SOME ASPECTS OF THE RELATIONS OF THE
GOVERNMENT AND GERMAN SETTLERS
IN COLONIAL PENNSYLVANIA,
1683-1754

(Part One)

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Both as a colony and as a state Pennsylvania has merited interest as a great melting pot of European nationals. Before William Penn's establishment of the province the Swedish settlers on the Delaware River had yielded to the power of the Dutch, and the Dutch domination had succumbed before the English official representatives of the Duke of York. During the early years of provincial Pennsylvania's history the bulk of the settlers were of English stock, but by 1750 the situation had changed. Of the non-English nationalities the Germans were one of the largest groups. The first period of the German migration began in the fall of 1683, when a group of Mennonites under the leadership of Francis Daniel Pastorius was welcomed by William Penn and founded Germantown. The second period opened in 1710 with the advent of the Swiss Mennonites, who were closely connected with the former group. Some of these settled in Lancaster County on Pequea Creek.

The earlier German immigrants to Pennsylvania were mostly sect people, who sought especially religious liberty. For some years the number was small; the immigrants usually came in groups and settled in the same neighborhood. In many cases the pastor accompanied the group and led it in its civic affairs. As a class these immigrants embraced many of the best educated and
most substantial of the German settlers in provincial Pennsylvania. Ordinarily they had sufficient money to pay the cost of the ocean voyage and to buy land upon their arrival and begin an energetic and thrifty existence. The early German sects which effected religious group settlements were Mennonites, Pietists, Dunkers (German Baptists), Schwenkfelders, Moravians, and others less well known.

The third period of German immigration was marked by the keeping of official records of entry by the province, beginning in 1727. By this date the mass immigration of Germans had begun and was to continue in a heavy stream until the Revolution. It was composed chiefly of church people—that is, orthodox Lutherans and German Reformed as distinguished from the dissenting sects of the earlier immigration. Inasmuch as most of these church people came from the Palatinate, all Germans were frequently called Palatines. Many of the German immigrants after 1727 came as poverty-stricken indentured servants. Their great numbers were due mainly to the indentured-servant system fostered by shipowners. With the coming of this second wave of German immigrants the settlement of the German counties of Pennsylvania began in earnest.

The general movement of these Germans westward through the province was impressive. Three-fourths of them were farmers with little money, and so they went farther and farther from Philadelphia and Germantown to get their land. Whenever possible, they sought locations where there were no settlers of other nationalities. They took land that was not much desired by others on account of the distance from Philadelphia or the labor required to clear it; and perhaps the Germans were keener judges of limestone soil. By 1700 they were pushing northwestward into the forests toward the Skippack and Perkiomen Creeks in Montgomery County and into Lancaster and Berks Counties. Next they entered the County of York across the Susquehanna, and later groups went into what are now Northampton, Dauphin, Lehigh and Lebanon counties. In this tier of counties to the westward the Germans were the predominant nationality. Here they established themselves so firmly and maintained their language and customs so generally that the region justly came to be called German Pennsylvania.
The relations that existed between the German people and the provincial government of Pennsylvania are of considerable interest. The first Mennonites, invited by William Penn in person and by letter, migrated to Pennsylvania partly for conscience's sake and partly in the interest of temporal things. Their expectations were fully realized, for they enjoyed both liberty of conscience and the benefits of a plentiful country.¹ The settlement at Germantown had been established only a few years when "William Penn, Proprietor and Governor of Pennsylvania, with power held from the King in England, to the Bailiff and Burgesses of the community at Germantown, by means of a special charter or grant of franchise of the date 6 month, 12th 1689 among other things, . . . graciously permitted and decreed that "they [the Germantown settlers] may from time to time in their General Court make and establish as many good and reasonable laws, ordinances and statutes as for the salutary government of community and its affairs may be necessary and advantageous, and may accordingly bring such into effect and perfect them, and also may, when changing circumstances make it necessary, alter their laws, or withdraw them and establish new ones."² Laws, so passed, covered many items and matters, varying from the case of a wandering hen to the prohibition of racing and "fast driving in the streets of Germantown."³

Relations between the Germantown settlement and Penn's government were always friendly. William Penn and Francis Daniel Pastorius had a high regard for each other. In fact, the German once wrote that the Englishman "was very fond of the Germans and once said openly in my presence to his councillors and attendants: The Germans I am very fond of and wish that you should love them also. . . ."⁴ When finally the Germantown settlers could no longer be induced to hold office and attend to the necessary political activities in their community, their privileges conferred by Penn were again assumed by the provincial gov-

¹Oscar Kuhns, German and Swiss Settlements of Colonial Pennsylvania (New York, 1901), pp. 39-41.  
ernment, with no disturbance of the former friendly relations. The harmonious blending of German Mennonites and English Quakers in Germantown and Philadelphia continued.

By 1717 the number of German settlers had increased, though not greatly. "About which time the great influx of foreigners [Mennonites] into the province created such apprehensions that Governor Keith, in his speech to the House, ... proposed to their consideration whether some regulation might not be necessary in regard to the unlimited numbers of these foreigners coming without license from the King, or leave of the government." In reply the assembly "expressed their concern with the jealousies and uneasiness" which had been "raised in the minds of the inhabitants, respecting the inconveniences, that might attend" the settlement of these Germans "in too large numbers together in one place or promiscuously among the Indians." The assembly "desired the governor's sentiments on this matter" and urged him to appoint a committee of council to join with one of the assembly to look into the matter if he saw fit. This suggestion was approved by the governor, but since he had lately written to the Secretary of State on the affair, further consideration was deferred in expectation of advice from England.5

In making a decision in this matter the council had been influenced by several factors. Besides their coming in great numbers, the foreigners lacked British license, made no application to the governor or any of his magistrates, and dispersed themselves immediately after landing without producing certificates stating whence they came or what they were. There was fear lest less desirable foreigners, even enemies of the province and Great Britain, might use the same method. It was therefore ordered that all masters of vessels, the late importers of these people, appear before the council and render account of the number and character of their passengers. All those persons already landed were to be required by proclamation to appear within one month before some magistrate "to take such Oaths appointed by law as are necessary to give assurances of their being well affected to his Majesty and his Government."6 The naval officer of the port of Philadelphia was instructed not to admit any inward-bound vessel to an entry

6Penn. Col. Records, vol. iii, p. 29
Until the master gave an exact list of all passengers on the ship. While it is clear that this action showed no real opposition to the Germans, still one wonders what good could be derived from it except to know who came and what were their real or supposed intentions. Surely such measures were not intended to check the influx. No evidence can be found that anything further was immediately done towards carrying out this order. For ten full years the minutes of the council made no mention of the subject.

Among the provincial officials James Logan, secretary of the province, was the most concerned about the Germans during this period. In 1717 he wrote, "We have of late a great number of Palatines poured in upon us without any recommendation or notice, which gives the country some uneasiness, for foreigners do not so well among us as our own English people." But Jonathan Dickinson, a member of the council, was not thus alarmed. "We are daily expecting ships from London," he stated in 1719, "which bring over Palatines in number about six or seven thousand. We had a parcel come out about five years ago, who purchased land about sixty miles west of Philadelphia, and prove quiet and industrious." This settlement on the Pequea Creek was in a region in what is now known as Lancaster County, which was still a primitive wilderness in the heart of the Indian country, many miles ahead of the rapidly advancing frontier line; not a single foot of the rich limestone soil had yet been turned under by the plow or the spade of the white man.

In 1723 a group of German Palatines from the province of New York settled in southeastern Pennsylvania. These Germans, under the auspices of Queen Anne, had set out from England in 1709 for New York. Because of unfair treatment and unfavorable conditions there they had finally begun to cast about for a new place to settle. Encouraged by Governor Sir William Keith of Pennsylvania when he was in Albany, the Palatines set out on a journey down the North Branch of the Susquehanna to the fork of the river at Shamokin and then down the main course of the river. Their settlement was eventually established at Tulpehocken on Tulpehocken Creek, a branch of the Schuylkill.

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7 Ibid.
9 Ibid.
10 Now Sunbury.
This small group and others were frequently referred to by James Logan in his letters to the Penns in England. In 1725 he wrote that the Germans “come here in crowds, and as bold indigent strangers from Germany, where many of them have been soldiers. All these go on the best vacant lands, and seize upon them as common spoil.” They rarely, he declared, approached him on their arrival for the purpose of purchasing land.

Logan’s concern apparently grew. Two years later he wrote to John Penn, “We have many thousands of foreigners, mostly Palatines, so-called, already in ye Country, of whom near 1500 came in this last summer; many of them are a surly people, divers Papists amongst them, and ye men generally well arm’d.” Of these and the Irish he said, “Both of these sorts sitt frequently down on any spott of vacant Land they can find, without asking questions; the last Palatines say there will be twice the number next year ... both pretend they would buy, but not one in twenty has anything to pay with.”

When their right to occupy the land was challenged, the Germans who had migrated directly to the province sought to justify themselves by alleging that they had been solicited through advertising to come, even without means with which to pay for land; and the Palatines from New York maintained that they had acted according to the advice and consent of Governor Sir William Keith.

To add to Logan’s concern the Tulpehocken settlement of the New York Palatines was located on land claimed by the Indians—a situation that might lead to trouble. Furthermore, a few years after their settlement these Germans, anxious to obtain titles for their children, wrote a petition to Governor Keith and the council in which they declared their willingness to purchase the lands. To grant these titles the proprietors would have to satisfy the Indians’ claim. Governor Keith had since been deposed, and the commissioners, who alone had power to dispose of lands, declared

12 Nov. 25, 1727.
13 Prior to 1741 every German who came to Pennsylvania was called a Palatine on the ship lists, irrespective of his nativity.
14 Penna. Archives, 2nd Series, vol. vii, pp. 96-97
15 Penna Col. Records, vol. iii, p. 322
16 Ibid.
that the former governor's action had been illegal and that it had been taken without their knowledge or consent.\textsuperscript{17}

Of this situation Logan wrote to John Penn as follows: "The next year [1723] our late Governor placed the Palatines there [Tulpehocken], whom he had invited from Albany, who will certainly hold it, on some terms or other, peaceably, by agreeing to an annual Rent or a reasonable purchase, if they can, but they are too numerous and resolute to be removed; nor since they were placed there by what they accounted an authority would it be proper to endeavor their Dissapointmt."\textsuperscript{18}

In a discussion of this matter at a meeting of the council on June 5, 1728, Logan reported that "he was sensible the Palatines were settled here . . . without the consent or Knowledge of any of the commissioners."\textsuperscript{19} He referred to the "Petition from those Palatines themselves, directed to the late Governor, Sir William Keith & the Council all wrote in the hand of Patrick Baird, who was then Secretary to the Governor & Clerk of the Council, & who it was that drew it would appear by its Stile." "It will therefore no longer remain a question," he asserted, "tho' nothing more than this Petition were produced by whose authority these foreigners had been encouraged to invade these lands to the manifest Injury of the Proprietor, and to the great abuse of the Indians, who at that very time were seated there, and had their Corn destroyed by those Peoples Creatures.

"Then applying to the Indians, he desired that tho' these People had seated themselves on Tulpehocken Lands, without the Commissioners Leave or Consent, yet they would not offer them any violence, or injure them, but wait till such time as that matter could be adjusted."\textsuperscript{20}

These extracts indicate that the loyal but disturbed secretary of the province was not opposed to the presence of Germans but was simply apprehensive because of the troublesome situation which their presence sometimes created. After the death of William Penn in 1718 Logan endeavored to keep the proprietors informed of all important developments, relating much in detail about the collection of land debts, seizure of unoccupied acreage, quitrents, land purchases of the Indians, division of the pro-

\textsuperscript{17}Ibid.
\textsuperscript{18}Penna. Archives, 2nd Series, vol. vii, p. 95.
\textsuperscript{19}Penna. Col Records, vol. iii, p. 322.
\textsuperscript{20}Ibid.
prietary lands, and unsold lands among the heirs. He tried to impress upon the heirs of William Penn that it was necessary soon to make a division of the proprietary lands in the province and a proper distribution of quitrents and proceeds from the sale of lands. The presence of the Germans and the expectation of more to come further demonstrated this need. Always loyal and faithful to the Penns and to the best interests of the province, Logan in these letters naturally spoke of the new German settlers; whenever the proprietors did not reply promptly with advice and directions, his references were frequent.

Very little, however, came from the English proprietors in the way of helpful advice or precise direction for dealing with the German problem. The successors of William Penn were interested primarily in the promotion of their own personal interests. Their only concern seemed to be the acquisition of money with which to pay off debts against the William Penn estate and to increase the income of his heirs. If the purchase price of the lands settled upon by permission or seized unlawfully by the Germans could not be obtained immediately, they felt, perhaps it could be eventually. In the meantime the Penns were satisfied to increase the collection of quitrents. At no time did the proprietors suggest an attempt to dispossess the German newcomers who had taken land in violation of regulations of the land office. More pacific counsels prevailed, and by diplomatic action the proprietors were able after a few years to induce the Germans who had accumulated property to make financial settlement in return for good title.

Pushed as they were for funds, the proprietors in a letter of April 24, 1728, wrote to the trustees: "And on this head we must beg leave to observe, that as within these few years there have been several persons, as well as other Palatines, that have seated themselves on Lands without purchasing them, we think moneys, more than sufficient to pay all our Father's debts might be raised from settling with them, without the sale of any other lands, and as we have been informed many of these people are not in a Condition to pay the full purchase their settlements are worth, they might (if you thought proper) be granted them on

*Proprietaries: John, Thomas, and Richard Penn; Trustees: Richard Hill, Isaac Norris, Samuel Preston, and James Logan.*
their paying a less consideration and raising the quitrent in proportion, which, considering the part of the purchase money abated to be entirely lost, must not be calculated to the Common Interest, but at least at three p. cent more.”

A little over six months later the proprietors again wrote to the trustees: “We are not without hopes that there is much more due from the Palatines and others, that have settled on lands for some years Past, than will be sufficient for our Present Exigencies; and that there is also several Thousand pounds on Bond due from others, who bought Lands many years since which it is now high time to call upon for payment, & Therefore, we think it requisite that you should give all notice to hand in their money, allowing them some Reasonable time to provide it, and if there should be any that Cannot raise it, we think you may Justly require That they should submitt their estates to a Rent charge Equivalent to the Principal & Interest, & that such as should neglect to pay or give that satisfaction, should be Compell’d to it by Law.”

“We look upon the purchasing of the Indian Claims to any of the Lands that have been, or may be settled [they continued], to be a matter of great Consequence, & therefore, we desire that you will Take the most prudent measures which occur to you to accomplish it, especially, That of Turpehockin. . .”

The next year Secretary Logan complained that of all the Tulpehocken and Minisink lands “there is not one acre yet purchased of the Indians, and their Purchases will certainly prove high now. Who is to bear the charge of these is not for me to determine.” His worries and troubles over the land question were expressed in a letter to James Steel dated November 18, 1729: “But ye vast Crowds that followed [a settlement of Irish in that township of Donegal] both of Palatines & Irish, who wanted, & would have some place to sitt down on, broke all measures, ye Encouragement given to those Palatines from albany by Sr Wm Keith whom he placed by his own authority on ye Lands of our own Indians about ye same time was a pernicious Example to

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24 Ibid.
26 “On voyage to London in service of Proprietors” to help straighten the confused conditions of proprietary affairs in the province.
PENNSYLVANIA HISTORY

others & as he made it his Endeavors to animate ye People agst ye Propr & those Concern'd for him, while ye family Dispute was at ye highest in Engl'd It was impossible for us wth out more Power to fall on any measures to settle such vast numbers as daily throng'd upon us, many of whom were well pleased wth ye pretence of ye want of such Powers that they might have some appearance of an Excuse, for not purchasing what in reality they were not able to pay for. . .

In 1727 began the mass immigration of Germans that was to continue in a heavy stream until the Revolution. James Logan, Jonathan Dickinson, and others feared that a German colony would result; that ex-Governor Keith, who had invited the Germans from New York, was thereby endeavoring to strengthen his political influence; and that Keith, Harland, and Gould had the sinister intention of forming an independent province to the westward of the Germans toward the Ohio.

The alarm as to the Germans in this year is revealed in a representation to Governor Gordon concerning a settlement in Lancaster County to the effect "that a large number of Germans peculiar in their dress, religion, and notions of political Governments, had settled on Pequea, and were determined not to obey the lawful authority of Government; that they had resolved to speak their own language and to acknowledge no sovereign, but the Creator of the Universe." This was the same settlement about which Jonathan Dickinson had written favorably in 1719.

Jealousies and misgivings were excited still further by advice to Governor Gordon that some thousands of Germans were expected to arrive later in 1727. All this information the governor laid before the assembly. A committee was appointed to make inquiry and a report to the next house. In the meantime Governor Gordon told the council that he thought it was necessary to concert proper measures for the peace and security of the province. This, he said, might be endangered by the daily influx of such


28 Sir William Keith was deposed by Mrs. Hannah Penn in 1726 and was later elected a member of the Assembly; he then endeavored to build up an opposition party about himself to bring about his own re-appointment or to wrest the government from the proprietary family. Thomas F. Gordon, History of Pennsylvania (Phila., 1829), p. 205.

numbers of strangers who, being ignorant of the language and laws, and settling in a body together, made, as it were, a people distinct from the king's subjects. Accordingly the board decided that it would be necessary for the incoming Germans to take the oath of allegiance to his majesty or its equivalent and promise fidelity to the proprietor and obedience to the established constitution. Masters of vessels were to be examined as provided by the Act of 1717 and required to furnish exact lists of the passengers on their ships.

The committee appointed in the previous session made a favorable report of the Germans in 1728; they declared that "the palatines who had been imported directly into the province had purchased and honestly paid for their lands, had conducted themselves respectfully towards the government, paid their taxes readily, and were a sober and honest people in their religious and civil duties. Yet some who had come by way of New York, and elsewhere, had seated themselves on lands of the proprietaries and others, and refused to yield obedience to the government."

The proprietors did not so highly commend the Germans, but they at least took a practical interest in them. "We likewise have... Thought much about the Palatine," they wrote in 1729, "or other Persons Coming to settle, and wanting Lands of you, and altho' we wrote you before our request, that no more land might be sold, yet we think it is better to make an agreement with them, and give them grants, than let them set down without any, and so loose our Purchase, or afterwards be the occasion of much Confusion. We must, therefore, desire..., as you are vested with full powers, that you would give them grants on their paying you the value of their Respective Lands, and reserving the usual quitrent, or what we should rather choose, that the quitrent should be enlarged, and the purchase money ad valorem deducted, if (as we suppose) there is money enough in arrears For quitrents & bonds, for Lands that may be recover'd soon, to pay all our Father's Debts, because 'twil, in time, make it better worth to allow something more handsome for receiving them, and keeping exact accounts then, as it now stands, we can do."

81 Ibid., p. 283.
Impressed by Logan's repeated references to the presence of too many Germans, the Penns further advised the secretary: "As to the palatines, you have often taken notice of to us, we apprehend have Lately arrived in greater Quantities than may be consistent with the welfare of the Country, and therefore, applied ourself to our Council to find a proper way to prevent it, the result of which was that an act of assembly should be got or endeavored at, and sent us over immediately when we would take sufficient Care to get it approved by the King..." 34

Their own fears thus supported by the proprietors' wishes, the assembly passed an impolitic act laying a duty of forty shillings per head on all aliens imported.

As shown by the assembly committee report of 1728, the German settlers as a whole were held in high regard. But the province was experiencing "great loss and hurt by many persons who trade hither, having for lucre and private gain imported... and sold as servants divers persons," 35 who became a great responsibility; by 1727 large numbers of German immigrants as well as other Europeans began to enter the province as indentured servants and in a state of extreme poverty. These redemptioners sold their services for a period of years to pay their freight. Alleging that among such importations there were frequently foreigners who had been convicted of heinous crimes and often committed like acts in the province, 36 the assembly on May 10, 1729, declared that "... it appears necessary that a further provision be made to discourage the great importation and coming in of numbers of foreigners and of leud idle and ill-affected persons into this province, as well from parts beyond the seas as from the neighboring colonies, by reason whereof not only the quiet and safety of the peacable people in this province is very much endangered, but great numbers of persons so imported and coming into this government, either through age, impotency or idleness, have become a heavy burden and charge upon the inhabitants of this province and is daily increasing. For remedy whereof;

"Be it enacted... That all persons being aliens born out of the allegiance of the King of Great Britain... and being imported

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34 Ibid., 2nd Series, vol. viii, p. 140.
35 Statutes at Large of Pennsylvania, vol. iii, p. 507; vol. iv, pp. 135, 320, 360
36 Ibid.
or coming into this province by land or water shall pay the duty of forty shillings for the uses in this act hereafter mentioned."38

This law has been quoted by some writers to show the hostility of the provincial government of Pennsylvania to German immigration. Such a view is untenable. The law was intended not to exclude all Germans or desirable Germans but to hinder "the practice of importing such persons as may affect the peace of and become chargeable to the inhabitants."38

An important phase of the relations between the provincial government of Pennsylvania and the German settlers was that of naturalization. This matter must be considered of great significance. Naturalization encouraged the industrious alien whose coming meant the rapid development of the province. It was he who cut the forests, cleared the land, faced the savages on the frontier line, and stood as the advance guard of provincial civilization. For these things he deserved much credit, and it was only fair that the government of the province should recognize the worth and service of such a diligent person by making him an integral part of its people with full privileges of citizenship.

The earliest action of the provincial government in regard to naturalization was taken on December 7, 1682, before the German immigration had begun, when it was provided that all foreigners should be regarded as naturalized subjects on taking the oath of allegiance to the king and the oath of fealty to Penn. In 1700 this law was replaced by another, which enabled the governor to declare any alien who had taken the oath to the king and to the proprietary and the governor of the province to be fully and completely naturalized. The second law was superseded by an act of Parliament in 1705.39 From that time until 1742 naturalization in the province was by private act of the provincial assembly.

Some Mennonites of Germantown were naturalized as early as 1691 and 1698. The first petition for a bill of naturalization was that which Joannes Koster and about a hundred and fifty

38 Ibid., vol. iv, pp. 135-136. This law also required every alien over sixteen years of age to take the necessary oaths within forty-eight hours after arrival at the charge of twelve pence, any person failing so to do to be obliged to give security for his good behavior and appearance at next court of general quarter-sessions. This law was repealed by the king on Dec. 17, 1746. Ibid., vol. iii, pp. 505-512.
other "Mennists" presented to the governor and the council on May 15, 1706. After considering the petition the council resolved "that it is highly reasonable the Petrs., and all others in their Circumstances, should be rendered Secure in their Estates and Titles to their Lands in this Province, the value of which is generally but the effect of their own labours, and in pursuance of some parts of the prayer of the said Petition, leave is given to the sd. Petrs. to procure the attorney Genl. to draw up a bill for that purpose, to be laid before this Board, where it shall meet with all due Encouragement."  

For three years the official records contained no reference to this suggested bill. Not until August 17, 1709, did the council consider the proposed measure and recommend that the bill presented be passed. Even then Governor Gookin had to send to the assembly to get the bill on September 28 so that he might approve it the next day in a last-minute rush before adjournment. By this measure the Mennonites of Germantown as a body were naturalized.

The disadvantage of not being naturalized was not very apparent at first, and consequently some Germans were slow in becoming British subjects. On September 22, 1717, the board of property stated in the minute book that Palatines of the Conestoga and Pequea Creek district whose request to buy land was "being considered and the circumstances of those people in relation to their holding of Lands in the Dominion of Great Britain were asked if they understood the Disadvantage they were under by their being born aliens, that therefore their children could not inherit, nor they themselves convey to others the Lands they purchase according to the laws of England which may in such case be extended hither. They answered they were informed thereof, before. However, in as much as they had removed themselves and families into this province they were, notwithstanding the said disadvantages willing to purchase lands for their own dwelling. It was further said by the commissioners that it was their business to sell and dispose of the proprietor's lands to such as would purchase it, yet at the same time they were willing to let

\[42\] Ibid.
\[43\] Ibid., vol. ii, p. 480.
\[44\] Ibid., vol. vii, p. 514.
them know as they are aliens the danger that might ensue if not in time prevented, also that some years ago a law was enacted here and afterwards passed by the late Queen Anne for enabling divers Aliens particularly named therein to hold and enjoy lands in this province and that the like advantage might probably be obtained for those amongst themselves that were of good report if a petition were preferred to this present assembly, when it sits for business. With this advice they seemed pleased and desired to be informed when such a sitting of the assembly would be that they might refer a petition to them for such a law as is above mentioned."

The same year (1717) Sir Wm. Keith became governor of the province. There was developing considerable official alarm at the influx of foreigners. During the period every attempt to secure naturalization was received indifferently. Many Palatines long resident in the province applied for naturalization in 1721. Consideration of the petition was put off by the council until 1724, when leave was granted to bring in a bill provided the petitioners individually obtained from a justice of the peace a certificate of value of their property and the nature of their religious faith. The petitioners do not appear to have been satisfied with this condition, but the assembly the following year sent a bill to the governor embracing the offered terms.

Governor Keith returned the bill at once, protesting that in a country where English liberty and law prevailed, it was dangerous and unjust to pry into the private faith of the citizens and especially into their estates. The assembly yielded to the governor's objections; it was some time, however, before it felt inclined to confer the privileges of subjects upon the Palatines.

The deposition of Governor Keith in 1726 was followed by the appointment of Patrick Gordon. The most successful of all the colonial governors of Pennsylvania, the latter managed to govern to the satisfaction of the proprietors, the assembly, and the council. His attitude toward the non-English settlers was liberal, as shown in the naturalization bill passed in 1729. This

46 Rupp, op. cit., p. 194.
48 Governor Gordon was eighty-two years of age when he entered office. He died in office ten years later.
was the result of a petition of November 27, 1727, which had been presented to the assembly, read, and ordered to lie on the table. Since 1727 was another year of heavy German immigration, the petition was not immediately granted, although it was discussed at various times during the following year. Finally on December 14, 1729, permission was given to the assembly to draft a bill along these lines. The governor had made inquiry regarding the general character of the petitioners, and in his message to the assembly he said that they were "principally such who many years since came into this province under a particular agreement with our late honorable Proprietary at London and have regularly taken up Lands under him. It likewise appears to me by good Information that they have hitherto behaved themselves well, and have generally so good a character for Honesty & Industry as deserves the Esteem of this Government, & a Mark of its Regard for them. I am therefore inclined from these considerations to favor their request and hope you will join with me in passing a bill for their naturalization." The act was passed by the assembly on January 16, 1729/30.

From this time until February 3, 1742/43, the provincial government continued the former practice of naturalization only by private legislative act; in that year a law was made which copied that of George II, providing a general method of naturalization for all the colonies, but even after this date the province continued to naturalize by private act and frequently gave full rights to persons who had resided within it a shorter time than the term provided in the English act.

Another matter, closely associated with naturalization, that might have been a source of much friction and possibly distress and injustice in the relations between the provincial government and the German settlers in Pennsylvania was oath taking. Some German sect people, as the Mennonites and Amish, had religious scruples like those of the Quakers which caused them to reject the oath. These scruples were based on a literal interpretation of the Biblical injunction "Swear not at all." Furthermore, the oath had been closely associated with every act of a government

41 Ibid.
which in the days of persecution the sects in question could not recognize as Christian.

How kindly a consideration the Quaker government of Pennsylvania had for these German people and how great a privilege was granted to them in this matter can best be shown by tracing briefly the hard struggle which the Quakers had to obtain the privilege of affirmation for themselves. A clause of the first "Great Law" of 1682, passed at Chester, contained the requirement that "all witnesses . . . shall give in or deliver their evidence or testimony by solemnly promising to speak the truth, the whole truth, and nothing but the truth. . . ." Had this law been permitted to stand, oaths would have disappeared and justice would have been administered as perfectly by affirmations as by oaths. The practice seems to have worked smoothly until 1693, when William Penn was deprived of his proprietorship and Governor Fletcher was appointed by the crown. English laws were then supposed to be applicable. The parliamentary toleration act of 1689 provided that all Protestant dissenters, to escape the penalties of nonconformity, should take the oath of fidelity and allegiance to the crown and of belief in the Trinity and the Scriptures. By this act the Quakers were permitted to offer in place of an oath an affirmation in this form: "I do sincerely promise and solemnly declare before God and the world . . . ." They were denied, however, the privileges of giving evidence in criminal cases, of serving on juries or of holding any office. The assembly of the province protested against the new impositions, but finally its Quaker members, when they had accepted the declaration of fidelity and orthodoxy, were allowed to continue the exercise of their functions without an oath.

In the frame of government of 1696 the act of parliament of 1689 was again recognized, and in cases of conscience an affirmation was considered to be fully as valid as an oath. For several years afterwards there was a contest over the administration of oaths between the crown officers and the governor on one side and the assembly on the other. The assembly passed bills to

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prevent Quakers from being disqualified from office holding by their objections to administering oaths to those who might be willing to take them. These laws were disallowed in England, where an order was obtained in 1703 requiring that judges and other officers administer oaths to all persons willing to take them. In a government that was mostly Quaker, confusion was naturally the result.

The assembly did not submit meekly to this order. Law after law, making affirmations valid in all courts, was sent to the governor, who strangely refused his consent. Thereupon the governor, the council, and the assembly held a peace meeting, in which it was decided, against the opinion of the attorney-general of that colonial district, that the governor and the council could rightfully pass a law that allowed affirmations to be substituted for oaths. After much bickering the governor finally signed such a bill, which, under Anglican pressure, was promptly disallowed. The same law was reenacted, but now the governor refused to sign it. In 1711 the assembly and the governor agreed on a measure, only to have it disallowed in 1713. Until disallowed this law had remained in force, a process which was repeated over and over, the governor objecting each time. Finally, in 1718, the desired act, with most of the provisions that the assembly had sought, was passed. An affirmation was to be as valid as an oath in evidence and in qualification for office, and the penalties for falsely affirming were to be the same as for perjury. This law managed to escape the veto of the crown.

The liberties which the Quakers struggled through such long legal battles to obtain for themselves were readily granted to the similarly minded German settlers. In 1706, when the contest was high, some Mennonites petitioned the assembly that "since they [with their predecessors for about a hundred and fifty years past] could not for conscience sake take an oath, the same provisions may be made for them by law as is made for those called Quakers in this Province and that the said law may be sent home with the rest passed by the late Assembly in order to obtain the Queen's Royal approbation." In 1717, when the council passed an ordinance that all aliens entering the province must take an oath of allegiance to the king

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and his government, the Mennonites were to be admitted "upon their giving any equivalent assurance in their own way and manner."59

However, the act of February 3, 1742/43, for the naturalization of aliens settling in the province provided that all persons who had resided seven years in the colony and taken an oath (or, if Quakers, an affirmation) of allegiance and abjuration and who professed the Christian religion in the manner required should be considered as natural-born subjects.60 Dunkards, Amish, Moravians, Mennonites, and other Germans were excluded from the benefit of this act because of their scruples in regard to oaths. Late that year certain Omish (or Amish)—"plain people"—of Lancaster County presented to the council a petition that the oath requirement in the recent naturalization law be changed. They stated that "they had emigrated from Europe by an invitation from the Proprietaries; that they had been brought up and were attached to the Omish doctrine, and were conscientiously scrupulous against taking oaths . . . they therefore cannot be naturalized agreeably to the existing law."61 As a remedy for this situation "an act for naturalizing such protestants as are settled or shall settle within the province, who, not being of the people called Quakers, do conscientiously refuse the taking of an oath"62 was passed.

At this time all parties in the province desired to conciliate the Germans. The earlier German immigrants had not been politically minded; they had been content to allow the Quakers to run the government. By the close of the fourth decade of the century, however, the Germans were taking an active interest in political affairs and were definitely in political alliance with the Quakers. During the first years of the province political parties had developed, but during the administration of Governor Gordon (1726-1736) they had practically disappeared. When Governor Thomas took office in 1738, parties on new lines arose out of the issues precipitated by his war policy.

The governor, with his office and the council as the stronghold, had gathered about himself a following known as the "gentle-

59 Ibid., vol. iii, p. 29.
61 Rupp, op. cit., p. 283; Samuel Hazard, op. cit., p. 21.
men's” or the “proprietary party.” The proprietors, who had ceased to be Quakers, had joined the Anglican Church, and that body had rallied around them. So had the Presbyterians and all who believed in a vigorous war policy. With this following Governor Thomas sought to accomplish the execution of his program through an appeal to the electorate.

The Quakers, although now in considerable minority, were practically all on one side. Together with the Germans they constituted the main strength of the “country party,” an alliance which had enabled the Quakers thus far to maintain their ascendancy in the popularly elected assembly and to offer a stiff opposition to the gentlemen’s party. Important in aligning the Germans with the Quakers was Christopher Sauer, who had set up a printing establishment at Germantown in 1739. Through his German newspaper, almanac, and broadsides this Dunkard printer had extensive acquaintance and exercised much influence among the Germans, especially the Mennonites, Dunkards, Schwenkfelders, and Moravians. Sauer’s newspaper gained a wide circulation and to a large extent controlled German political activity. Since it was anti-English in sentiment, it was often in opposition to the gentlemen’s party. It made vehement appeals to the prejudices of the Germans by making them believe that the government intended to enslave them, that it was seeking to put upon them burdens as heavy as those they had borne in the old country. Undoubtedly the balance of political power rested with the Germans, particularly the peace denominations, and there is ample evidence of the struggle between the peace and war parties for the support of the German nonresistants.

Great excitement attended the approach of the election of 1742. Each of the parties, anxious and hopeful, conducted an active campaign. The country party drew its chief support from the counties, while the gentlemen’s party had its greatest following in the city. The keenest interest was aroused in the county of Philadelphia, which had by far the largest representation in the assembly; further, the parties were more equal in strength there

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*Political broadsides printed by Sauer and others are preserved in the library of the Penna. Hist. Soc. at Philadelphia.*

than elsewhere. Inspectors of the general election had to be chosen by acclamation. The country party of Philadelphia County collected its friends, especially the Germans—about a thousand in number—and the leaders met on the eve of election day at the house of Hugh Meredith to select candidates. To this group the governor's party suggested an equal division of inspectors. This offer was rejected, partly because it was taken as a sign of weakness and partly because the country party felt that it could not rightly dispose of the votes of the people. The "gentlemen" were afraid that violence might come from the Germans in case some of their number who were unnaturalized might be disallowed at the "hustings." On learning of this fear the country party determined that every appearance of force should be forbidden and resolved that no one should come to the election with a cane, a stick, or a whip.

The election for the county was held at the courthouse on Market Street in Philadelphia. Early on the morning of election day a party of some seventy sailors from ships in the harbor marched riotously through the streets. There were several scuffles, and apprehensive citizens appealed to the magistrates to disperse such dangerous forces. William Allen, the recorder, intimated that the country party might condemn itself for any violence that might occur in consequence of its refusal to compromise in the election of inspectors. The magistrates affirmed that the sailors had "as good a right to be there as the unnaturalized Dutchman," and the country party prevailed upon the Germans to give no provocation to the opposition and endeavored to have the unnaturalized ones leave the vicinity of the voting.

At ten o'clock in the morning the electors proceeded to choose the inspectors. William Allen, first candidate of the gentlemen's party to be named, was defeated. Isaac Norris of the country party was promptly acclaimed. At just this moment the sailors in a good-sized mob appeared again armed with bludgeons and attempted some skull cracking. Strong resistance forced them to retire, and the election of inspectors proceeded, with the result that the candidates of the country party won.

After the voting for assemblymen began, the sailors returned to the scene. Using clubs and stones, they cleared the streets and steps of the courthouse of everybody but themselves, shouting,
"Down with the plain clothes and broad brims." Their forbearance gone, the country people and others, perhaps Quakers,66 seized the first weapons they could find, charged the sailors, and captured about fifty of them.67 The election was not further interrupted, and the Quaker-German combination elected its candidates, all members of the former assembly, without exception. In the delegations from the other counties too there was little change. From this time until 1756 the Quakers maintained their control of the assembly through their political alliance with the Germans and by means of securing the election from the German counties of assemblymen committed to Quaker principles of government. What great fruits the considerate treatment of the German settlers by the Quakers had yielded!

The German settlers were politically active in other counties as well as Philadelphia County. In 1743 there occurred an election dispute between the Irish and the Germans in Lancaster County,68 when the former attempted to swing the election by compelling the sheriff to receive such tickets as they approved and to make a return accordingly. In a resolution the assembly condemned this action "as a just cause for discontent to the inhabitants of Lancaster county." The election returns were properly altered, and Samuel Blunston, a Quaker, was entitled to take his seat.

In 1750 at an election of representatives in York County a large number of Germans staged a riot when "the Marsh people," armed, approached the voting window and would not permit the Dutch people to vote.69 The Germans, being the most numerous, broke into the courthouse and took charge of the election with three inspectors, while the sheriff and four inspectors sought safety in flight through a rear window. When this matter was brought before the assembly, the Germans were neither rebuked nor censured in any way. Such an attitude, however, should be viewed carefully in the light of the facts that the Quaker influence in the assembly at that time was allied with the German and that bids for German political support were running high.

66 They could justify their action as rendering assistance to the magistrates.
67 The assembly conducted an investigation and was convinced that the sailors had been engaged for this enterprise and inferred that their employers might have been members of the gentlemen's party. Penna. Col. Records, vol. iv, p. 622.
68 Samuel Hazard, op. cit., vol. 21; Rupp, op. cit., p. 288.