

THE SWEDISH BEGINNING OF
PENNSYLVANIA AND OTHER EVENTS IN
PENNSYLVANIA HISTORY

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When the President a year ago invited me to address this notable Society at one of its annual meetings, but one answer, of course, could be given. And as I am a Pennsylvanian by almost two and three-quarter centuries of inheritance, I have chosen some events in the history of Pennsylvania as my theme for this occasion. Pennsylvania, as her name of the Keystone State implies, has had a notable history. During the Colonial period, owing to her geographical position, the large number of her population and her important commercial development, she was truly the Keystone Colony. And since the Declaration of Independence, owing in part still to her geographical position and also because of the influence that, through the large number of her people moving westward and south-westward, she has exerted in shaping and moulding the institutions of the Nation beyond the Alleghenies, Pennsylvania has come to be known all over the country as the Keystone State. Like every one of the other colonies or original States, Pennsylvania has contributed her share to the building and maintenance of the Union. Unfortunately the people of Pennsylvania possess only in a small degree an admirable quality which you here in Massachusetts have in large measure, a quality which I admire you for; and that is, that when anyone in the community has done something which is really worth the doing, to make it known not only locally but also in all the world besides.

The reason for not properly heralding abroad, and indeed also at home, the deeds of the sons and the daughters of our Province and State, is due doubtless to a complexity of causes.¹ First of all, the population of Pennsylvania was the least homogeneous of that of any of the colonies. It was made up first of Swedes, then came some Hollanders, English, Germans, Scotch-Irish, and the Connecticut settlers in the north.² All these elements are not even today fused into a homogeneous whole, such as, for example, the original English folk who settled in the seventeenth century either in Massachusetts or Virginia. Then again the Alleghenies divided the State for a long time into two entirely distinct parts. As a result of this geographical division which only came to an end when the Pennsylvania Railroad permitted easy and rapid communication between the Delaware River and the head waters of the Ohio, there was not an entire community of interest between the original settlements along the Delaware and that large agglomeration of people in the western part of the Commonwealth which Abraham Lincoln sometimes called the "State of Allegheny." In addition, the Quakers—I am myself descended from a Quaker, Edward Shippen, the emigrant of that name³—by their religious spirit of repressing all attempt at self exaltation and laudation, have been one of the potent elements which have caused Pennsylvania and especially Philadelphia and the eastern portion of the Commonwealth, to be backward in making known to the world at large the mighty events which have been enacted on her soil, or the great contributions which she has made through her children to the advance of civilization.

¹ In collecting my information I have received kind help from Mr. Jordan and Mr. Spofford, the Librarian and Assistant Librarian of the Historical Society of Pennsylvania; and Mr. Keen, the Curator of the Society.

² Albert Cook Myers, editor; *Narratives of Early Pennsylvania, West Jersey and Delaware, 1630-1707*, New York, 1912.

³ Thomas Balch: *Letters and Papers relating chiefly to the Provincial History of Pennsylvania*, Philadelphia, 1855.

While it is well known that the most momentous battle of our Civil War was fought close to Mason and Dixon's line at the Pennsylvania village of Gettysburg, that regiments from most of the States in the Union took part in that battle either on one side or the other, and that the supreme command of the army of the Potomac on those three memorable days was held by a Pennsylvanian, General Meade, it is not equally well known that the next two in the highest command, Reynolds and Hancock, were also sons of the Keystone State. The encampment at Valley Forge, where our fathers under Washington, Wayne, Mühlenburg and others, kept watch along the banks of the Schuylkill through a bleak winter at one of the darkest periods of the war for independence, is only now becoming known generally throughout the Union.⁴ And as for the capture on November 25th, 1758, of Fort Duquesne, which stood where is now the center of the great city of Pittsburgh, but little has been made of that important historic event by the people of Pennsylvania. Yet the expedition under the command of General Forbes, which started from Philadelphia and marched through the Pennsylvania wilderness was made up in large part of Pennsylvania troops⁵ and was likewise financed in part by the Keystone Colony. That capture is not generally known to the people outside of the borders of the State. Nevertheless, that victory broke the continuity of the chain of French forts which linked Canada with Louisiana, and was one of the important factors that opened the way for the spread of the Anglo-Saxon race and the English language all the way across the continent to the Pacific Ocean. Likewise relatively few people know that the first public protest in America against slavery was made by Francis Daniel Pastorius, the founder of Germantown and "The Pennsylvania Pilgrim" of Whittier, Dirck op den Graeff,

⁴ Samuel W. Pennypacker: *Pennsylvania in American History*, Philadelphia, 1910.

⁵ *Pennsylvania Archives*, 2nd series, Harrisburg, 1876, volume II, pages 559-560.

Abraham op den Graeff and Gerhard Hendricks, in 1688 at Germantown, now a part of Philadelphia.⁶

We have had notable men in all walks of life, such painters as Benjamin West and John Neagle,⁷ such scientists as David Rittenhouse,⁸ such a printer as Christopher Sauer, such poets as Bayard Taylor and Thomas Buchanan Read, the former of whom wrote also the novel *Hannah Thurston* and the latter the short poem, *Sheridan's Ride*.⁹ And the prince of the American comic stage, Joseph Jefferson, was born in the house standing at the southwest corner of Spruce and South Sixth Streets.

Of late, however, a realization that the good deeds and fruitful works of Pennsylvania's children have not been properly chronicled abroad has begun to take hold of the community. So, this morning, may I present to your attention a few important facts in the history of the Province which owing to her geographical position and political importance was as truly the Keystone Colony as she is today called the Keystone State.

I. Three of the Nations of Europe took a direct and active part in founding and establishing the thirteen colonies which ultimately united to form the United States of America—England, Holland, and Sweden. With the attempted settlement at Roanoke in the last quarter of the sixteenth century by an expedition sent out by Sir Walter Raleigh, and with the successful settlement started by the English at Jamestown on

⁶ Samuel Whitaker Pennypacker: *The Settlement of Germantown*, Philadelphia, 1899, pages 144-147. Marion Dexter Learned: *The Life of Francis Daniel Pastorius*, Philadelphia, 1908, pages 260 *et seq.*

⁷ Edwin Swift Balch: *Art in America before the Revolution*, Philadelphia, 1908. Mr. Edward Biddle also called my attention to Neagle as one of our notable portrait painters.

⁸ Samuel W. Pennypacker: *Pennsylvania in American History*, Philadelphia, 1910.

⁹ The Historical Society of Pennsylvania has the manuscript of *Sheridan's Ride*, which Thomas Buchanan Read presented to Ferdinand J. Dreer, who gave it to the Society. It was written during the war soon after the battle of Winchester. The Society also has Read's portrait of Sheridan from life which the poet used in painting his well known picture of Sheridan riding to retrieve the day at Winchester.

Ellis Paxson Oberholtzer: *The Literary History of Philadelphia*, Philadelphia, 1906.

June 7, 1607, began the founding of the five colonies south of the northern line of Maryland by men and women of English speech. With the landing of the Pilgrim Fathers at Plymouth Rock, in 1620, started the establishment by men and women speaking the same tongue of what came to be known as "New England." At the mouth of that majestic river, perhaps discovered by Verrazano, that has borne since 1609 the name of that intrepid navigator and explorer, Henry Hudson, an Englishman born in Somersetshire, who sailed the seven seas sometimes in the service of the States General of the United Netherlands and sometimes under the flag of his own native England, Hollanders began to establish themselves on Manhattan Island to trade with the Indians of the Hudson Valley at least as early as 1613.¹⁰ On October 11, 1614, the States General of the United Netherlands granted in a charter to a company, that came to be known afterwards as the New Netherland Company, the right to the exclusive trade between the Netherlands and "New Netherland."¹¹ From that time to this, trade has been carried on continuously between Holland and the valley of the Hudson. The Dutch settlement on Manhattan Island was christened *Amsterdam* in New Netherland, though historians thought fit to change the first part of the name into *New Amsterdam*.¹² because, probably, it had been renamed by the English *New York*.

Spreading, eventually, westward across the North or Hudson River, the Dutch started the first settlements in Northern New Jersey.¹³ Likewise at the southern end of New Jersey, the Hollanders were the first to

¹⁰ E. B. O'Callaghan: *History of New Netherland*, New York, 1846, page 68.

¹¹ Charter of October 11, 1614; see photographic copy in the New York Historical Society of the original manuscript at The Hague.

¹² I have to thank Mr. Kelby, librarian of the New York Historical Society, for this interesting information.

¹³ William S. Whitehead: *East Jersey under the Proprietary Government*, Newark, N. J., 1875, page 17; *The English in East and West Jersey*, being chapter II of volume III of Winsor's *Narrative and Critical History of America*, Boston and New York, 1884, page 422; *Year Book of the Holland Society of New York*, 1914, *passim*.

occupy the land with a settlement.¹⁴ Sailing up the South or Delaware River in 1620, Captain Cornelius May of Hoorn, in command of the good ship *Blyde Bootschap*, discovered "some new and fruitful lands." The mouth of the river was named by the Dutch after him Nieuw Port May, and to this day the southern end of New Jersey is known as Cape May. Three years later Captain May was again sent out from Holland with a Dutch expedition to the Delaware River with instructions to build a fort upon one of its shores. Accordingly, ascending the South River, he explored and looked over the surrounding country, and in 1623 on the east or left bank of the river, at a point nearly opposite to the present city of Philadelphia, he constructed a fort. This fortification in honor of the family that had done and sacrificed so much to secure and maintain the independence of the United Netherlands, they called Fort Nassau, a name that has been kept as a living reality to Americans down to the present day by Nassau Hall at Princeton.

Later, New York and New Jersey were both taken from the Hollanders by the English through conquest by force of arms, yet the present sovereignty of each of those two commonwealths goes back for its beginnings across the Atlantic Ocean to the States General of the United Netherlands.

If we turn to the history of Delaware, we find that at the southern extremity of that little Commonwealth the Dutch in 1631 formed a settlement. Their governor, named Giles Ossett or Gillis Hossett, who was the first governor representing the sovereignty of a European State to establish his seat of government within the area of the modern State of Delaware, and who consequently was the first predecessor of the present governor of the State of Delaware, was a Hollander. The Dutch colonists named the stream

¹⁴ Berthold Fernow: *New Netherland, or the Dutch in North America*; Chapter VIII in volume IV of Winsor's *Narrative and Critical History of America*, Boston and New York, 1884.

upon which they settled, Hoornkill, probably as in the case of Cape Horn or Hoorn, in memory of the town of Hoorn on the Zuyderzee.¹⁵ The surrounding region the Hollanders called Zwaanendael, and building a fort, they named it Oplandt. They made a treaty of amity with the local Indians. A few months later, however, the whole colony was massacred by the red men, because, as it is supposed, an Indian having taken the tin plate which the Dutchmen had set up with the coat-of-arms of the United Provinces upon it, the colonists caught and executed him; whereupon the aborigines, to avenge the death of their brother, collected their forces, fell upon the white strangers, killed them all but one and blotted the whole settlement of the Hollanders out of existence. It was on account of this short lived occupancy by the Hollanders in 1631 of the Southern end of what is now Delaware, that Lord Baltimore's claim to Delaware was rejected. The patent of Charles the First to Lord Baltimore granted a title to lands which were inhabited by savages and were uncultivated, but did not convey to him lands which civilized men had possessed and cultivated. Consequently, Baltimore's claim to Delaware was refused because the colonists from Christian Holland had for a time possessed Delaware by occupancy. They had not renounced their title voluntarily.¹⁶

Subsequently, the Swedes, under their first American Governor, Peter Minuit, himself a Hollander though serving Queen Christina of Sweden, started a colony in 1638 further north than Zwaanendael, at a spot on a stream flowing into the Delaware River where they built Fort Christina, the site of the present Wil-

¹⁵ Cape "Hoorn" was christened in 1616 by the Hollanders, Le Maire and Schouten. *Oost ende West-Indische Spiegel waer in beschreven werden de twee laetste Navigation * * * De eene door den vermaerden Zeeheldt Joris van Spilbergen * * *. De andere ghedaen by Jacob Le Maire*; Amsterdam, Jan Janssz, MDCXXI.

¹⁶ James Dunlop: *The Controversy between William Penn and Lord Baltimore*, Memoirs of the Historical Society of Pennsylvania, Philadelphia, 1864, volume I, page 175.—Henry C. Conrad: *History of the State of Delaware*, Wilmington, Del., 1908, page 14.

mington in Delaware. Thus the Swedes by right of actual occupation and possession, acquired the inchoate title to Delaware that the Dutch colonists had won for the United Netherlands by their actual settlement and occupation seven years earlier of the region at Zwaanendael, near the modern Lewes.¹⁷ And so the sovereignty of the present State of Delaware like those of the Commonwealths of New York and New Jersey, begins in Europe with the States General of the United Netherlands. But unlike the historic development in the case of those latter two colonies or States, the sovereignty of Delaware before being transferred by conquest into English hands, first passed through that of ownership by actual and effective occupation in the name of the Swedish crown, and then again returned by conquest into the possession of the States General of the United Netherlands, from whom it in turn was conquered by Englishmen, in the name of the King of England.

The territory which today forms and constitutes the Commonwealth of Pennsylvania, however, alone of the States derived from the original thirteen colonies, looks for the fountain source of her sovereignty to the most northern of the three European Nations that had a part in the actual establishment of formal and recognized governments in the territory of the thirteen colonies—Sweden. And so Pennsylvania has an especial interest in that Conquering-Statesman-King, "The Snow King," surnamed "the Lion of the North and Defender of the Faith," who on the Saxon battlefield of Lützen in 1632 defeated the Imperial Hapsburg army under Count Wallenstein or Wallstein, and sealed with his heart's blood the independence of Sweden, Gustavus Adolphus the Great. Consequently, it is eminently appropriate that the colors of the flag of the chief city alike in Pennsyl-

¹⁷ Gregory B. Keen: *New Sweden, or the Swedes on the Delaware*; being chapter IX in volume IV of Winsor's *Narrative and Critical History of America*, Boston and New York, 1884.

vania and the territory of New Sweden, Philadelphia, are the blue and yellow of Sweden.

For when William Usselinx of Antwerp found that he could not persuade the States General of the Netherlands to take hold of his scheme for a Dutch trading and colonizing company to extend Dutch sway and possession in the New World, he turned with reluctance from Holland and in 1624 looked to Sweden for aid in the carrying out of his trans-Atlantic plans. At Göteborg in October or November of 1624, Gustavus Adolphus granted him a six hours' interview to unfold his plans. On November 4, Usselinx had the draft charter of the proposed company ready; then the general prospectus of the proposed company was issued; and on December 21, 1624, the Swedish King gave "Warrant for William Ussling to establish a General Company for Trade to Asia, Africa, America and Magellanica."¹⁸ Finally, on June 6, 1626, King Gustavus Adolphus signed the charter of the South Company, to carry on trade beyond the seas and to colonize.¹⁹ It was the first forerunner and ancestor of that later Swedish Company in whose service Lieutenant Colonel John Printz, subsequently, starting from Göteborg with the two vessels, the *Fama* (*Fame*), and the *Svanen* (*Swan*), crossed the Atlantic Ocean in 1642, to become the fourth Governor of New Sweden and the first Governor of the territory which today constitutes the commonwealth of Pennsylvania. Printz, like his three predecessors, landed where the first Swedish colonists under Minuit built Fort Christina, the site of the present city of Wilmington. He began his rule there in 1643. Printz, soon after his arrival at Fort Christina, made a journey through the adjoining territory sailing up the Delaware River as far as San Kikan. He decided to change his residence and the seat of his government from Fort

¹⁸ B. Fernow: *Documents relating to the History of the Dutch and Swedish Settlements on the Delaware River*, Albany, 1877, page 1.

¹⁹ *Idem*, pages 7-15.

Christina in Delaware to Tenakongh or Tincum Island, situated fifteen miles further up the Delaware River and in present day Pennsylvania. It was the first capital or seat of government established within the territory of the present State of Pennsylvania. There Printz built a fort of heavy logs, which he armed with four brass cannon. This fort he called in memory of the city in Sweden from which his expedition had set out to cross the ocean to the New World—Nya Göteborg (New Gottenburg). The same name was also conferred upon the whole island in a patent that his sovereign, Queen Christina, issued on November 6 following, in which she granted to Governor Printz the island "to him and his lawful issue as a perpetual possession." Printz built a house for himself at Nya Göteborg which was known as Printzhof. About twenty of the colonists, among whom were Printz's bookkeeper and clerk, together with their families, as well as the Governor's body-guard and the crew of his small yacht, settled on the island. Printz also constructed a small redoubt on the eastern shore of the island, which he christened Nya Elfborg. On Tincum Island Governor Printz had built not later than 1646 a small church which was alike the first church of Sweden and the first church of any division of the church universal that was erected and established in the territory of what is today the Commonwealth of Pennsylvania.²⁰

Johan Printz was born on July 20, 1592, at Bottnaryrd, in Småland, a province of southern Sweden, which looks out upon the Baltic Sea opposite to the Islands of Oland and Gothland.²¹ After attending school in his native Småland, he was sent to study in Germany for a time at the universities of Rostock and

²⁰ J. Franklin Jameson: *William Usselinx, the founder of the Dutch and Swedish West India Companies*: Papers of the American Historical Association, New York, 1887, volume II, no. 3.—Amandus Johnson: *The Swedish Settlements on the Delaware, 1638-1664*, Philadelphia, 1911, published by the Swedish Colonial Society.

²¹ Amandus Johnson: *The Swedish Settlements on the Delaware, 1638-1664*, Philadelphia, 1911, published by the Swedish Colonial Society, volume II, page 688.

Greifswald. After returning to Sweden, he was enabled again, thanks to the generosity in 1620 of his sovereign, Gustavus Adolphus, to pursue his studies further at the German universities of Leipzig, Wittenberg and Jena. Made a prisoner by some soldiers he was forced to accompany them in their wanderings as far as Italy. He served for a time in the French and Austrian forces, and finally returned once more to Sweden in 1625, when he entered the Swedish army. In 1630 he was commissioned a captain, in 1634 he was promoted to the rank of major, in 1635 and 1636 he saw active service under General Ture Bjelke in the Thirty Years' War. Two years later he was commissioned Lieutenant Colonel in the Swedish forces and in 1640 as military governor of Chemnitz in western Saxony, he made with the small force under his command, a brilliant and courageous though unsuccessful defense against the Imperial forces. After returning to Sweden once more, he was appointed in 1642 to the governorship of New Sweden and was knighted in July of that year. His active rule as Governor of the colony lasted from early in 1643 to the autumn of 1653. Upon his return to Sweden, the government appointed him a colonel, in 1657 named him Commandant of the Castle of Jönköping, and the next year Governor of Jönköpings lan. He died on the third day of May, 1663. Governor Printz married twice, first Elizabeth Bok who died in 1640, and second, just before he sailed for New Sweden in 1642, Maria von Linnestan. A man of large size and great weight, he was called by the Indians "the big tub." The Hollander de Vries says that he weighed more than four hundred pounds. To quote the Dutch Captain's descriptive language *à propos* of the Swedish Governor: "*Was ghenamt Capiteyn Prins, een kloeck Man van posteur die over he vierhundert pondt woeg.*"²² And this description of the physical characteristics of

²² De Vries, *Korte Historiae*, page 184.

Governor Printz is borne out by his portrait in oils in Sweden, a copy of which, made by command of the present King of Sweden, Gustavus the Fifth, is now in the building of the Historical Society of Pennsylvania. Upon one side of the canvas is painted the coat of arms of Governor Printz.

The English, both at home and in their North American Colonies, protested at the time against the right of the Swedish Crown to establish a colony on the banks of the Delaware.²³ This protest the English based upon priority of the discovery of the country by their own navigators. Waiving, however, owing to historic doubt, the question by the navigators of which of several European Nations then active in exploring the Seven Seas, the River Delaware and the adjoining lands, were first discovered, the validity of the title of the Swedes to the lands they occupied in Pennsylvania and Delaware, apart from having bought them from the native Indians, is to be found in the celebrated answer that Queen Elizabeth made to the Ambassador of Philip the Second of Spain, Mendoza, in 1580. In that year, after Sir Francis Drake's return from a distant voyage during the course of which he had attacked numerous Spanish settlements and captured much plunder from Spanish subjects both on land and sea, Mendoza, on his master's behalf, claimed the sovereignty of all the new found lands from the fact that they were first discovered by subjects of the King of Spain. To which England's Queen, as Camden tells us, replied:²⁴ "As she did not acknowledge the Spaniards to have any title by donation of the Bishop of Rome, so she knew no right they had to any places other than those they were in actual possession of; for that their having touched only here and there upon a coast, and given names to a few rivers or capes, were such insignificant things as could in no

²³ Amandus Johnson: *The Swedish Settlements on the Delaware, 1638-1664*, Philadelphia, 1911, vol. I, pp. 179, 384; vol. II, pp. 572, 574.

²⁴ Camden's *Annals*, 1580: see Translation in Sir Travers Twiss, *Oregon Question*.

ways entitle them to a property further than in the parts where they actually settled and continued to inhabit." The English themselves, as did the nationals of the other great maritime nations of the seventeenth and subsequent centuries, acted repeatedly on this principle of the Law of Nations so clearly and forcibly enunciated by Queen Elizabeth at the beginning of the last quarter of the sixteenth century when her subjects were seeking in all parts of the new world suitable lands where they might plant and extend through colonization the sway of the English crown. And in subsequent centuries this declaration of international policy of England's Virgin Queen was accepted again and again both by international publicists, such as Vattel, Bluntschli, and Rivier, and governments, as in the declaration issued by Spain in 1790 concerning the Nootka Sound controversy, until today it is a well recognized rule of International Law that discovery alone of a new and unknown land does not confer title upon the sovereign of the nation who makes the discovery, but merely an inchoate title which must be reinforced within a reasonable time by an effectual and lasting occupancy in order that that inchoate title shall become perfected into a full one instead of lapsing gradually away. In the Law of Nations as proclaimed by one of England's greatest sovereigns with her own lips, a sovereign who was herself the incarnation of England's spirit of discovery and colonization, the Swedish Crown found ample justification and warrant of its title to New Sweden. Pennsylvania looks not only for the beginning of her sovereignty to Queen Christina and her Chancellor, Axel Oxenstierna, and through them to Gustavus Adolphus, but Pennsylvania also finds her spiritual beginnings in the national historic Church of Sweden. As early as September 4, 1646, Magister Campanius consecrated a wooden church at Tenakongh or Tinicum. It was built near the fort, the home of Governor Printz, and the other buildings that formed the capi-

tal of New Sweden, the first capital established in the territory of what is now comprised within the bounds of Pennsylvania. All vestige of that early little parish has long since passed away. But the Second Church of Sweden built within the bounds of Pennsylvania is still a hale though small parish to this day. It was in 1677 that a Second Swedish church was started at Wicaco on the Delaware, now a part of South Philadelphia. The new parish began to hold its services on Trinity Sunday, 1677, when the Rev. Jacob Fabritius preached his first sermon in the Wicaco block house on the site where the present church stands. That early and primitive home of the Second Swedish Church, all ready to repel an attack, recalls the opening lines of Gustavus Adolphus' hymn:

“Fear not, O little flock, the foe
Who madly seeks your overthrow;
Dread not his rage and power;
What tho' your courage sometimes faints,
His seeming triumph o'er God's saints
Lasts but a little hour.”

In 1700 the block house was replaced by the present handsome brick church which stands on the same site. This second home of *Gloria Dei*, or Old Swede's Church, is the oldest church building in Philadelphia today, and next to a German church of the Augsburg Confession, built in 1687 at Trape on the Reading pike near the Perkiomen Creek, the oldest church in use in the State. Old Swede's, which has been visited by many notable Americans, among them General Grant, and foreigners, among them an Archbishop of Canterbury, contains among its treasures a letter of Gustavus Adolphus presented to *Gloria Dei* in 1892 by Ferdinand J. Dreer. It reads as follows:

“Gustavus Adolphus, by the grace of God, King of Sweden, Grand Duke of Finland, Duke of Estland and Curland, Lord of Ingermerland:

“Our favor and gracious will by the ordinance of God. We perceive, faithful servants, that the Minister Carlin, in the

parish of Slaka, is both old and blind, so he is hardly able to provide for his support. Therefore, we have graciously relieved him from the duty to pay the ransom of Elfsborg. You shall therefore not claim that of him. Commanding you in the will of God,

“Gustavus Adolphus.

“Dated at Linköping, June 7, 1618.”

Among the pastors of Old Swede's the most widely known probably was the Rev. Charles Magnus von Wrangel. Descended from Karl Gustaf, Count Wrangel, a general of the Thirty Years' War, he was educated at Vestrås and the University of Upsala, and received, in 1757 from the University of Göttingen, the degree of D.D. In 1759 he was appointed to the provostship of the Swedish churches in “New Sweden,” and arrived in Philadelphia the same year. He took charge personally of Wicaco parish, and in addition had the oversight of all the Swedish congregations in Pennsylvania and New Jersey. In 1768 he returned to Sweden where he was given the pastorate of Sala.

Since the territory now known as Pennsylvania goes back for the beginning of both its civil and religious life to Sweden, it seems eminently fitting and appropriate in the chief city of the territory which during a part of the seventeenth century was New Sweden, that on Flag Day with the red, white and blue of the stars and stripes of the Union are mingled the colors of the city of Philadelphia, the blue and yellow of Sweden.

The thirteen colonies that sprang from three of the northern Nations of Europe—England, Holland and Sweden—and united to found the United States of America, can look back to three historic figures, Elizabeth of England after whom Virginia was named, Father William of the Netherlands, surnamed the Silent, and Gustavus Adolphus of Sweden, the victor of Lützen—all three worthy prototypes of our own national father, George Washington.

II. Pennsylvania has contributed her share, her full share towards the development of the idea and practice that Nations shall settle their difficulties in peace according to the legal merits of each individual case, rather than by an appeal to war.

First the Swedes managed their relations with the Indians in peace, and anyone who has travelled in Sweden, and seen how humanely the horses are treated there, will not be surprised at the success of the Swedes in maintaining harmonious relations with the aborigines in New Sweden. Following in the wake of the Swedish rule, the Hollanders in Pennsylvania also managed to live without waging war on the Red Men. The peaceful beginnings thus happily inaugurated by the Swedes and the Hollanders, were followed and maintained for a long time under English rule, especially by the Quakers under William Penn.

Besides Penn, the most prominent of the Quakers, and so a believer in passive non-resistance, contributed to spread in the world, and more especially in the English speaking world, the idea that the peoples would be better off if wars between Nations could be avoided. In 1693 after he had tried for a dozen years in Pennsylvania his theories of government he published at London, "An Essay towards the present and future peace of Europe, by the establishment of an European Dyet, Parliament or Estates." This work was reprinted several times.²⁵

Just as Grotius's immortal treatise, *De juri belli ac pacis*, was inspired by the horrors of the Thirty Years' War which the Hollander saw raging all about him in Europe, so Penn's essay was inspired probably by the fierce struggle that was waged by a large part of Europe under the lead of William of Orange against Louis the Fourteenth for about a decade until it was

²⁵ Besides the edition of 1693, a second edition was printed in 1696. The essay was also reprinted in, *A Collection of the Works of William Penn*, published at London, 1726, volume II, pages 838-848. This work may also be found reprinted *in toto* in *Publications of the Historical Society of Pennsylvania: Contributions to American History*, Philadelphia, 1858, pages 265-281.

concluded by the two treaties of Ryswick in 1697. Impressed, undoubtedly, by the great destruction of both life and property while that war was going on, as well as the great disturbance which it caused to the commerce of Europe, Penn sought in his essay to point out "the desirableness of peace and the truest means of it," both for that time and the future as well.

In the beginning of his essay after advocating the advantages of peace, Penn insisted that the best way to maintain it was to administer justice among the powers. "As Justice is a Preserver, so it is a better Procurer of Peace," he says, "than War * * * * The Advantage that Justice has upon War is seen by the Success of *Embassies*, that so often prevent War by hearing the *Pleas* and *Memorials* of *Justice* in the Hands and Mouths of the *Wronged Party*. * * * I say, *Justice is the means of Peace*, betwixt the *Government* and the *People*, and one *Man* and *Company* and another. It prevents *Strife*, and at last ends it: For besides *Shame* or *Fear*, to contend longer, he or they being under *Government*, are constrained to bound their *Desires* and *Resentment* with the *Satisfaction* the Law gives. Thus *Peace* is maintained by *Justice*, which is a *Fruit of Government*, as *Government* is from *Society*, and *Society* from *Consent*." Then Penn briefly described the origin of Government and showed that it is necessary in order to avoid a general confusion and disorder in the community. "Government then," he said, "is the *Prevention* or *Cure of Disorder*, and the *Means of Justice*, as that is of *Peace*: For this Cause they have *Sessions*, *Terms*, *Assizes*, and *Parliaments*, to overrule Men's *Passions* and *Resentments*, that they may not be *Judges* in their own *Cause*, nor *Punishers* of their own *Wrongs*."

Next he takes up the question of obtaining and maintaining peace throughout Europe. He argues that the Sovereign Princes of Europe should send, in order to obtain that end, Deputies to represent them

in a General Dyet, Estates or Parliament. That Parliament, after debate, should decide on rules of conduct that should be binding on the Princes in their dealings with one another, so that the relations between them should be established and maintained on a basis of justice. Further, he suggested that this Assembly or Parliament of the Sovereigns should meet at regular intervals, either yearly or every two years, or every three years. This Assembly was to be called *The Sovereign or Imperial Dyet, Parliament, or State of Europe*. All causes of disputes arising between two or more sovereignties that could not be adjusted by ordinary diplomatic means, were to be brought for final settlement before this Parliamentary gathering. If any State which became a party to such a Parliament, should refuse to abide by the decree of the Parliament in a case affecting that State, and that same State should seek a remedy by taking up arms, "all the other Sovereignties, United as One Strength, shall compel the Submission and Performance of the Sentence, with Damages to the Suffering Party, and Charges to the Sovereignties that obliged their Submission." Peace would then be assured, to Europe, as no one Sovereignty in Europe would have the power to dispute the conclusion arrived at by such a league of Princes as such an Assembly or Parliament would represent, just as an individual is forced to bow before the decision of a municipal court representing the collective will of society. Thus Penn's plan for obtaining a European peace, was a scheme to group into a general alliance the different States of Europe: and further, to give this general European alliance effective means to maintain peace, the various sovereignties of Europe were to send deputies to a European Congress whose function it should be to settle the differences between its member States upon a basis of justice. In case a member State rebelled against the decree of that Assembly against that State, then it should be forced to bow to the decision of the European

Parliament by all other member States uniting against that one recalcitrant State, even if necessary with force of arms.

After dividing the causes for war into three general classes, to wit, first to keep what a State has, secondly to recover what it has unjustly lost, and thirdly to increase its dominions, and, making some observations and suggestions as to what constitutes a good title to sovereignty over land, Penn discussed how his proposed General Parliament or "Imperial State" should be composed. He suggested that the revenues of the various sovereignties of Europe should be taken as the basis of representation in the European Parliament. In Penn's estimation the Germanic Empire would be entitled to ten votes in the Parliament, France to ten, Spain ten, and so on until to Courland he assigned one vote. He even wished to take in Muscovy and Turkey, allotting to each of those Powers ten votes. The total would have amounted to ninety votes. "A great Presence," he says, "when they represent the *Fourth*, and now the *Best and Wealthiest Part of the Known World.*"

Then, after discussing the procedure of the proposed European Parliament when it held its sessions, Penn considered the possible objections that might be urged against his proposed Parliament. Next he devoted almost a third of his essay to expounding the benefits that would accrue to humanity from the maintenance of peace. Among these advantages he argued that money would be saved to prince and people alike.

In conclusion he says that, just as parents rule their families and households, magistrates their cities, estates their Republics, and Kings and princes their dominions by rules based upon the principles of justice, so, too, Europe may obtain and maintain peace among her various member States. Referring to Sir William Temple's *Account of the United Provinces*, he holds up the Dutch Netherlands as a concrete example of how his scheme for the maintenance of peace

in Europe would work out, "For there we shall find," he says, "*Three Degrees* of Sovereignities to make up every Sovereignty in the General States. I will reckon them backwards: First, *The States General themselves*; then the *Immediate Sovereignities* that constitute them, which are those of the *Provinces*, answerable to the *Sovereignities of Europe*, that by their Deputies are to compose the *European Dyet, Parliament* or *Estates* in our proposal. And then there are the several cities of each *Province*, that are so many *Independent* or *Distinct Sovereignities*, which compose those of the *Provinces*, as those of the *Provinces* do compose the *States General* at the Hague." At the very end of the essay, Penn, at the same time that he acknowledged his indebtedness to the *Grand dessein* of Henry of Navarre, paid that far-seeing though somewhat light-hearted King a great tribute for having proposed to bring peace to Europe by a general federation of her Sovereignities. Penn did not realize that Henry the Fourth's plan as expounded by Sully—or was it as some historians have thought, Sully's own idea—was to readjust the standing of power of the various European sovereigns so that the House of France should displace the House of Austria as the leading power of the world, nor did Penn see any more than other publicists and statesmen of his time that Henry planned to accomplish in reality his aim not by peaceful means, but by an appeal to arms.²⁶ Like most of the *irenists*—to use the word coined by the Abbé Castel de Saint Pierre to designate a worker for the maintenance of peace between the Nations—down until after the Congress of Vienna, Penn sought to eliminate war with one great stroke of state craft. Like the rest of humanity, until the middle of the nineteenth century, he was totally unconscious that in

²⁶ Th. Kùkelhaus: *Der Ursprung des Planes von Ewiger Frieden in den Memoiren der Herzogs von Sully*, Berlin 1893.—Charles Pfister: *Les "Économies royales" de Sully et le grand dessein de Henri Quatre: Revue Historique*, Paris, 1894, volumes 54, 55, 56.—Thomas Willing Blach: *Emeric Crucé*, Philadelphia, 1900; *The New Cyneas of Emeric Crucé*, Philadelphia, 1909, page xviii.

human affairs just as in the countless progressions and recessions that are going on perpetually in the universe, change is wrought out by slow and gradual steps.

Penn's essay, however, owing to his personality and fame, served to make known to the English-speaking world the idea for a general peace among the Nations which had received such a great impetus from the plan put forward in the name of so determined a warrior as Henry the Fourth of France. In that way, like Henry the Fourth and the Duc de Sully, Emeric Crucé, the Abbé Castel de Saint Pierre, Carinal Alberoni, Emmanuel Kant and others, William Penn contributed materially to the advance of the cause of international peace in the world in general. And more especially in his own Province of Pennsylvania, where he established a home for his persecuted co-religionists, and also extended a welcome to peoples of several races who represented by their beliefs many branches of the Church Universal, Penn's essay undoubtedly bore fruit in helping to bring about a peaceful adjustment of boundary disputes between various of the Provinces of North America.²⁷

One of these—the Wyoming controversy between Pennsylvania and Connecticut—was finally established upon legal grounds by an appeal to a Court of Justice.

In 1754, two generations and a half after James the Second's grant to Penn of Pennsylvania, which grant Penn had reinforced and consummated by actually occupying the province through the establishment of settlements within its bounds, a movement started among the people of the colony of Connecticut to occupy and settle—regardless of the proprietary rights of Penn and his successors under the grant from King James the Second—upon some of the lands along the east branch of the Susquehanna River. In 1754, the Susquehanna Company, which was composed of

²⁷ An interesting account of the Penn vs. Baltimore controversy is promised in Charles Penrose Keith's forthcoming book, *Chronicles of Pennsylvania, 1688-1748*.

Connecticut people, purchased from "the Five Nations of Indians called The Iroquois" for the sum of two thousand pounds of the money current in the colony of New York, lands on the Susquehanna River between the 41st and 43rd degrees of north latitude. The grant conveying title from the Iroquois to the Susquehanna Company was signed July 11, 1754.²⁸ The Connecticut colonists based their rights to settle among the Susquehanna, in what became known as the Wyoming valley, upon the ground that Connecticut stretched westward to the Pacific Ocean, always excepting the territory that belonged to the intervening colonies of New York and New Jersey. It was not, however, until 1763, that people from Connecticut settled in the Wyoming Valley. As might naturally be supposed this appropriation by Connecticut settlers of lands that came within the grant to William Penn, without consulting the proprietors of Pennsylvania, led to a dispute first in words, then in deeds, which ultimately resulted in a state of war on a small scale between the people of Pennsylvania and the Connecticut settlers or intruders as they were called by the Pennsylvanians. In the beginning, the Colony of Connecticut did not countenance the claims of the Susquehanna Company, and did not recognize in any way that the town of Westmoreland in the Wyoming Valley was an integral part of the colony of Connecticut. But owing to the determined opposition of the proprietors of Pennsylvania to the Connecticut settlers, the Assembly of Connecticut, after consulting eminent counsel in England, decided on October 2, 1773²⁹, to extend its jurisdiction "to those Lands contained within the Limits and Bounds of the Charter of this Colony, Westward of the Province of New York."

²⁸ Original manuscript in the collections of the Historical Society of Pennsylvania, *Connecticut Claims Papers*.

²⁹ *Pennsylvania Archives, second series*, edited by William H. Egle, Harrisburg, 1890, volume XVIII, page 170.

With that object in view Connecticut sent a committee of three—Colonel Dyer, Dr. Johnson, and Mr. Strong—to Philadelphia to treat with John Penn, the Proprietary Governor of Pennsylvania. Governor Penn told the gentlemen from Connecticut that there was no need to negotiate as to the boundaries of Pennsylvania and Connecticut. He maintained that the western bounds of Connecticut had been settled “about two years after the Date of their charter, under the authority of a Royal Commission, and solemnly assented to, ratified and confirmed by the Governor and Commissioners of their own Colony; that, after this Settlement, the Grant of Pennsylvania was made to William Penn, and that it was not understood at that time by the Crown, nor by the Grantee, William Penn, nor by any other persons since so far as he had heard, that the said grant any way intrenched upon or approached near, any of the New England grants, till the late claim was set up on the part of Connecticut.”³⁰ Governor Penn refused to join in an application to the Crown for the appointment of commissioners as Connecticut wished to review and decide the boundaries between them, “because that would be admitting what he totally denied,” to wit, that the territorial claims of Pennsylvania and Connecticut in any way conflicted. Governor Penn maintained “that His Majesty in Council, was the only proper and constitutional Tribunal for a Decision of this kind.” As he was anxious to have the difficulty brought before that Court for settlement, if the Colony of Connecticut would not take an appeal of the question to the King and his Privy Council, he would himself invite, he said, His Majesty, King George, to take the matter under consideration.

The dispute, as it grew in importance, attracted more general notice. The Rev. William Smith, Pro-

³⁰ *Pennsylvania Archives*, second series, edited by W. H. Egle, Harrisburg, 1890, volume XVIII, page 171, *et seq.*

most of the University of Pennsylvania³¹ and Roger Sherman of Connecticut,³² both wrote essays in support of the rights of their respective colonies.

On the 16th of February, 1775, the Proprietors of Pennsylvania once more, as on several occasions in former years, addressed "To the King's most excellent Majesty in Council" a petition in which they examined the question in dispute in detail.³³ *Inter alia*, the proprietors said:

"The Dutch territory of New Netherlands comprehended what is now New York, New Jersey and the settlements upon Delaware River now called the three Lower Counties—from the accession of King James the 2nd New York has been in the Crown, New Jersey had been granted by King James when Duke of York to proprietaries who afterwards surrend^d. the Government to the Crown but the right of the soil rem^s. in them. The settlements on the River Delaware were granted by the Duke of York to the s^d Wm. Penn your pet^r Tho^s Penn's Father. All these countries lie to the westward and great part of them in the Latitude of Connecticut." Then they stated once more much evidence that on previous occasions they had submitted to the King and the Privy Council in support of the grant to Penn and against the Connecticut claims to the Wyoming lands.

Thus the petitioners referred to the fact that at the time Charles the Second granted to Penn. the charter of Pennsylvania, Connecticut made no objection to the granting of the charter, nor did Connecticut lay claims to lands west of New York and New Jersey until "about the year 1755 when it was pretended" that under the Connecticut charter, the Connecticut

³¹ William Smith: *An Examination of the Connecticut Claim to lands in Pennsylvania, 1774; Pennsylvania Archives*, second series, edited by W. H. Egle, Harrisburg, 1890, vol. XVIII, pp. 125-214.

³² Roger Sherman in John Sanderson's *Biography of the Signers of the Declaration of Independence*, Philadelphia, 1823, vol. III, pp. 240-248.

³³ Manuscript in the collections of the Historical Society of Pennsylvania: *Penn. MSS., Connecticut Claims*.

people "had a right to skip over New York and New Jersey," and to claim the extent of the latitude of Connecticut westward all the way to the Pacific Ocean or South Sea as it was called. In that way the Connecticut people would take away one-third of the land that Charles the Second had granted to William Penn. Many other pertinent facts were presented in support of the claims of the proprietors of Pennsylvania to the Wyoming Valley lands. The petition finished by praying His Majesty the King to declare that Connecticut was bounded on the west by the Province of New York.

Then, as the struggle between the thirteen English colonies and their mother land developed, and the possibility of Pennsylvania appealing the Wyoming controversy to the King in Council passed away, the Keystone Colony brought that dispute to the notice of the Continental Congress.

On September 30, 1775, the Assembly of Pennsylvania discussed "the Intrusion of a Number of People into this Province, under a pretended Claim of the Colony of Connecticut, to the great Annoyance of the good People of this Province," and instructed the delegates of Pennsylvania in the Continental Congress which was sitting in Philadelphia in the State House of Pennsylvania, to bring the dispute to the attention of the Congress.³⁴

In the early days of October, 1775, Ross accordingly presented to the Congress this resolution of the Pennsylvania Assembly. John Rutledge of South Carolina moved that the papers should be referred to the delegates of the two colonies. Whereupon, Thomas Willing of the Pennsylvania delegation, a Justice of the Supreme Court of that Province, pointed out that the delegates of the two colonies were interested parties to the controversy and said that they would need an umpire to reach a settlement. Roger Sher-

³⁴ *Votes and Proceedings of the House of Representatives of the Province of Pennsylvania, Philadelphia, 1776, volume VI, page 619.*

man, a Connecticut delegate, however, thought the two delegations might be able to agree on a temporary line.³⁵

When the delegations of the two States, to whom Congress had referred the matter could not come to an agreement concerning the question, the whole matter was referred to a committee consisting of Rutledge, Chase, Jefferson, Kinsey and Hopkins.³⁶ Time wore on, the people of Pennsylvania and the Connecticut intruders came to blows and blood was shed. Congress decided, on December 20, 1775, that the contending parties should at once cease all hostilities, "until the dispute can be legally decided."³⁷ Finally as the result of the ill feeling engendered, troops had to be sent to the seat of trouble to keep the peace between them.³⁸ Owing to the war with Great Britain, however, these troops were soon ordered to join General Washington and the Wyoming colonists found themselves left on the frontier to repulse an attack of the English and the Indians.

By the ninth article of the Articles of Confederation, provision was made for the establishment of a series of Courts of Appeal to try differences between the various colonies, each Court being established *ad hoc* to hear one particular case.³⁹

Accordingly, the State of Pennsylvania, following her earlier practice in the controversy, when she was a colony, of appealing this case to the King in Council, petitioned Congress on November 3, 1781, according to the ninth article, for a hearing to settle the question.⁴⁰ There were many delays. On November 14, 1781, Congress agreed to appoint June 4, 1782, as

³⁵ John Adams: *Works*, Boston, 1850, volume II, page 465.

³⁶ *Journal of the Continental Congress 1774-1789*, edited by Worthington C. Ford, Washington, 1905, volume III, pages 295; John Sanderson: *Biography of the Signers of the Declaration of Independence*, Philadelphia, 1823, page 250.

³⁷ *Journal of the Continental Congress, 1774-1789*, edited by Worthington C. Ford, Washington, 1905, volume III, page 439.

³⁸ *Idem*, volume V, pages 698-9.

³⁹ See the Ninth Article of the Articles of Confederation.

⁴⁰ *Journal of Congress*, Philadelphia, 1800, volume VII, page 169.

the date for Pennsylvania and Connecticut to put in an appearance, "by their lawful agents, at the place in which Congress shall then be sitting"⁴¹ and the Congress further voted to send a formal notice to the legislative authorities of the State of Connecticut that that Commonwealth, as well as Pennsylvania, must put in an appearance before Congress on June 4, (*sic*) 1782. On June 24, (*sic*) 1782, Pennsylvania appeared before Congress through her properly accredited counsel and agents, William Bradford, Joseph Reed, James Wilson and Jonathan Dickinson Sergeant. Her agent was Henry Osborn. Connecticut had appointed Eliphalet Dyer, William Samuel Johnson and Jesse Root to represent her on that occasion, but only Dyer was present and so the question had to be continued until the next month.

On July 16, the matter was again taken up. Pennsylvania was represented by Wilson and Sergeant, with Osborn as their agent, and Connecticut by Dyer and Root. After some discussion, Congress finally resolved:

"That the agents of Pennsylvania and Connecticut be, and they are hereby directed to appoint by joint consent, commissioners or judges to constitute a Court for hearing and determining the matter in question, agreeably to the 9th article of the Confederation."⁴²

On August 12, 1782, the agents for the Commonwealth of Pennsylvania, and the State of Connecticut reported that, in accordance with the resolution of Congress of July 16, they had appointed as "commissioners to constitute a court for hearing and determining" the controversy between Pennsylvania and Connecticut, William Whipple, of New Hampshire, Nathanael Greene, of Rhode Island, David Brearly and William Churchill Houston, of New

⁴¹ *Journal of Congress*, containing their proceedings from January 1, 1781, to November 2, 1782. Philadelphia, 1800, volume VII, page 174.

⁴² *Journal of Congress*: Philadelphia, 1800, volume VII, page 315.

Jersey, Cyrus Griffin and Joseph Jones, of Virginia, and John Rutledge of South Carolina.⁴³ "Any five or more of whom," the agents went on to say in their report, "we have agreed shall constitute a Court, and have authority to proceed and determine the matter and difference between the said States." As Nathanael Greene and John Rutledge declined to serve, Thomas Nelson, of Virginia, and Welcome Arnold, of Rhode Island, were named in their stead.⁴⁴ Congress ratified the appointments.⁴⁵

The Court was commissioned to convene at Trenton, in the State of New Jersey. On November 8, 1782, a quorum of the members of the Tribunal being in attendance, the Court began to try the case and sat for that purpose until December 30. The counsel for Pennsylvania were James Wilson, Joseph Reed, Jonathan D. Sergeant and William Bradford. Connecticut was represented by Eliphalet Dyer, Jesse Root and William S. Johnson.⁴⁶ The arguments of the counsel have not come down to us, but the briefs have, and show great learning and much work on the part of the legal representatives of both States in their efforts to win the case for their respective Commonwealths.

Thus Root, speaking first for Connecticut, argued *inter alia* that "By every principle of Law, Justice and policy," the Court should decide for Connecticut. "The Crown Title ought to be secure against the Crown." "Property belongs to the first discoverer, because he providentially stumbled upon it. When a Nation discovers a Vacant Country they have a Right to it."

He cited also many grants to land from the Crown.⁴⁷

⁴³ *Journal of Congress*: Philadelphia, 1800, volume VII, page 331.

⁴⁴ *Journal of Congress*: Philadelphia, 1800, volume VII, page 335.

⁴⁵ *Journal of Congress*: Philadelphia, 1800, volume VII, page 336. "Whereupon, Ordered, That the Secretary prepare and report the draught of a commission for the said William Whipple, Welcome Arnold, David Breatly, William Churchill Houston, Cyrus Griffin, Joseph Jones and Thomas Nelson, or any five or more of them, as commissioners or judges nominated by the States of Pennsylvania and Connecticut, to determine the dispute between the said States agreeable to the 9th article of the Confederation."

⁴⁶ *Pennsylvania Archives*, second series, edited by William H. Egle, Harrisburg, 1890, volume XVIII, page 621.

Wilson for Pennsylvania maintained that Connecticut's "Charter never extended westw'd of N. Y.," and "if it ever did she had long since lost that right." He advanced many other points and cited Grotius, Puffendorf, Vattel, and other authorities in support of his argument.⁴⁸

Dr. Johnson, speaking for Connecticut, said: "Indian title is vague and uncertain. Show no title valid but the Crown Title. The question is a question of Right, & Right & Title are synonymous in this Question. Every Title must be established according to the Laws of the Country. The General Laws of America must be the ground on which this question is to be decided. The Law as it stood at the Time of the acquisition is binding. The feudal system was the Law of all the Nations of Europe at the Time of the Discovery of America. The French, Spanish & Portuguese adopted the erroneous system of conquest. The English & Dutch the more human system of Humanity. The Indian Title is subordinate to the Crown Title and can never be set up against it. Indian titles uncertain and cannot be depended on." He brought forward other thoughts and referred to Vattel and other publicists.⁴⁹

Replying for Pennsylvania, Sergeant urged: "Right of Discovery. King James could not deny the Right of the Dutch, though he wished to abridge it." And again: "Who had the best right to the lands in Dispute, the oldest and nearest Settlers to those lands or the most remote and junior settlements. If the King had divested himself of the Jurisdiction over the lands mentioned in the Charter of C: why do the Susq'a. Co'y apply and the C: Assembly recommend them to the Crown for a new Grant?" Further on Sergeant argued: "The purchase made from the Indians on Delaware were made by the people of N.

⁴⁷ *Pennsylvania Archives*, volume XVIII, page 621.

⁴⁸ *Pennsylvania Archives*, volume XVIII, page 622.

⁴⁹ *Pennsylvania Archives*, volume XVIII, page 623.

Haven, then a separate Gov't from Con't. They were made by people who then deny'd the Charter of Con't. all the Authority it would give." He referred to the dispute in the middle of the seventeenth century between the Hollanders of New Netherland and the English of Connecticut as to their boundary limits, and the claim of the Dutch on the Connecticut or Fresh River, which Connecticut successfully disputed.⁵⁰

General Reed, who also spoke for Pennsylvania, maintained, "The Title of the Penns' stands on the clearest ground abstracted from that of Connect. Our Title consists of both the Crown and the Indian title. That all titles should be derived from the Crown is the law of Britain and only applicable to Britain. 3 Histch. 30."⁵¹

Before the members of the Trenton Inter-State Court decided the case, they agreed that the reasons for their conclusions should never be given, and that the decision should go forth to the world as the unanimous opinion of the Court.

The decision of the Court was handed down on December 30th. It was concise, clear and final. The court held:

"This Cause has been well argued by the Learned Council on both sides.

"The Court are now to pronounce their Sentence, or Judgment.

"We are unanimously of Opinion that the State of Connecticut has no right to the Lands in controversy.

"We are also unanimously of Opinion that the Jurisdiction and Preemption of all the Territory lying within the Charter boundary of Pennsylvania and now claimed by the State of Connecticut do of Right belong to the State of Pennsylvania.

"WM. WHIPPLE
WELCOME ARNOLD
DAV'D BREARLY
CYRUS GRIFFIN
WM. C. HOUSTON.

"Trenton, 30th Dec'r, 1782."

⁵¹ *Pennsylvania Archives*, 2nd Series, volume XVIII, page 629.

⁵⁰ *Pennsylvania Archives*, volume XVIII, page 626.

The decision effectually put an end to the dispute of jurisdiction and possession, as to whether Pennsylvania or Connecticut was entitled to the lands that both States claimed, in favor of the Keystone State. As soon as the decision was known, President John Dickinson of Pennsylvania issued a proclamation forbidding any violence on the part of individuals to gain possession of disputed land claims. One of the judges of the Court, Griffin, in a letter to President Dickinson said: "This I will undertake to say, that no Court ever met and decided a great question less subject to partiality or corruption, or in which more candor and freedom of debate were exercised. * * * I can assure you, sir, that the commissioners were unanimously of opinion that the private right of soil should not be affected by the decision."⁵²

The decision shows conclusively that the Trenton Inter-State Tribunal sat as a Court to award justice upon legal grounds, and not as a board of mediation to effect a reconciliation of the conflicting claims upon the basis of a compromise.

Pennsylvania has made also through two of her citizens two important contributions to the development of international justice as a means of settling the differences that arise between the members of the Family of Nations in peace instead of by war. It was a member of the Philadelphia Bar, a Marylander by inheritance, a Virginian by birth, a Pennsylvanian by adoption, who first proposed that great International Tribunal of Justice that sat at Geneva in 1871 and 1872 upon the well known *Alabama* claims.⁵³ The submission of those claims to that justly famous Court and the ready acceptance of its decision by the defeated Nation marked an epoch in the development

⁵² *Pennsylvania Archives*, second series, Harrisburg, 1890, pages 631-632.

⁵³ *The New York Tribune*, May 13, 1865, page 4; *Social Science*, England, March 15, 1867. Thomas Balch: *International Courts of Arbitration*, *The Law Magazine and Review*, London, November, 1874; also reprinted at Cambridge, Mass., at the Riverside Press as a separate essay, 1874.

and advance of international justice as a means of avoiding war to settle the disputes of sovereign and independent States. A second important contribution to the lessening of war was made likewise by a citizen of the Keystone State. A Scotchman by birth, but a Pennsylvanian by adoption, Andrew Carnegie, out of the vast fortune that he made in manufacturing at Pittsburgh, gave the money to construct at The Hague a home—*le Palais de la Paix*—for the International Courts which are in the future to judge some of the disputes that arise between the Nations. So as we review Pennsylvania's contributions to the development of maintaining peace among the Nations through the application of legal justice in solving the differences between Nations, it is evident that the Keystone State has supplied her full quota and more too.

III. Finally, before closing this paper, I wish to tell you something of an ancient Philadelphia institution—the historic Assembly balls.

Taking into account the difference in the state of social development existing in Europe in the fifth and sixth centuries from that obtaining in the seventeenth, there is a striking analogy between the beginnings of the Republic of Venice and the rise of the thirteen colonies which were in time welded into our present country. In both cases the early settlers fled from their original homes, in the case of Venice on account of the ravages of Attila and other conquering warriors; in the case of the thirteen colonies, because of the persecution of both Church and State. And in both instances these refugees and pioneers came mostly from the humbler ranks of society. In each case, however, before long an aristocracy arose, which in Venice ruled for many centuries, while in America it gave place with the war for independence to the ever rising tide of Democracy.

The best of the early colonists who settled in the thirteen colonies, belonged in their homes in Europe

either to the yeomanry or to the small tradesmen. They braved the dangers and hardships of the Atlantic passage of those days and the vicissitudes of founding a new home in a wild and virgin land for the most part, because either of political or religious persecution in the old world. Mixed in with these resolute and God-fearing people, of whatever branch of the Church universal, were immigrants who crossed the ocean to better their fortune economically. In addition to these, adventurers and other less desirable individuals settled in the colonies. Those of the immigrants who belonged at home either to the gentry or the nobility, as, for example, the Brookes of Maryland, and the Fairfaxes of Virginia, or to the important mercantile classes, as the Willings of Pennsylvania, who came from Bristol, and the Van Rensselaers of New York, who came from Amsterdam, were few in numbers. Thus Pennsylvania, like her twelve sister colonies, and doubtless like all colonies in all times, was not peopled by the aristocracy of the mother lands.

At first the Swedes and the Dutch who were forced to struggle with nature, had not time for much social gayeties, and besides their numbers were small. And when the English under Penn came in, the Quaker element for a time repressed anything of the kind. When there had risen, however, through more than one generation of services to the colony a Pennsylvania aristocracy, through whom the Penns ruled their Province, the need and desire for social functions of importance developed. As a result the Philadelphia Assemblies were started in the winter of 1748-49, by four young men, John Swift, John Inglis, John Wallace and Lynford Lardner. Those balls were begun several years before the organization of the Saint Cecilia Society of Charleston, South Carolina, which also gives dances, and the Philadelphia Assemblies antedate by many years anything of the kind now going on in any other city in the country. The

raison d'être for these balls was the rise in Philadelphia of a commercial gentry. And so, when John Swift and his three young associates organized in the winter of 1748-49 a series of nine dancing parties or assemblies, as they were called, at which games of cards were played by the older members of the assembly, their success was immediate. From that winter until the present time, those balls have been carried on. It is true, that, owing to war and various other causes, the balls have not been given each year. Yet the Assemblies of today are the historic successors of the first series given in 1748-49. In that first season there were fifty-nine gentlemen who subscribed forty shillings apiece. Here are their names:

A LIST⁶⁴

Of Subscribers for An Assembly, under the direction of John Inglis, Lynford Lardner, John Wallace and John Swift: each subscription, forty shillings, to be paid to any of the Directors at subscribing.

Alex ^r . Hamilton,	James Hamilton,
Tho. Lawrence, Jr.,	Ro. Mackinen,
John Wallace,	Wm. Allen,
Phineas Bond,	Arch ^d McCall,
Ch ^s Willing,	Jos. Turner,
Joseph Shippen,	Thos. Hopkinson,
Sam. McCall, Jun ^r ,	Rich ^d Peters,
George McCall,	Adam Thomson,
Edw. Jones,	Alex ^r Stedman,
Samuel McCall, Sen ^r ,	Patrick Baird,
Redm. Conyngham,	John Sober,
Jos. Sims,	David Franks,
Thomas Lawrence, Sen ^r .,	John Inglis,
David Mellvaine,	Ninian Wischeart,
John Wilcocks,	Abram Taylor,
Charles Stedman,	James Trotter,
John Kidd,	Samson Levy,
Wm. Bingham,	Lynford Lardner,
Buckridge Sims,	Rich ^d Hill, Jr.,
John Swift,	Benj. Frill,
John Kearsley, Jun ^r .,	Jn. Francis,

⁶⁴ Thomas Balch: *Letters and Papers relating chiefly to the Provincial History of Pennsylvania*, Philadelphia, 1855, pages 6-7.

Wm. Plumsted,
Andrew Elliot,
James Burd,
Wm. Peters,
James Polyceen,
Wm. Franklen,
Hen. Harrison,
John Heuston,
Daniel Boiles,

William McIlvaine,
Will^m Humphreys,
Thos. White,
John Lawrence,
Thos. Graems,
John Cottenham,
John Moland,
Wm. Cuzzens.

Some of these names are historic in the annals of the Province.

John Swift, afterward Royal collector of the Port, at whose house was held the first meeting at which the Assemblies were organized, was both secretary and treasurer of the first board of directors or managers, as their successors came to be known in later years. His account book, which now belongs to the American Philosophical Society,⁵⁵ gives some interesting and curious information about the colonial gentry of Pennsylvania. This manuscript shows that those old worthies were quite as fond of good cheer as their descendants of today, and that proportionally they made as large an appropriation for the various products of the vine as their successors of the present time. The invitations to many of the early Assemblies were printed on the backs of playing cards. Washington, when he lived in Philadelphia during his presidency, was naturally an attendant of those balls.

During the season of 1748-49 there were four directors, and likewise four for the winter of 1749-50. But in 1755 there were, as we learn from the Assembly card of Mrs. Jekyl, only two directors, Thomas Willing and James Trotter.

An assembly card of 1790, linking the social festivities of the early days of the Young Republic with the earlier colonial period of the Province is that of Miss Mary Shippen, "Polly" as she was known to her family and friends and as her first name is written on

⁵⁵ It was presented to the American Philosophical Society in 1902 by Edwin Swift Balch and Thomas Willing Balch.

the card. She was a daughter of Colonel Joseph Shippen of the Provincial forces of Pennsylvania, and his wife, the handsome Jane Galloway of Maryland. Colonel Shippen, a graduate of Princeton in 1753, took part in the capture in 1758 of Fort Duquesne, and was afterward Secretary of the Provincial Council of Pennsylvania. A portrait by Benjamin West of Jane Galloway as a girl now hangs on one of the walls of the Historical Society of Pennsylvania. It is a splendid example of a real West and signed all over the canvas by the artist's brush. Mary Shippen married Samuel Swift, a nephew of the originator of the Philadelphia Assemblies, a graduate of the University of Pennsylvania in 1786, and a gentleman of wide and varied learning.

As the city grew in population and the means of communication improved, other forms of entertainment grew up. As a result a smaller number of "Assembly" dances gradually came to be given in any one season. Thus during the winter of 1849-50, we learn from a journal of Joseph Swift that three Assemblies were held at Musical Fund Hall, a building still standing at Eighth and Locust streets. That was just one third of the number given one hundred and one years earlier. An assembly card for the season of 1849-50 gives us the names of the managers for that winter, twelve in all, or three times as many as the four directors of the season of 1748-49. That card reads:—

ASSEMBLIES

The honor of Mr. Thomas Balch's Company is requested for the Season.

John M. Scott
Thomas Cadwalader

James H. Blight
B. W. Ingersoll

MANAGERS

Joseph Swift
Charles Willing
Richard Vaux
M. S. Evans

William C. Twells
Alexander Biddle
William W. Fisher
Bernard Henry, Jr.

Á propos of one of these balls, Mr. Swift in his journal says: "1850, January 16th, Wednesday, 2^d Assembly at the Musical Fund. I went with Genl. T. Cadwalader; home at 2 A. M. (17); a large and brilliant party."

It has sometimes been held against Pennsylvania that she was slow in joining in the final break with Great Britain. In that policy, however, she merely proved herself more conservative than a large number of her sister colonies, who likewise were averse to a separation from the motherland until forced by the driving power of succeeding events into the movement for independence. But once Pennsylvania had given her full allegiance to the struggle for independence, she never faltered at any time in her allegiance either to the cause of the Confederation during the Revolution, or afterwards to that of the Union during the War of 1812 and the Civil War. And taking courage from the good example set by the many sons of Massachusetts who have helped to make known to all the world the many contributions of that great State to the development of our common country, I have tried this morning to point out to this distinguished gathering some of the things which Pennsylvania has likewise contributed to our common national heritage.

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