquire the reputation for ship building which she has ever since maintained. In 1724, nineteen vessels, tonnage 959, were built. In the year commencing March 25th, 1735, and ending March 25th, 1736, 197 vessels were entered and cleared at the port of Philadelphia, of which 57 were ships, and 44 brigs.

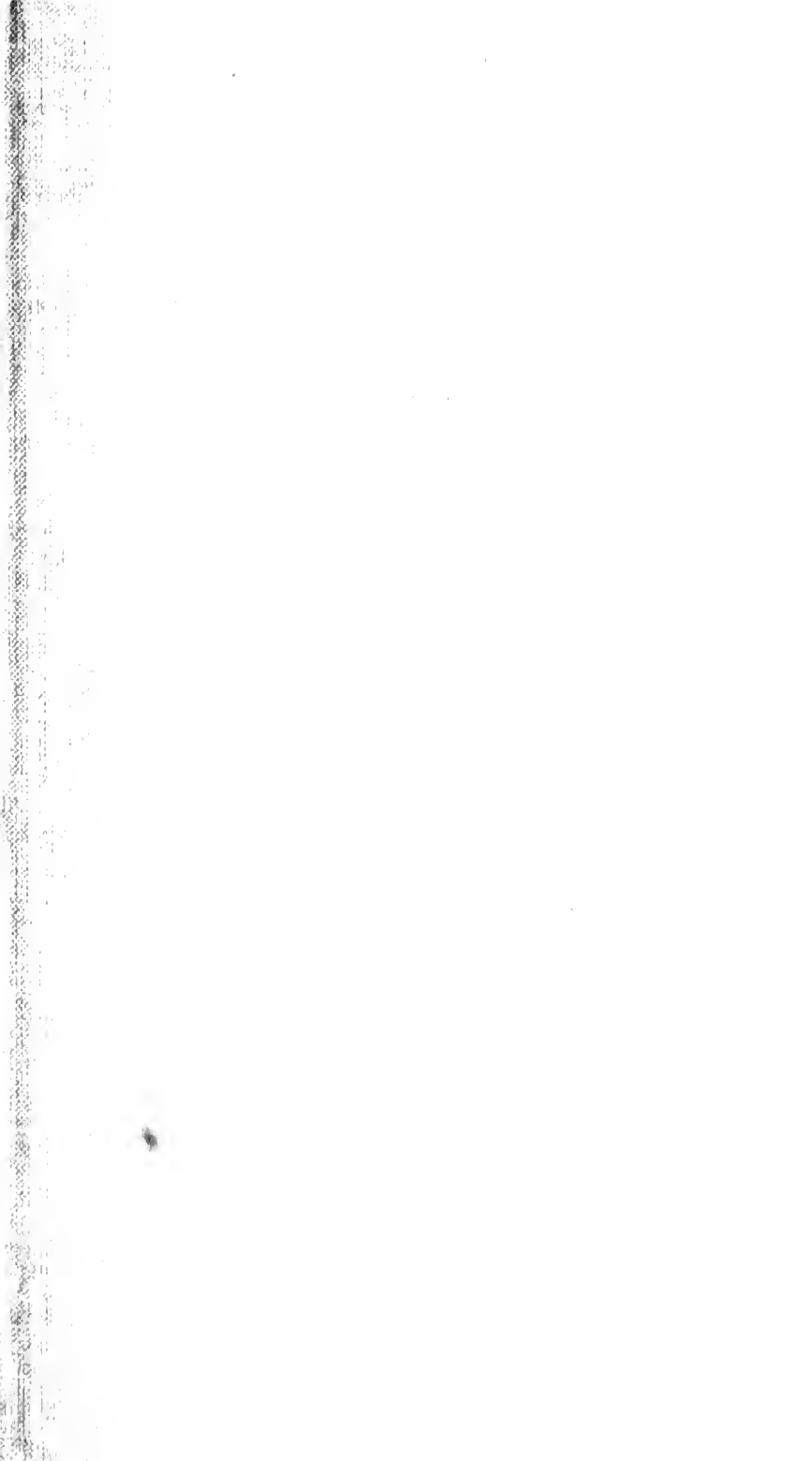
the ship *Argo*, equipped by the merchants of Philadelphia, sailed on the perilous voyage of polar discovery.\*

With reference to our present and our future interests, the review of that portion of our annals to which your attention has been invited, is not without profitable instruction. If there be any truth in experience, any moral in history, any lesson inscribed on the tombs of empire, it is that virtue is the life of free institutions. Virtue was emphatically the glory of our fathers; may it long continue to be that of their sons! And as a means of preserving a heritage so inestimable, let us reverence the memory, and cherish the principles, and emulate the actions of those wise and good men, who planted the tree that now covers us with its broad shade. To look back upon their institutions, to retrace with historic step the paths they trod, will not fail to animate, invigorate, and refresh. Thus, gentlemen, may your society fulfil a higher and a nobler purpose than the mere gratification of literary curiosity. It may fulfil an important duty to our common country.

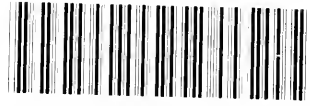
\* A very interesting account of the attempts made in 1753 and 1754, by Captain Swaine, in the schooner *Argo*, to discover a north west passage, will be found in the *American Quarterly Review*, vol. 3.







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