Reading Penn out of the Meeting: Pennsylvania's Two Foundings

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Introduction

It is a well-worn truism – no less true for being so – that William Penn aspired for his colony's government (and society more generally) to approach the ideal of a Quaker Meeting: harmonious, consensual, unified, guided by the Light, and committed to the good of the whole. (Whether the Quaker Meeting lived up to its own aspirations for itself, of course, is another matter, and the history of Quakerism is as littered with infighting and schism as that of any other religious body.) Melvin Endy understood Penn as attempting to ensure that Quaker consensualism diffused throughout Pennsylvania society; in Edwin Bronner's words, Penn "expected the Light . . . to permeate every facet of life in his plantation, and particularly the government."[1] J. William Frost has described Penn as aiming for a "non-coercive Quaker establishment" in his colony, in which a critical mass of Friends in positions of influence would avoid the tendency of official establishments (e.g., England, New England) to persecute Dissenters and aggrandize their own leaders.[2] According to Jean R. Soderlund, Penn wanted "to promote a Quaker-meeting spirit of loving harmony in Pennsylvania politics"; and Alan Tully has elaborated the ways in which "civil Quakerism" came to characterize the young colony's distinctive ethos from the early years of settlement onwards.[3]

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[1] Endy, *William Penn and Early Quakerism*, 350-351; Edwin B. Bronner, "The Failure of the 'Holy Experiment' in Pennsylvania," *Pennsylvania History* 21 (1954): 95.

[2] J. William Frost, "Religious Liberty in Early Pennsylvania," *Pennsylvania Magazine of History and Biography* 105 (1981): 449.

[3] Jean R. Soderlund, *William Penn and the Founding of Pennsylvania*, 114; Tully, *Forming American Politics*, 257-8.

More recently, Thomas Hamm has argued that Penn "framed [Pennsylvania] according to Quaker principles," and Jane Calvert has described the colony as "self-consciously Quaker in its origins, identity, goals, structures, and internal processes," with a government that "was conceived in the spirit of the Quaker meeting for business, the administrative assembly of the ecclesiastical polity."[4] When Penn wrote to English Quaker John Alloway a year into his first stay in Pennsylvania, his euphoric description of "scarce one law that did not pass nemine contradicente" clearly evoked the attachment to unity so central to the Friends.[5] One way of understanding Penn's increasing alienation from Pennsylvania's leaders, then, is to see it as evidence of his deep disappointment in the unwillingness of his colonists to comport themselves as Friends ought.

Another way of understanding early Pennsylvania's social and political development – an approach that I will pursue in this paper – is to enter more deeply into the analogy of Pennsylvania as Meeting, emphasizing not merely its theological or communitarian aspirations, but its function as a site of power. Such a view would point to Penn's own career, during the 1670s, as George Fox's trusted lieutenant and defender in the internecine conflicts that shook the Society of Friends during that crucial decade (William Mucklow, John and Mary Pennyman, and especially the Wilkinson-Story schism). In such a view, Pennsylvania Quakers effectively read Penn – who, after all, had departed after just under two years, leaving them to fend for themselves and shape colonial society with little guidance – out of their Meeting just a few years after its founding. This ouster may not have displayed all the hallmarks of the disciplinary procedures that Quakers developed over the course of the 1660s and 1670s – visits by committees of Friends, formal admonition and censure, eventual disownment – but it was just as surely an exercise in power, leaving Penn sidelined, with little control over events in his own colony by the mid-1680s, just a handful of years after its "founding." On this account, Penn's ultimate ouster came after his 1701 departure, with the Charter of Privileges extracted from a politically weakened proprietor desperate to return to England and stave off threats to his charter.

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[4] Thomas Hamm, *The Quakers in America* (New York: Columbia University Press, 2003), 27; Calvert, *Quaker Constitutionalism and the Political Thought of John Dickinson*, 105.
[5] To John Alloway, November 29, 1683, *PWP* II: 50.

Foundings, of course, have long interested historians and political theorists, and the founding of Pennsylvania is no exception. Such scholarship tends to focus its attention, however, on arrivals (e.g., the Winthrop fleet in 1630, or Penn in 1682) or foundational documents (e.g., the Pennsylvania Frame of Government or, a century later, the Declaration of Independence and Constitution). Such emphases seem particularly powerful when the founding in question is dominated by a single individual, as is the case in Pennsylvania. Indeed, elsewhere I have approached the founding of Pennsylvania in just this way, exploring the way in which those early years illustrate the contentious relationship between political theory and practice and the tensions between aspirations and outcomes on the ground.[6] In this paper, however, I attempt something different; to see Penn's absence as itself constitutive of Pennsylvania's founding as a Quaker colony. Indeed, Pennsylvania was so Quaker, we might say, that the colony's leading Friends quickly came to view themselves as the true stewards of Pennsylvania, even to the point of fostering resistance to Penn's proprietary authority while he was absent from the colony, sidelining him just a few years after the colony's "founding."[7]

William Penn made two journeys to his colony. The first, from 1682 to 1684, involved setting up the institutions of colonial government and overseeing the construction of its capital city and surrounding settlements. The second, from 1699 to 1701, saw a quite different proprietor return to a quite different colony, with all the attendant misunderstandings and recriminations on might expect from two parties that had become strangers to each other after fifteen years apart. Rather than focusing on the two periods that Penn spent in the colony, however, I focus in this paper on his absences. I argue that although of course the colony was "founded" in 1681-2, with the granting of Penn's charter and his arrival in America, Pennsylvania in fact had at least two additional foundings – 1684 and 1701 – and that each one took place only when the proprietor left the scene. These two founding moments preceded extended periods where Penn was physically absent and his instructions were, as he put it in January 1687, "so slightly regarded."[8] During these absences, the colony's leaders effectively excluded him from the colonial structures he had so carefully constructed, using a combination of blithe disregard and concerted opposition to his instructions. In other words, Penn's departures enabled Pennsylvania authorities to create their own society largely without his involvement and, indeed, often in direct opposition to his wishes.

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[6] "The Limits and Promise of Political Theorizing: William Penn and the Founding of Pennsylvania," *History of Political Thought* 34 (2013): 639-668.

[7] Tully, *Forming American Politics*, 257.

1684: Pennsylvania's First Founding?

In August 1684, after less than two years in Pennsylvania, William Penn set sail for England to pursue his border dispute with Lord Baltimore, his southern neighbor. Friction with Baltimore had predated Penn's arrival in America; it had been present throughout the negotiations leading up to his receipt of the colonial charter, as each proprietor wanted to retain access to the "Lower Counties" (the present-day state of Delaware) and the potentially lucrative port at New Castle. But although conflict with Baltimore overshadowed much of his time in the colony, strife had also been building between Penn and his own colonists. Although he "encountered little overt criticism from his Pennsylvania colonists" during the first year or so of Pennsylvania settlement, tensions, particularly with his First Purchasers and merchants in the capital city, were never absent, and the slow pace at which lots were surveyed led to growing discontent. At the end of May 1684, twelve prominent merchants wrote to the Governor objecting to enforcement of an excise tax on liquor.[9] And just as he was realizing that he would have to return to England, Penn was presented with a remonstrance from a number of the leading residents of Philadelphia. These "adventurers and purchasers" pointed out that they had "of their own charge transported themselves and families into this city and province, and by their own expense in building and improvements…have turned a wilderness into a town of value," while the proprietor had failed to live up to promises made to those who would undertake the journey to America. Penn's terse reply, in which he claimed that "I have made the most purchases and been at the greatest charge of any proprietor and governor in America," did little to assuage his aggrieved settlers.[10]

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[8] To James Harrison, January 28, 1687, *PWP* III: 136– 137.

Following Penn's departure, aided by conditions that made correspondence even more challenging than normal (European war between 1688 and 1694; Penn's own seclusion while he was wanted by the authorities, between 1691 and 1693), colonial leaders kept Penn almost completely in the dark about events in his colony, while an anti-proprietary party composed largely of Quakers cemented its hold on power in ways that hobbled Penn's attempt to control events and pursue his founding vision. I'll focus on three of the most significant indicators of this growing rift between proprietor and his colonists: 1) a consistent strategy of denying him information about events in Pennsylvania; 2) collective resistance to his appointment of John Blackwell, a New England Puritan, as his Deputy Governor in 1688; and 3) the establishment of a new Frame of Government in 1696.

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[9] "encountered little overt criticism," *PWP* II: 569; Petition from Philadelphia Merchants, 30 May 1684, *PWP* II: 558-9.

[10] "of their own charge," Remonstrance from the Inhabitants of Philadelphia, July 1684, *PWP* II: 571; "I have made the most purchases," The Proprietor's Reply, July 1684, *PWP* II: 574. This remonstrance is apparently a different document than the objections submitted to the Council by Anthony Weston in February 1684, for which Weston was sentenced to be whipped in the Philadelphia market place. See Hazard, *Minutes of the Provincial Council*, 92; and Smolenski, *Friends and Strangers*, 146-48.

Part of the strategy of keeping Penn in the dark about events in Pennsylvania was facilitated by the fact that, in the immediate aftermath of his departure, the government ground almost completely to a halt. Thomas Lloyd, President of the Provincial Council, whom Penn left in charge of the government in his absence, virtually abandoned the colony for New York while wooing Patience Story, widow of a New York merchant. The Provincial Council did not meet at all between late October 1684 and the end of January 1685, and Lloyd attended only half the Council meetings during the next two years.[11] And intra-governmental tension also became apparent: the Assembly continued to seek real legislative power, a goal opposed by the Council, prohibited by the *Frame of Government*, and denounced by Penn himself in a set of instructions sent in early 1687.[12]

His lack of meaningful contact between Penn and the Pennsylvania government was not for want of trying on the proprietor's part. He repeatedly insisted to Pennsylvania Quakers that their enemies (in England and elsewhere) were eagerly watching their every move, and would love nothing more than to discredit them by pointing to conflict, division, contention, and strife in their province. Specifically, he cautioned against disrespect of royal officers, who continued to suspect Pennsylvania authorities of turning a blind eye to privateering and violations of the Trade and Navigation Acts. The colony is "sufficiently watched by friends and foes," Penn reported. "Cannot more friendly and private courses be taken to set matters to rights in an infant province, whose steps are numbered and watched? For the love of God, me, and the poor, country," he implored them, "be not so governmentish, so noisy and open in your dissatisfactions." He urged the Council to "punish vice" and to "accommodate differences quietly and quickly….If faults are committed, let them be mended without noise and animosity."[13] (In other words, embody Friends' principles in your practices.) But rumors and reports of strife continued to make their way back to England. As his second year in England drew to a close, Penn was still excoriating the leaders of the colonial government: "I am extremely sorry to hear that Pennsylvania is so litigious, and brutish." Between what was really happening in Pennsylvania and the malicious rumors spread by those who wish it ill, "we have much ado to keep our heads above water here."[14]

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[11] On Lloyd, see *PWP*, III: 86 n. 2; To Thomas Lloyd, October 2, 1685: "I received [your letter] but sorry to see the date from New York, though I am sensible of thy true love and care for Pennsylvania," *PWP* Reel 5: 286; To Thomas Lloyd, September 21, 1686, *PWP* III: 117.

[12] For Penn's later denunciation of the Assembly, see To the Commissioners of State, February 1, 1687, *PWP*, III: 145.

One of Penn's keenest frustrations was his inability to obtain a complete and updated set of the province's laws. The colonial charter had granted Penn and his legislature the right to make laws, so long as those laws were consistent with the laws of England, and provided for a five-year period for review of all colonial legislation by the Privy Council. Pennsylvania's laws, however, had apparently never been submitted to English authorities, and as the five-year window approached for the earliest laws to be submitted, the proprietor pleaded over and over, to no avail, for a complete set of the colony's laws. Without a clear sense of political and legal affairs, it would be difficult for Penn to defend Pennsylvania against the various criticisms leveled against it. It would also open the door to renewed efforts to bring Pennsylvania under royal control.[15]

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[13] WP to Provincial Council, August 19, 1685, *PWP* 5: 264.

[14] "sufficiently watched," To the Provincial Council, c. June 1686, *PWP*, III: 93-94; "Cannot more friendly," To Thomas Lloyd and others, August 15, 1685, *PWP* III: 50; "I am extremely sorry," To Thomas Lloyd, November 17, 1686, *PWP* III: 128; "we have much ado," To the Provincial Council, June 6, 1686, *PWP* Reel 5: 786.

Although reports of discord and division troubled the proprietor, he may have been troubled most by what he did not hear. Months went by with no news at all. "I wonder I have not heard from President Lloyd and my cousin [deputy governor William] Markham," Penn wrote in April 1686. To the President of his Council, his surveyor-general, and one of his closest friends, in the same month, Penn wrote in an exasperated tone that "I have writ to you several times…to which I never had any answer, nor the least respect or salute…" Letters from individuals in government were appreciated, he acknowledged, but they lacked the authoritative nature of official communications.[16]

All of these concerns, on top of his increasing involvement with the contentious world of English politics – Penn was deeply involved with James II's tolerationist program – left him oscillating between helpless anger and despondency. In a letter to Thomas Lloyd in November 1686, Penn lamented that, hearing nothing in response to his requests for a copy of the laws, receiving no money from his colonists, and being constantly forced to deal with rumors about conflict and faction in Pennsylvania "almost tempts me to deliver up to the King and let a mercenary governor have the taming of them." He thus raised the possibility of selling his colony back to the Crown, to be rid of the entire undertaking, the first mention of a plan that he would pursue intermittently for the rest of his life.[17]

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[15] To the Commissioners of State, December 21, 1687, *PWP* III: 168-169.

[16] To the Provincial Council, April 13, 1686, *PWP* 5: 409; "I have writ to you several times," To Thomas Lloyd, Thomas Holme, and Robert Turner, April 22, 1686, *PWP* 5: 409; To the Commissioners of State, December 27, 1687, *PWP* III: 170.

[17] To Thomas Lloyd, November 17, 1686, *PWP* III: 129.

And so as time went on, Penn's correspondence with Pennsylvania Quakers was characterized less and less by expressions of love and benevolence, and more and more by commands and proclamations. Or, put another way, the professions of Quakerly love that open each of his missives seem increasingly pro forma, quickly set aside in place of recitations of grievances and complaints. He told James Harrison, his steward at Pennsbury, in January 1687 that since his letters seemed "so slightly regarded," he would take another approach, "by proclamations under my hand and seal." Three such proclamations – about caves along the Delaware, land surveys, and cutting timber – followed within the space of a week, though it is not clear that they were followed. From such a distance, with such uncertainties of communication, he was quite simply unable to effect change on the ground. Declarative commands about surveys to Thomas Holme (lay out 10,000 acres for Philip Ford, in this location; or 5,000 acres for someone else, at another) took months in transit and often arrived only after decisions had long since been made by actors on the ground.[18]

By the time he had been gone from Pennsylvania four years, his frustration with those governing his colony reached a breaking point. In July 1688, exasperated with the continuing reports of discord, Penn took the extreme step of appointing a non-Quaker as his Deputy Governor. And not only a non-Quaker (since after all Penn's cousin William Markham, in whom he placed great confidence, was an Anglican), but a New England Puritan. John Blackwell had fought in the parliamentary army during the English Civil Wars, served in Parliament during the mid-1650s, and settled in Boston, where he served as a Justice of the Peace. Given the outsized symbolic role played by the Puritans' persecution of Quakers in New England, one can only imagine the affront that Blackwell's appointment offered to Pennsylvania Friends. Penn described Blackwell to the Council as a "grave, sober, and wise man" and emphasized his service to the Commonwealth, voicing his hope that they "use his not being a Friend, to Friends' advantage."[19] Then again, seemingly unwilling to jettison his aspirations for his colony's Quaker foundations, Penn told colonial authorities to "let him see what he can do a while…If he do not please you, he shall be laid aside." (As we shall see, Blackwell was indeed "laid aside" a year later, but not before Penn had permanently poisoned his relationship with leading Pennsylvania Friends, and driven both Thomas and David Lloyd into open opposition to his interests. David's bitterness, in particular, would become the single greatest obstacle to Penn's control over Pennsylvania for the rest of his life.)[20]

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[18] "so slightly regarded" and "by proclamations," To James Harrison," January 28, 1687, *PWP*, III: 136-137; Proclamation About Caves in Philadelphia, January 24, 1687, *PWP* III: 134; To the Commissioners of Propriety, February 1, 1687, *PWP* III: 142-44; To the Commissioners of State, February 1, 1687, *PWP* III: 144-6; To the Commissioners of State, December 21, 1687, *PWP* III: 168-9.

The Quaker elite that had been governing Pennsylvania in Penn's absence, not surprisingly, saw as an existential threat not only to their own personal and political influence, but to the Quaker character of the colony itself; and took concerted action to frustrate Blackwell's attempts to govern as Penn's deputy Despite having informed Lloyd of his plan to journey to Pennsylvania by way of New York, no one in the Pennsylvania government met Blackwell when he arrived in Philadelphia on December 17, 1688; his only welcoming party, he later reported, was "a great number of boys laughing" at him in the street. Obtaining a key to the Council's meeting room, Blackwell "found the place . . . full of dust and papers scattered about."[21] This awkward and foreboding introduction of the Pennsylvania government to their new deputy governor provided a preview of a protracted and bitterly divisive year to come. The Council sought to obstruct Blackwell's exercise of authority by any and all means at their disposal. Lloyd's early and unyielding opposition to Blackwell manifested itself in a number of ways: refusal to mark pronouncements and judicial appointments with the Great Seal of the province, of which he was officially the keeper; rallying the opposition of other leading figures in the government; and making it nearly impossible to assemble a Council quorum and transact business. Blackwell refused to admit Lloyd to the Council even after he had been elected as a member to represent Bucks County, and the April 1689 Council meetings exploded into a storm of recrimination and bickering after Lloyd refused to leave the Council room, insisting on his right to take his seat. Lloyd and the other members of the Council, to varying degrees, embarked on a policy of "harassment, delay, and enmity." In this impasse Blackwell deemed it necessary to seek the advice of his Council, "but here he ran into more trouble, for he was unable to procure their attendance until nearly a month after his arrival." In correspondence with Penn, Blackwell blamed a "faction made in Council against me," and presciently cautioned Penn against assuming that just because Thomas Lloyd and his allies shared a religious bond with the proprietor, they had his best interests at heart. "I pray God deliver you, for they threaten you," he wrote. "It has been your great unhappiness to be overtaken with mere glossing pretences of friendship."[22]

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[19] "To the Commissioners of State," September 18, 1688, *PWP* III: 209

[20] To Thomas Lloyd, March 28, 1688, *PWP* III: 183-184; "let him see," To the Commissioners of State," September 18, 1688, *PWP* III: 209.

[21] From John Blackwell, April 1689, *PWP* III: 219.

The Thomas Lloyd– Blackwell conflict pitted Philadelphia Quakers against Penn's handpicked deputy, and its outcome showed Pennsylvania Quakers' ability to coalesce in defense of their interests against an outsider, even one with the proprietor's blessing. Penn's letter relieving Blackwell of his commission and returning the government to the Council reached Pennsylvania in December 1689, a year after his arrival in the colony. And in a final coup de grace, in the January 1, 1690, Council meeting at which Blackwell surrendered his commission as governor, the Council immediately elected Thomas Lloyd as its president and once again installed him as chief executive officer. In attempting to bring his obstreperous province to heel, Gary Nash notes, Penn had "succeeded only in giving the colonists new cause to resist what they now concluded was an unsympathetic and estranged proprietor."[23]

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[22] From John Blackwell, May 1, 1689, *PWP* III: 245; and From John Blackwell, June 24, 1689, *PWP* 6: 319; "harassment, delay, and enmity," Wainwright, "Governor John Blackwell," 462

But of all the contention in Penn's American affairs during these years, the most germane for this paper was likely the adoption, totally unbeknownst to Penn, of a new Frame of Government in November 1696.[24] The new Frame of Government was the culmination of a nearly fifteen-year struggle by the Assembly to gain legislative initiative. Declaring that the original Frame was "not deemed in all respects suitably accommodated to our present circumstances," the new constitution provided that "the representatives of the freemen, when met in Assembly, shall have power to prepare and propose to the Governor and Council all such bills as the major part of them, shall see needful to be passed into laws."[25] It also reduced the number of members in the Council and Assembly, and inserted a franchise and officeholding requirement (21 years of age and 50 acres of land). Although the Assembly described the new Frame as "as near to our charter of privileges as we could, considering thy absence and the present circumstances of affairs," it was clearly a major reconfiguration of political power in the colony, one that departed sharply from the proprietor's founding vision and explicit instructions. This new Frame was blatantly illegal, since the Frame adopted by the General Assembly in April 1683 with Penn's blessing contained specific language laying out procedures for its own amendment. According to Section 24 of the Frame, changes to the charter required "the consent of the Proprietary and Governor, his heirs or assigns, and six parts of seven of the said freemen in provincial Council and Assembly met," a requirement that had clearly not obtained. Letters from Pennsylvania's leadership justified their constitutional innovation by emphasizing the uncertainty they faced in their attempts to rule the colony at such a distance from the proprietor, who (on paper, at least) held final say over their affairs but little knowledge of conditions on the ground. Indeed, Penn's absence opened the door to constitutional innovation: Samuel Carpenter gently reminded Penn that "thou left us in the beginning and infancy of those things much if not altogether unsettled and unexperienced," and claimed that the province's surveyors and secretaries had progressively distanced themselves from the people.[26]

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[23] From John Blackwell, June 24, 1689, *PWP* 6: 319; Nash, *Quakers and Politics*, 126.

[24] Details of the Frame's passage are laid out in Nash, *Quakers and Politics*, 201-207; and Lokken, *David Lloyd*, ch. 7.

[25] The 1696 *Frame* is reprinted in *PWP*, III; document 136.

Not surprisingly, its introduction immediately polarized an already divided society. During the March 1697 elections, Philadelphians insisted on following the electoral procedures laid out in the 1683 Frame; while the surrounding counties were electing two Council representatives and four Assemblymen, Philadelphians insisted on electing three and six, respectively. That same month, more than 100 Pennsylvanians presented a petition to Governor Markham objecting to the new governing document. A number of the signers of this petition were longstanding allies of Penn, but others were part of a broad coalition, including the growing number of Anglicans in the colony, who opposed the new Frame's "conscious tightening of the reins of power by the most affluent and powerful segment of provincial society." For whatever reasons, Penn decided not to contest this stark departure from established procedures, and his only direct reference to the 1696 Frame simply reiterated that the form of government was his own particular prerogative as colonial proprietor, and that departing too starkly from practice in other colonies could bring them unwanted attention. “It may awaken an objection on us that we cannot so easily answer, but furnish our enemies with a weapon to wound us.”[27]

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[26] "as near to our charter," From the Pennsylvania Assembly, November 7, 1696, *PWP* 7: 242; "the consent," Second Frame of Government, April 2, 1683, in *William Penn and the Founding of Pennsylvania*, 272; "thou left us," From Samuel Carpenter, November 17, 1697, *PWP* III: 467.

By the late 1690s, then, William Penn had been away from Pennsylvania for nearly fifteen years, and his hold on (to say nothing of his knowledge of) the colony’s affairs was shaky at best. His ability to control events in “his” colony was even shakier. Only one thing prevented his complete eclipse: Penn was still a relatively young man (he turned fifty in 1694), and continued to profess his desire to return to his colony as soon as possible.

1701: Pennsylvania’s Second Founding?

In September 1699, at long last, Penn returned to Pennsylvania. Finally, after years of issuing proclamations and complaining about the dilatoriness or outright insubordination of colonial authorities – or so he thought – he would be in a position to deal with problems directly and not through hectoring correspondence that took weeks or months to even reach its intended audience. As he would soon discover, things had changed significantly since his previous visit to the colony. Pennsylvania Friends had coalesced into a bloc devoted to their own vision of Pennsylvania, one that was not beholden to a distant and demanding proprietor. This visit, like the first, would last just around two years, and Penn’s second departure would effectively mark his removal from effective governance of the colony. After his 1701 departure Penn’s growing family, increasingly dire financial situation, and gradually worsening health would ensure that he was unable to return, and ensured the ultimate success of Pennsylvania Quakers’ efforts to remove him from meaningful participation in colonial affairs.

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[27] “conscious tightening,” Nash, *Quakers and Politics*, 205. The petition to Markham (Remonstrance of Philadelphia Inhabitants), March 12, 1697, is in *PWP* III: 499– 502; “It may awaken,” To Samuel Carpenter and others, December 1, 1697, *PWP* III: 531.

After years of reports that Pennsylvania authorities neglected to enforce the Trade and Navigation Acts and turned a blind eye to smuggling, the Board of Trade instructed Penn to remove David Lloyd, the colony's Attorney-General, from public office, along with Deputy Governor Markham and Philadelphia Justice of the Peace Anthony Morris.[28] Penn did as instructed, though such steps dealt a severe blow to his nascent efforts to (re)build bridges with a community from which he had been absent for more than a decade. He found himself, in Jane Calvert's words, "distrusted and resisted by Friends intent on not being oppressed ….That he too was a Quaker mattered less than that he was the one who wielded authority over them."[29] To many of his colonists, Penn had become little more than an absentee landlord—fond of making demands and issuing directives but woefully uninformed about conditions on the ground; an instrument of distant Crown officials rather than an advocate for Friends. For his part, Penn sent back a dour account of the situation in to Charlwood Lawton, one of his attorneys: since arriving, Penn wrote, he had encountered "faction in government and almost indissoluble knots in property."[30] In just over two months, Penn carried out the orders of the Board of Trade with efficiency and dispatch. He was under no illusion, however, about the costs of these accomplishments for his relationship with his colonists. In removing Lloyd, especially, Penn alienated one of only two trained lawyers in the entire colony, along with many of his supporters in the Assembly.[31]

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[28] "From the Board of Trade," *PWP*, III: 577. For a rosier portrait of the Penn-Lloyd relationship, see Burton Alva Konkle, "David Lloyd, Penn's Great Lawmaker," *Pennsylvania History,* 153-156.
[29] Calvert, *Quaker Constitutionalism*, 131.
[30] faction in government," To Charlwood Lawton, December 10, 1700, *PWP* III: 624; see also To the Duke of Hamilton, July 5, 1700, *PWP* III: 605.
[31] Letter informing Board of Trade of Lloyd, Markham's, and Morris's removal from office: February 27, 1700, *PWP* III: 587.

Over the course of the summer of 1701, Penn became increasingly worried about reports of a Reunification Bill, which would bring proprietary colonies back under direct royal control, being proposed in Parliament. He considered his presence in London essential if he were to have any hope of preserving his colony. "No man living can defend us or bargain for us better than myself," [32]he wrote to Logan. The issue of the colony's constitutional foundations suddenly became extremely urgent: Penn knew that he could not leave without settling it. Thus he advised the Assembly that "what you do, do it quickly, remembering that the Parliament sits at the end of the next month, and that the sooner I am there the safer."[33]

The Charter of Privileges – signed by Penn in late October 1701– represented the best bargain Penn could make with the Assembly amidst urgent preparations for his return to England. Penn's political position was far weaker than the one he had occupied in the early 1680s. Spurred on by David Lloyd, the Assembly took an assertive stance toward the proprietor, submitting a petition containing no fewer than twenty-one specific demands just a week after he announced his plans to travel to England. Isaac Norris observed that the Assembly "are now worse than ever believing themselves cock-sure of the government change," and that the proprietor "is much grieved at this parting carriage of the people, and highly resents" the Assembly's petition.

The Charter, signed by Penn on 28 October 1701, contained no theoretical preamble laying out the aims of government, but instead offered a simple historical narrative regarding Penn's receipt of the proprietorship. In doing so, it referred to the Frame ratified in 1683, which had been “found in some parts of it, not so suitable to the present circumstances of the inhabitants,” such that, according to his pledge to the Assembly, he was providing “another, better adapted to answer the present circumstances and conditions of the said inhabitants.”[34] The first head of the Charter enshrined liberty of conscience for all who confessed belief in God and would “live quietly under the civil government,” while restricting office-holding to Christians. Government was to be entrusted to an “Assembly yearly chosen,” which, in addition to other duties, was to “prepare bills in order to pass into laws,” determine its own adjournment, and “impeach criminals, and redress grievances.”[35] This grant of legislative initiative to the Assembly was perhaps the most significant political concession Penn made during his entire proprietorship of Pennsylvania.[36]

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[32] From the Pennsylvania Assembly, September 20, 1701, *PWP* IV: 91– 92; Inhabitants of Philadelphia to the Pennsylvania Assembly, September 17, 1701, *PWP* 9: 536; "are now worse," Norris to Daniel Zachary, October 3, 1701, *Penn– Logan* I: 57; "peaceful coup d'état," Calvert, *Quaker Constitutionalism*, 133.

[33] "no man living," *Penn– Logan* I: 56; "what you do," what you do," Governor's speech to Assembly, September 15, 1701, *Minutes* II: 35.

With Penn’s control of Pennsylvania threatened by hostile English forces and his position in Pennsylvania coming under fire from the increasingly assertive Assembly, Penn was forced to accede to the Charter, which Jane Calvert has accurately described as a “peaceful coup d’etat.”[37] For all intents and purposes, William Penn had been eclipsed in his own colony, three decades after its founding.

Events after Penn’s departure only heightened the acrimony and animosity and emboldened Pennsylvanians to oppose their proprietor’s efforts to exert influence on the colony’s government. The province continued to face an acute dearth of currency in the colony, as Logan wrote: “The scarcity of money lays us all under the greatest difficulties.” This situation was not unprecedented, and affected many of the American colonies, but the situation in Pennsylvania seems to have worsened considerably after Penn’s departure, arousing popular suspicion of the now-distant proprietor. “The quantity was lessening all the time thou wast here,” Logan wrote, “but since the decay appears so very great that we know not to what reason to ascribe it, but gives many occasion to believe and say thou hast carried great sums out with thee.”[38] Nor did Penn’s decision to send his son William – the potential future proprietor – to America improve relations. In September 1704, after a night of drinking in a Philadelphia tavern, a number of the colony’s “young gentry” (including William Jr.) brawled with the city watch, which had attempted to bring their gathering to order and enforce the city curfew. A grand jury considered indicting the young men for disturbing the peace, but Lieutenant Governor Evans intervened to quash the proceedings. But for all those who might have considered the young Penn to have gotten away with breaking the law, at least one observer—his father—saw William as the victim in the matter, and refused to let the matter drop. In the aftermath of the event, Penn condemned “bad Friends treatment” of his son, which had “stumbled him from the blessed truth.” And years later, Penn continued to implore Logan to pursue the matter, to “let my son have justice against the authors of that barbarous affront committed upon him.”[39]

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[34] “Charter of Privileges,” *PWP*, IV: 105.
[35] “Charter of Privileges,” *PWP*, IV: 106-7.
[36] “Charter of Privileges,” *PWP*, IV: 108.
[37] Calvert, *Quaker Constitutionalism*, 133.

A large portion of the increasing friction between Penn and the Pennsylvania authorities boiled down to the mutual and implacable hostility between the proprietor and David Lloyd, and after Penn’s departure Lloyd (re)consolidated his position as the most influential politician in the colony. Lloyd apparently succeeded in preventing the Bucks County court from meeting for much of its 1702 session, and made common cause with his former rival, Anglican John Moore, Judge of the Admiralty Court, to obstruct court proceedings wherever possible. In 1702 Moore appointed Lloyd—whom the Crown had insisted that Penn remove from office in 1699, for undermining the admiralty courts—as a deputy judge on the admiralty courts. Lloyd and Moore "both join in endeavoring to stop the courts, and procrastinate acts of justice," Logan wrote Penn late in 1702, and the confusion in the colony's courts resulted largely from "an intrigue of [David Lloyd's and John Moore's] to confuse all our courts and their proceedings."[44] Lloyd's base of power in the Assembly enabled him to pursue his animus against Penn institutionally as well as personally.[40]

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[38] From James Logan, May 7, 1702, *Penn-Logan* I: 94;

[39] “let my son,” To Logan, February 9, 1706, *PWP* IV: 531; “bad Friends treatment,” January 16, 1705, *PWP* IV: 323.

Conflict between the proprietor and David Lloyd (and, by extension, the colonial government) erupted into full view during the summer of 1704. The Assembly adjourned on August 25, 1704, and assigned a committee to draft a petition to the proprietor. The resulting address, signed "by order of the House" but clearly written by Lloyd, condemned Penn's conduct, accusing him of making promises of "divers large privileges" to encourage settlers to embark with him to Pennsylvania and then, once in America, laying aside the Frame of Government "by subtle contrivance and artifice." Union with the Lower Counties, which Penn considered one of his defining acts as proprietor, was denounced in no uncertain terms, with the Assembly further claiming that "we cannot find that thou had any such grant" to the government of the Lower Counties. They condemned Penn's absenteeism—"thy stay here at first coming was not above two years"—after which Penn left to prosecute the dispute with Baltimore, "and did not return [until] 1699 . . . whilst the interest of this province was sinking." His return found Penn "full of resentment, and many of our applications and addresses . . . answered by recriminations or bitter invectives." The Assembly charged Penn's secretary James Logan and the province's surveyors with "very great abuses . . . and extortions" and—in a final parting shot—urged Penn to suppress vice in the colony, “which, to our great trouble we have to acquaint thee is more rife and common amongst us, since the arrival of thy deputy and son.” The Assembly denounced the rumors of Penn’s negotiations with the Crown regarding a surrender of the government, which they told him “we shall deem no less than a betraying us.” Even more explosively, Lloyd sent a copy of the remonstrance to eminent London Friends. In an accompanying letter, Lloyd excoriated Penn as “remiss in performing his promises and engagements towards us,” and pointed to the “revels and disorders which young William Penn and his gang of loose fellows” had let loose on the colony. Lloyd’s injection of internal Pennsylvania political disputes into the world of English Quakerism infuriated and embarrassed Penn.[41]

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[40] "both join," December 1, 1702, From Logan, *Penn– Logan* I: 148; "an intrigue," From Logan, October 2, 1702, *PWP* IV: 190

A year later, Lloyd wrote Penn another blistering letter, denouncing his personal and proprietary conduct. Lloyd’s missive. Essentially a continuation of what he had issued in the Assembly’s name the previous year, Lloyd’s missive began by taking aim at one of Penn’s favorite talking points, the copious sums he had invested in the province and the way that Pennsylvania had impoverished him. Lloyd begged Penn “not to . . . insinuate as if thou hast not had suitable returns and compensations from the people here for all thy pains, hazards, expenses, and employment of thy interest and the best part of thy life which thou sayst Pennsylvania has cost thee.” What, in point of fact, had Penn really done for the colony? Penn’s promotional acumen and promises to procure liberties for his settlers “were great motives to induce [settlers] to adventure upon the settlement of this colony and give thee such great rates for land.” Despite his claims to advocate for Friends and ensure royal approval of the colony’s laws on his most recent return to England, Lloyd continued, “I did not believe that thou couldst be an extraordinary agent for the people in these times, since thou neglected in the reign of King James when it lay in thy power to do them some good.” While admitting that most of the people “would rather thou should continue governor in chief and come to live amongst us rather than . . . sell or surrender the government,” he also denounced “thy lieutenant and Assembly of the three lower Counties” for forming a militia and punishing those who refused to fight. The broadside continued with bracing personal attacks: “How canst thou pretend to be a man of peace and truth when thou acts so contrary thereunto [?]” As he moved toward his conclusion, Lloyd claimed—in words that surely would have left Penn laughing, had he been the laughing sort—that what he wrote did not “procee[d] from any malice or revenge for I can sincerely say that I bear thee none,” signing off as “thy abused, though real, Friend.”[42]

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[41] From the Pennsylvania Assembly, August 25, 1704, *PWP* IV: 295– 303; David Lloyd to George Whitehead, William Mead, and Thomas Lower, October 3, 1704, *PWP* IV: 304; “revels” (306).

For years to come, Penn displayed a laser-like focus on exacting revenge for the affront and a steady fury at his impotence to do anything about it. “I expect that Friends and the Assembly will do my justice upon DL,” he wrote in January 1705. If prosecution was not possible, Penn instructed Logan to “make that ungrateful hypocrite DL as uneasy as can be.” In September of that year, he wrote to Logan that “I will have that mischievous man, David Lloyd, brought on his knees”; and that same month, to the lieutenant governor, “what can be made appear against D.L. fail not to use effectually, for he is the greatest of villains.” Three years later, Penn was still fixated on Lloyd’s actions, telling Logan to “Get [Evans] and the best of my Friends . . . to bestir themselves and browbeat that villainous fellow DL.” Whenever Penn’s thoughts turned to Pennsylvania, they quickly moved on to the possibility of evening the score with David Lloyd. He continued to demand his prosecution for his actions surrounding the 1704 remonstrance, complaining about “quack lawyers” and Lloyd’s “numbskulls,” and pointing to the correspondence between Lloyd and the Fords as evidence of "conspiracy against me."[43] But Lloyd continued to wield political power in the colony. In effect, Pennsylvania authorities had read Penn out of their Meeting.

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[42] From David Lloyd, July 19, 1705, *PWP* IV: 373– 383.

Conclusion

Even while Pennsylvania Quakers excluded their proprietor from exercising the power he possessed on paper, William Penn had his own ideas about how to deal with his increasingly marginalized role. As Pennsylvania Quakers were reading Penn out of their Meeting, he was negotiating to sell his government back to the Crown in return for a cash payment to settle his significant debts, debts that would land him in debtor's prison for nearly eight months in 1708. (In effect: You can't fire me, I quit.) Even here, however, he was unable to fully capitalize on his effort: he suffered a fatal stroke before the full payment could be made, leaving the surrender of government in legal limbo while his widow, Hannah, oversaw colonial affairs.

On May 11, 1703, Penn wrote to the Board of Trade offering, "upon a reasonable satisfaction," to "resign to the Crown, the government" of his American territories. What exactly Penn intended by "resign" or "surrender" to the Crown is not entirely clear, since his initial proposed terms—a payment of £30,000, continued authority to nominate colonial governors, and preservation of the constitution and laws including liberty of conscience and affirmations by Friends—seemed decidedly one-sided in his own favor. The Board of Trade considered Penn's terms "very unreasonable," and the proposal languished for years. But in response to the implacable opposition of Pennsylvania Friends, Penn had taken a radical step, an explicit repudiation of the high hopes with which he had, as a young Dissenter, invested his colony's status as a "holy experiment" for liberty of conscience.[44] After pursuing the negotiations for surrender in fits and starts for the better part of four years, Penn revived the matter once again with an inquiry to the Board of Trade in January 1707. By July, Penn's asking price had dropped from £30,000 to £20,000. The Board of Trade gave its conditional approval to the surrender in February 1707, but many details remained to be settled, and the Ford litigation promised to complicate any proposed settlement. And so things dragged on.[45]

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[43] "I expect," To Logan, January 16, 1705, *PWP* IV: 326; "make that," To Logan, April 30, 1705, *PWP* IV: 347; "I will have," To Logan, September 14, 1705, *Penn– Logan*, II: 71; "what can," To Evans, September 22, 1705, *PWP* IV: 393; "Get," To Logan, June 10, 1707, *PWP* IV: 578.

Penn understood his actions in seeking to surrender his government as directly related to Pennsylvania Quakers' rejection of his leadership. He wrote them a lengthy and bitter letter in June 1710, recounting his high hopes during the early days of colonization and lamenting that "while [Pennsylvania] has proved a land of freedom and flourishing it should become for me, by whose means it was principally made a country the cause of grief, trouble, and poverty." In a more extensive document submitted to the Board of Trade, Penn once again recounted the bitter experiences that had brought him to this pass:

> When that government was first granted me, I could not easily imagine I should ever be obliged to treat thus of a surrender. I had then good reason to hope that if by my industry and vast expenses I should make a settled colony of it, and add such an improvement to the dominions of the Crown, I might without interruption peaceably enjoy the advantages of it . . . yet so it proved, that soon after its first settlement the easy ear the ministry from time to time lent to the unjust complaints of some

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[44] "upon a reasonable satisfaction," To the Board of Trade, May 11, 1702, *PWP* IV: 221; Proposals for surrender of the government of Pennsylvania, June 18, 1703, *PWP* IV: 224– 226; "very unreasonable," *PWP* IV: 221.

[45] To the Council of Trade, January 29, 1707, *PWP* 13: 086; "great expense," Board of Trade to the Earl of Sunderland, February 5, 1707, *PWP* IV: 572; To William Popple, Jr., July 2, 1707, *PWP* IV: 584.

> designing and prejudiced men, has rendered my possession of it a perpetual uneasiness.[46]

Each of his visits to the colony had been cut short by the necessity of returning to England to fend off assaults on his proprietorship, which made it impossible for him to reap the benefits of colonization.

Finally, on July 17, 1712, the Lord High Treasurer, after discussions with the Board of Trade and Penn himself, "resolve[d] to move Her Majesty to accept the said surrender and conveyance." The amount was reduced to £16,000 over seven years; Penn ultimately agreed to accept only £12,000 if it were paid in four years. Finally, on September 9, 1712, the queen ordered the Treasury to pay Penn "1000 pounds as an advance . . . as part of the said sum of 12,000 pounds agreed" for the surrender of the government of Pennsylvania to the Crown. In a final, cruel, crowing irony, just a month later, he suffered the debilitating stroke that left him weakened mentally and physically for the remainder of his life.[47]

The divergence between Penn's interests and those of many of his colonists, expressed in the remonstrance presented just prior to Penn's departure in 1684, widened with the passage of time, and his extended absence allowed a colonial identity to emerge and solidify in opposition to the proprietor's vision for "his" settlement. Penn's close friend Phineas Pemberton emphasized that "we have labored and spent ourselves, estates, and some their lives to get for themselves and families a livelihood and to raise thee and thine an estate." "We" and "thee and thine" are subtly, though not entirely, disentangled in Pemberton's description of Pennsylvania's founding. Earlier, several members of the Council had emphasized "[a]ll the hardships that we have gone through in settling this wilderness country and all that we have spent and wasted therein for the promotion and improvement thereof, almost to the utter ruin of some of us and our families." Penn had, of course, complained for years about all of the expenses he had incurred in the settlement of the colony, and words like these echo his own, but the colonists clearly did not include the proprietor in their "we."[48] In all his planning, though, he likely never contemplated the notion that his own interests and those of his colonists could diverge in such a way. Yet the colony's capital city grew from modest beginnings into what one historian calls the "richest, fastest-growing, and most cultivated of American cities" in just fifty or so years.[49] At the very least, Pennsylvania flourished despite Penn's absence. But I would go farther, and have argued in this paper, that given Penn's expectation of deference to his wishes and his hierarchical view of political authority, it was precisely the proprietor's absence that enabled such a vibrant society to take hold in Pennsylvania. Not coincidentally, that absence came about largely as a result of the concerted opposition to Penn's control by a cohesive body of his own Friends, who discovered early on that they wanted nothing to do with his visionary plans, and read him out of their Meeting.

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[46] Memorial to the Council of Trade and Plantations, February 2, 1711, *PWP* 14: 209, in *CSP Colonial 1710– 1711*, #633.

[47] "resolve[d] to," Minutes of the Treasury re: William Penn's surrender of the government, July 17, 1712, *PWP* 14: 423; "1000 pounds," Queen Anne's order to the Treasury, September 9, 1712, *PWP* IV: 726.

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[48] "all the hardships," From John Simcock and other councilors, April 9, 1689, *PWP* III: 238; From Phineas Pemberton and others, April 1689, *PWP* III: 247.

[49] May, *The Enlightenment in America*, 80.