THE IMPACT OF THE AMERICAN REVOLUTION ON THE GOVERNOR'S COUNCILLORS

BY JAMES LAVERNE ANDERSON*

On October 5, 1775, the Pennsylvania State House was the scene of two important meetings. While the Second Continental Congress held a session downstairs, the Pennsylvania Governor's Council met in the second floor Council chamber. The Councillors discussed the election returns of the Pennsylvania counties. After certifying the results as official, the Governor's Council of Pennsylvania adjourned for what was to prove to be the last time. Presently, the advisory institution which had been a part of the Proprietorship for over ninety years was no more.

The Councillors of 1775 were the remaining elite of the Pennsylvania Proprietorship. Serving as a Council, they had little power; but as holders of some fifty or more other positions, leading members of the best social groups, and owners of land and businesses, their influence permeated the colony.

In October, 1775, the Councillors faced a personal crisis as they witnessed the rising tide of public feeling against the mother country, a tide which threatened to engulf those who represented the past. Despite the rise of this feeling within the Proprietorship, Pennsylvania was in a unique position. Of the thirteen colonies, only Pennsylvania and Maryland remained Proprietary. But the political situation in Maryland was more antagonistic toward the Proprietary Council since the Council in that colony maintained legislative power. The Maryland Councillors formed a "court party" which supported the Crown, while the Assembly members constituted a "country party" which stimulated the

*Mr. Anderson is a Thomas Jefferson Fellow in the Graduate School of the University of Virginia. He acknowledges a grant from the Research Department of Colonial Williamsburg, Inc., which made possible much of his research, as well as the assistance of his friends and graduate professors. This paper was read at the annual convention of the Association in Lebanon on October 22, 1966.

Revolution in that colony. Free from antagonisms comparable to
those aimed at their Maryland counterparts, the Pennsylvania
Councillors formed a unique political body. 2

In the Pennsylvania situation, the Councillors were loyal first
to the Proprietor, and any loyalty they felt toward the Crown was
channeled through him. To protect Proprietary privileges, those
who represented the Penns had to follow a moderate course in an
tempt to irritate neither the Crown nor the Committee of Safety.
Leaning too far one way or the other would have destroyed their
position. To understand better the impact of the American Revolu-
tion, the lives of the Councillors of 1775 before, during, and after
the war period will be examined.

John Penn, Proprietor and twice Governor of Pennsylvania,
had been born in England, but he had been associated with the
Council since 1752 and had married into the prominent Allen
family. 2 Despite his close ties with Pennsylvania, he was not well
liked by the colonials. Nevertheless, he made America his per-
manent home and wrote from England in 1772 to Benjamin Chew
that if “I was once more in America . . . I should never wish to
see England again.” Even though he liked America, he had to
protect his position, and he refused to call the Assembly to discuss
the Boston Port Crisis of June, 1774. 3 Penn believed moderation
would best solve the colonies’ difficulties, as he explained: “Every
step will be taken that can [be] to keep things in as moderate a
state as possible. . . .”

Benjamin Chew, Chief Justice and “prime minister” to John
Penn, had been a Councillor since 1755, and had served the
Proprietors, the city of Philadelphia, and the lower counties in
both elective and appointive positions. He was one of the foremost
colonial legal minds and the teacher of other well-known members
of the legal profession. In the years before the Revolution, he

2 Philip A. Crowl, Maryland During and After the Revolution (Baltimore: Johns Hopkins Press, 1942), pp. 20-23.
Family of William Penn,” Pennsylvania Magazine of History and Biography, XXII (1898), 76-82; Eva Eve Jones, ed., “Extracts from the Journal of
Miss Sarah Eve, 1772-1773,” PMHB, V (1881), 197.
4 John Penn to Benjamin Chew, August 27, 1772, in Society Miscellaneous
Collection (MSS in Historical Society of Pennsylvania).
PMHB, II (1878), 416-417.
6 John Penn to Lady Juliana Penn, May 31, 1774, “Letters of John Penn
to Lady Juliana Penn,” PMHB, XXXI (1907), 234.
signed the non-importation agreement of 1765 and associated socially, if not politically, with the delegates to the First Continental Congress, including John Adams and the Virginia delegation. But Chew remained apart from the Revolutionary leaders because, while he was not loyal to the crown, he was attached to the Proprietors.7

James Tilghman, secretary of the land office and Councillor since 1767, also represented the Proprietors, city, and colony in numerous capacities. He had asked the official Pennsylvania stamp distributor to resign, and like Chew he signed the non-importation agreement.8 But as the years progressed, Tilghman expressed concern about the growing unrest in the colonies. He wrote to Henry Wilmot, an associate of Lord Dartmouth, the Secretary of State for the Colonies, that “My Liberty, my Fortune, and perhaps my Life, may be involved in the matters now in Agitation. . . .”9 Tilghman further suggested that the British ministry establish an American assembly to control domestic affairs and taxation.10 Wilmot communicated Tilghman’s suggestions to Lord Dartmouth, and Tilghman, upon receipt of this information, lamented that “I hope his Lordship will consider my Letter as . . . private Sentiments. . . . For the times make it almost unsafe even to think with moderation.”11

Another Councillor was Edward Shippen, Jr., a member since 1770. Shippen, also a lawyer, served in many political offices. Like Chew, he had received his legal training at the Middle Temple in London.12 In 1765, the Stamp Act aroused him, and in commenting on the approaching crisis he wrote: “After the first of November, we may call ourselves the Slaves of England.”13 He

9 James Tilghman to Henry Wilmot, October 2, 1774, PMHB, VI (1882), 353.
10 Ibid.
11 Tilghman to Wilmot, October 29, 1774, ibid., 361.
opposed the Stamp Act but he did realize the economic penalties which could be forced on those who disobeyed the law. Shippen, who determined to abide by it, was motivated by economic concerns in his support of the English position.

Andrew Allen, the newest Councillor, missed the last two meetings. He was the son of the Chief Justice of Pennsylvania and a brother-in-law of John Penn. During the years before the Revolution he worked on committees opposing British measures. In June of 1775 he became a member of the Committee of Safety. Almost a year later, in May, 1776, a coalition of the Philadelphia upper classes elected him to the Second Continental Congress. Allen's election represented the last stand of the moderates in Philadelphia. He attended Congress for a while, but did not sign the Declaration of Independence and soon stopped attending. Allen was perplexed by the nagging question which he asked John Adams: "How do you intitle yourselves to English Privileges?" A search for an answer was the motivation for many of his actions during the early part of the Revolution.

Of the remaining six Councillors of 1775, William Logan and Richard Peters died before the end of 1776; James Hamilton retired to the country because of ill health; Doctor Thomas Cadwalader favored independence; Joseph Turner after minor

12 Ibid., I, 311; Smith, James Wilson, p. 81.
15 Charles W. Dulles, "Sketch of The Life of Dr. Thomas Cadwalader," PMHB, XXVII (1903), 264, 269, 272, 274-275; Scharf and Westcott, History of Philadelphia, II, 1580. Cadwalader, a Councillor since 1755, took an active role in the Revolutionary movement though he can be safely described as a moderate. He signed the non-importation agreement and presided over the "Great Tea Meeting."
contributions to the Revolutionary movement developed a distrust of its members and faded into oblivion; and Richard Penn returned to England with the “Olive Branch Petition” to remain loyal to the Crown.

These men were the representatives of a colonial institution which collapsed before the Declaration of Independence. All were leaders of the financial, social, and political life of the colony under the Proprietors. Not only were they Councillors but they were welded together by blood, marriage, and business associations. Despite these similar backgrounds, each man was in a slightly different position when independence was declared.

During the months of 1776 that followed the declaration, Richard Penn was in England, Cadwalader helped the patriots, two died, and the other seven assumed a position of neutral moderation leaning to the British side. With a time of decision at hand, these men remained silent so that they would not jeopardize their positions. Because of their adherence to the Proprietorship, there was no other position these men could well have taken. In fact, throughout the war only Allen, Richard Penn, and Cadwalader took a semblance of a stand. The others determined only to continue to live in Pennsylvania.

The days from July until November, 1776, passed without any restrictions being imposed upon them in spite of the fact that “Radicals” controlled the state, a new constitution was written, and several battles were fought. The calm was broken in November when a rumor circulated that the Supreme Executive Council created under the new constitution intended to arrest some two

---

29 Konkle, Benjamin Chew, p. 81; Scharf and Westcott, History of Philadelphia, I, 292-293; Edward F. DeLancey, “Chief Justice William Allen,” PMHB, 1 (1877), 207. Turner, a Councillor since 1747, was associated with William Allen in the mercantile firm of Allen and Turner. He was a member of a county committee of correspondence and gave cannon shot to the committee of safety.


31 At the time of the Revolution, John Penn was forty-six years old, Chew was fifty-three, Allen was thirty-five, Tilghman was fifty-nine, Peters was seventy-one, Logan was fifty-seven, Richard Penn was forty, Turner was seventy-three, Hamilton was sixty-five, Shippen was forty-six, and Cadwalader was sixty-eight.
hundred members of Pennsylvania society and transport them to North Carolina. Panic spread among those who anticipated finding their names on the list. The rumor hastened the time of decision, and many fled. Of the Councillors, only Allen elected to join the British.26

During the next year, Allen followed the British army and re-entered Philadelphia with it in September, 1777. During the British occupation, Allen, Joseph Galloway, and other old Pennsylvania leaders attempted to re-establish the past. Later that fall, a rumor spread that Allen was to be the new Lieutenant Governor. But with the obvious weakening of the British forces, Allen went to England for the duration of the war. Shortly before he sailed, the patriot assembly in Lancaster passed a bill of attainder confiscating his property.24

With the conclusion of peace, Allen wrote his old friend James Hamilton to explain his actions during the war years. Allen realized that the result of the war gave him “little Prospect of ever returning . . . without Sacrifices, which my Honor & my feelings will forbid me to make.” He concluded by saying that he had found new friends in England, and had traveled through the British Isles and the Continent. Allen, having lost more than any other Councillor, made the best of his new situation.25

While Allen became a Tory, Cadwalader was the only Councillor to devote the remainder of his life to the patriot cause. He contributed much to establishing medical services for the army by examining doctors and soldiers to see if they were qualified for military duty. But as a patriot, Cadwalader opposed the radical constitution of 1776 and signed a petition calling for a convention to revise it. He also expressed great indignation over the treatment of his friends at the hands of the radicals. Cadwalader was a patriot but not a radical; he abhorred the excesses of 1777 and

26 Henry J. Young, “Treason and Its Punishment in Revolutionary Pennsylvania,” PMHB, XC (1966), 292-293. See Young’s article for a discussion of the panic which seized the conservatives as a result of this rumor. Young believes, and my research supports his thesis, that many of the conservatives wanted only to be left alone and that a more tolerant attitude would have won over many more to the patriot cause.
25 Andrew Allen to James Hamilton, February 3, 1783, Dreer Collection, Letters of Members of the Old Congress, HSP.
1778 against those who tried to remain neutral. He died in 1779.26

Between the patriot and the two loyalists, the remaining living Councillors were found. Each felt the impact of the Revolution upon his personal life, fortune, political status, and social class. At first, Tilghman, Chew, and John Penn continued to devote themselves to protecting the remaining privileges of the Proprietary-ship.27 Chew kept open the office of the register general of deeds until January, 1777. Despite these attempts to maintain some semblance of their old rights, the former Councillors encountered progressive restrictions each month, imposed by the new leaders of Pennsylvania. Several, especially Shippen, thought the war would destroy their fortunes “whatever may be the state of our liberties...”28 Nevertheless, he believed “a private station [to be]... a post of honor.”29

In July, 1777, the blow came to their liberties. The Supreme Executive Council issued warrants for the arrest of the old Proprietary officers. Chew, Hamilton, Tilghman, Shippen, and Penn were included. For the next year, they lived a harried existence. At first they were to be sent to Virginia, then to New Jersey. Finally the Council paroled Chew and Penn to New Jersey and Tilghman and Hamilton to their homes, and Shippen fled into Philadelphia during the British occupation.

Because of these Councillors’ lack of enthusiasm for the Crown, their harassment brought a reaction from moderate patriots and was the first step in opening the postwar door of society to the former Councillors.30 One man wrote to Hamilton: “The Reports we have received of your Sufferings & those of the Rest of the Council, have indeed affected us much.”31

26 Dulles, “Sketch of The Life of Dr. Thomas Cadwalader,” PMHB, XXVII, 276; two medical certificates of Cadwalader dated February 2, 1776, and June 1, 1776, in Autograph Collection of Simon Gratz, HSP; petition May 6, 1777, ibid., case 1, box 14; Cadwalader to John Dickinson [1777], Logan Papers, vol. 8, 82, HSP.
27 James Tilghman to Council of Safety, January 3, 1777, Society Collection, HSP.
29 Edward Shippen to father, March 11, 1777, ibid., p. 28.
31 William Baker to James Hamilton, April 7, 1778, James Hamilton Papers, HSP.
Restrictions were not severe, and old friends began to rally to the Councillors' aid. Thomas Willing vouched for Chew's good behavior to Robert Morris. Thomas McKean spoke for the patriotism of Shippen, and Hamilton was given the freedom of his home area. In various fashions, the restrictions were ameliorated; and in July, 1778, all disabilities were lifted after each took the oath of allegiance.\textsuperscript{22}

Chew, Tilghman, Penn, Turner, and Hamilton obeyed the restrictions. Shippen returned to Philadelphia to become intimate with the British. Chew's family were all close to the occupiers of the city, but these relationships were more social than political. Actually, it was the young female members of each family who were the great favorites of the British officers, and in particular of Major John André. When the British left, Shippen remained and received the revocation of his parole with the rest. Later in December, he complained that he was moving to the country because of the expense of city living.\textsuperscript{26}

The Councillors spent the remainder of the war in becoming accustomed to the new situation. The private lives of all were affected. Penn found himself restricted and fervently looked towards the day when he could write a letter without restraint.\textsuperscript{24} However, he accepted all directives from the Supreme Executive Council in a vain attempt to protect his land. Hamilton also discovered that he was no longer able to get trespassers off his land. For him, these years were "times of affliction."\textsuperscript{25} Shippen faced the most difficult private situation because his daughter Peggy, who had been infatuated with André, married Benedict Arnold. Following Arnold's treason, Shippen protected his daughter and finally escorted her into the British lines at New York.\textsuperscript{26}


\textsuperscript{24} John Penn to Lady Juliana Penn, July 20, 1778, Autograph Collection of Simon Gratz, Case 2, Box 33a, HSP.

\textsuperscript{25} James Hamilton to Edward Shippen, October 25, 1779, James Hamilton Papers, HSP.

GOVERNOR'S COUNCILLORS

Social interests as well as personal lives were changed. Men who had once been among the social elite of Pennsylvania lost their positions at the apex of the social order. Representatives of old colonial factions who had feuded before the war were now forced together in the backwash of the Revolution. Chew and Joseph Galloway in colonial days represented opposite political and social camps. But in the Revolutionary period, the Chews and Mrs. Galloway became quite close. Realignment of social preferences was part of the impact of the war.37

The major impact of the Revolution upon the Councillors, aside from loss of political position, was economic. The war affected the financial status of all. Chew went back to work as a lawyer for the Penn family to earn money. Then he rented and later sold his Philadelphia town house. When he bought it back ten years later, he paid three times the amount he had received for it. Finally he was forced to sell land every year at reduced prices in an attempt to remain solvent.38

The Penn family lost most of its land by confiscation. Though John Penn took the oath of allegiance on November 29, 1779, the state legislature seized all Proprietary lands save the private manors. Quitrents were abolished, and £130,000 sterling was appropriated by the Assembly as indemnity for the Penns.39

The Councillors suffered economic losses not only in land but also to taxes and inflation. Though none received their former salaries, all still had to support the war effort. Chew paid £166 in taxes on land for which in peacetime he had paid less than one-tenth that amount.40 To get some idea of how much the Councillors were taxed, one need only consider the supply tax list of 1780 for Philadelphia, which listed the property valuation

---

37 Raymond C. Werner, ed., "Diary of Grace Grownal Galloway, 1779," PMHB, LVIII (1934), 170-171. Chew told Mrs. Galloway on July 2, 1779, that he had "little hopes of ye English doing anything."

38 Konkle, Benjamin Chew, pp. 191, 198; Pennsylvania Archives, Third Series, XX, 129, 262, 400, 671. Chew owned in Armagh Township in Cumberland County: 1,700 acres in 1779, 1,900 acres in 1780, and 875 acres in 1781.


40 Pennsylvania Archives, Third Series, XIX, 486, 537, 616, 686. The tax assessment on the same 5,000 acres in Wyoming Township in Northumberland County was £166 in 1781, £125 in 1782, £9.15 in 1785, and £11 in 1786.
of many of the former Councillors. Turner, Shippen, John Penn, Chew, and Tilghman had real and personal property valued at over £800,000 in the city alone. Shippen best summarized their situation in a letter to his father when he wrote: "The Taxes begin to grow enormous, and we that live only on what we had before feel it most."

Besides taxes, Hamilton was bitter about the financial drain caused by the issuance of paper money. With the collapse of the currency Shippen lost heavily. At the war's conclusion, Hamilton provided the best summary of its impact:

It is impossible not to be deeply affected with the distasteful situation of my nearest Relatives, all attainted, Banished and deprived of opulent fortunes, for their attachment to what They and I believe most others except the ambitious, the vicious & the Bankrupts thought a very honourable Cause. I . . . have a very ample fortune remaining; But I would nevertheless be glad to give any man £10,000—who would restore it to the state it was in the year 1774.

Hamilton died shortly after he wrote this letter.

Notwithstanding their complaints about privations during the war period, the Councillors' treatment was mild, much of their fortunes were left intact, and they were still respected. After the Revolution, those of them who were still living adjusted to the surroundings created by eight years of war. Eleven Councillors had been alive on independence day, 1776. By the time of the Treaty of Paris in 1783, five had died, two had moved to England, and four had chosen to stay in Pennsylvania. The six living men, facing a new way of life, attempted to find positions in the

---

4 Shippen best summarized their situation in a letter to his father when he wrote: "The Taxes begin to grow enormous, and we that live only on what we had before feel it most." 42

4 Besides taxes, Hamilton was bitter about the financial drain caused by the issuance of paper money. With the collapse of the currency Shippen lost heavily. 43 At the war's conclusion, Hamilton provided the best summary of its impact:

It is impossible not to be deeply affected with the distasteful situation of my nearest Relatives, all attainted, Banished and deprived of opulent fortunes, for their attachment to what They and I believe most others except the ambitious, the vicious & the Bankrupts thought a very honourable Cause. I . . . have a very ample fortune remaining; But I would nevertheless be glad to give any man £10,000—who would restore it to the state it was in the year 1774. 44

Hamilton died shortly after he wrote this letter.

Notwithstanding their complaints about privations during the war period, the Councillors' treatment was mild, much of their fortunes were left intact, and they were still respected. After the Revolution, those of them who were still living adjusted to the surroundings created by eight years of war. Eleven Councillors had been alive on independence day, 1776. By the time of the Treaty of Paris in 1783, five had died, two had moved to England, and four had chosen to stay in Pennsylvania. The six living men, facing a new way of life, attempted to find positions in the

---

140 PENNSYLVANIA HISTORY

---

4 Shippen best summarized their situation in a letter to his father when he wrote: "The Taxes begin to grow enormous, and we that live only on what we had before feel it most."

42 Besides taxes, Hamilton was bitter about the financial drain caused by the issuance of paper money. With the collapse of the currency Shippen lost heavily. At the war's conclusion, Hamilton provided the best summary of its impact:

It is impossible not to be deeply affected with the distasteful situation of my nearest Relatives, all attainted, Banished and deprived of opulent fortunes, for their attachment to what They and I believe most others except the ambitious, the vicious & the Bankrupts thought a very honourable Cause. I . . . have a very ample fortune remaining; But I would nevertheless be glad to give any man £10,000—who would restore it to the state it was in the year 1774.

Hamilton died shortly after he wrote this letter.

Notwithstanding their complaints about privations during the war period, the Councillors' treatment was mild, much of their fortunes were left intact, and they were still respected. After the Revolution, those of them who were still living adjusted to the surroundings created by eight years of war. Eleven Councillors had been alive on independence day, 1776. By the time of the Treaty of Paris in 1783, five had died, two had moved to England, and four had chosen to stay in Pennsylvania. The six living men, facing a new way of life, attempted to find positions in the

---

4 Shippen best summarized their situation in a letter to his father when he wrote: "The Taxes begin to grow enormous, and we that live only on what we had before feel it most."

42 Besides taxes, Hamilton was bitter about the financial drain caused by the issuance of paper money. With the collapse of the currency Shippen lost heavily. At the war's conclusion, Hamilton provided the best summary of its impact:

It is impossible not to be deeply affected with the distasteful situation of my nearest Relatives, all attainted, Banished and deprived of opulent fortunes, for their attachment to what They and I believe most others except the ambitious, the vicious & the Bankrupts thought a very honourable Cause. I . . . have a very ample fortune remaining; But I would nevertheless be glad to give any man £10,000—who would restore it to the state it was in the year 1774.

Hamilton died shortly after he wrote this letter.

Notwithstanding their complaints about privations during the war period, the Councillors' treatment was mild, much of their fortunes were left intact, and they were still respected. After the Revolution, those of them who were still living adjusted to the surroundings created by eight years of war. Eleven Councillors had been alive on independence day, 1776. By the time of the Treaty of Paris in 1783, five had died, two had moved to England, and four had chosen to stay in Pennsylvania. The six living men, facing a new way of life, attempted to find positions in the

---

4 Shippen best summarized their situation in a letter to his father when he wrote: "The Taxes begin to grow enormous, and we that live only on what we had before feel it most."

42 Besides taxes, Hamilton was bitter about the financial drain caused by the issuance of paper money. With the collapse of the currency Shippen lost heavily. At the war's conclusion, Hamilton provided the best summary of its impact:

It is impossible not to be deeply affected with the distasteful situation of my nearest Relatives, all attainted, Banished and deprived of opulent fortunes, for their attachment to what They and I believe most others except the ambitious, the vicious & the Bankrupts thought a very honourable Cause. I . . . have a very ample fortune remaining; But I would nevertheless be glad to give any man £10,000—who would restore it to the state it was in the year 1774.

Hamilton died shortly after he wrote this letter.

Notwithstanding their complaints about privations during the war period, the Councillors' treatment was mild, much of their fortunes were left intact, and they were still respected. After the Revolution, those of them who were still living adjusted to the surroundings created by eight years of war. Eleven Councillors had been alive on independence day, 1776. By the time of the Treaty of Paris in 1783, five had died, two had moved to England, and four had chosen to stay in Pennsylvania. The six living men, facing a new way of life, attempted to find positions in the

---
GOVERNOR'S COUNCILLORS

postwar society, but they now found themselves on the fringes of power. To return, they adjusted to new positions, joined different social groups, and moved in the background of the postwar group that has been succinctly described as the National Society.43 The development of this new social group started soon after the war. A Mrs. Rebecca Shoemaker reported in 1783:

That set [the Tory party] have prudently determined as they can not exist in retirement either at Lansdowne [Penn's home] or any where else out of public places, to join the others, and Gov. [John] Penn and Lady . . . and all their former intimates, are now as happy at Mrs. Stewarts; . . . at the French Ministers, or in other Whig Society, as ever they were in the select circle they once were principals of.46

The Constitutional Convention of 1787 stimulated the emergence of this new society with the old colonial leaders as a part. During the convention, the old Councillors played host to many of the delegates. George Washington reported dining on several occasions with John Penn and Chew, and he even attended the wedding of one of Chew's daughters, proving that prewar friendships had not been wholly destroyed.

With the establishment of a new federal government at Philadelphia, these old colonials became a part of the republican court. Chew rejoined the Society of Saint Tammany and then became a master of the Philadelphia Dancing Assembly. Tilghman appeared again on the muster roll of the City's Troop of Volunteer Light Horse.47 Shippen and Penn also became members of the National Society, which was a composite of the old families, newcomers, Whigs, old Tories, and the "tory-tinged neutrals."48

As long as the new government was centered in Philadelphia, the old Councillors were amongst a congenial social group. Though it was different in membership from their prewar circles, its

44 Mrs. Rebecca Shoemaker to her husband, December 13, 1783, in Jenkins, "The Family of William Penn," PMHB, XXII, 85.
aristocratic tastes and Federalist outlook were akin to their desires. With the moving of the capital, the coming of the Jeffersonians, and the death of many members by the early 1800's, however, Chew and Shippen became anachronisms in their society. Thus the social changes which had been strong during the war actually tapered off after the war, and in the end were caused more by death than the Revolution.

The economic impact of the Revolution continued into the post-war years. Allen and Richard Penn, living in England, attempted to obtain compensation for their losses. Allen lost property in Pennsylvania valued at over £150,000. His land was sold to pay part of the Pennsylvania war debt and to finance the University of the State of Pennsylvania. Because he worked with the American loyalist claims, Allen received a pension of £400 per year from the English government. In 1792, he returned to Philadelphia to receive a pardon from the Governor and to visit his daughter, by then the wife of the first British minister to the United States. During this visit, he attempted to secure the money owed him. With the signing of Jay’s Treaty between Great Britain and the United States in 1794, Allen again tried to recover his money under article six of the treaty. While he did not succeed, his legal suit helped to strain diplomatic relations between the two countries in 1802. The case finally collapsed, and Allen returned to the English countryside where he died in 1825.

Richard Penn likewise had claims against both the British and Pennsylvania governments. He claimed over £944,000 for loss of estates and damages caused by British troops on his property. He received part compensation from the Pennsylvania government and £4,000 annually from the British government.

*Pennsylvania Archives, Sixth Series, XII, 159, 161, 310, 339, 562.* Allen’s land in Philadelphia totalled £61,000; in Northampton County, £57,000; in Bucks County, £18,600, plus other land in Berks and Luzerne County. Also in one instance when he was permitted to sell, Allen received £3 to £4.7 per acre for land for which the state received £39 to £48 per acre.


The four former Councillors in America succeeded in re-establishing their economic positions. John Penn worked at restoring his Proprietary lands, Chew and Tilghman became Penn family lawyers, and Shippen went into the mercantile business. Because these men retained a good portion of their land and had other diversified holdings, their return to an active business life opened pathways to the reconstructed world of postwar Philadelphia. With their new jobs, salaries from legal fees and government offices, and the continued flow of funds from land acquired before the war, they continued their position among the wealthy of Philadelphia. The war's economic impact had been more transitory than permanent in their cases.

The final impact to be considered is in the political sphere. Before the war, the Councillors were political leaders whose loyalties resided more in the Proprietorship than in the Crown. Because of this lack of involvement with royal authority, several participated in the early movements leading to the Revolution. During the Revolution, all lost their colonial offices. After the treaty of peace was signed, two of the men returned to political positions in the United States, and Richard Penn achieved a minor political career in England.

The English Penn was returned as a member of the House of Commons in 1784. Though never a leader in the House, he supported William Pitt and was mentioned as a possible minister to the United States in 1789. Richard Penn retired from the House of Commons in 1808 to make a trip with his family to Pennsylvania. After living briefly in Philadelphia, he returned to England and died in 1811.

In Philadelphia, Shippen and Chew followed their re-emergence in the economic and social community with a return to politics. The year 1784 marked a renaissance for Shippen. He resumed his residence in Philadelphia and was elected to two judgeships. A year later he was elected to two more. Though there was little

52 Benjamin Chew to Edmund Physick, September 16, 1785, Penn-Physick Papers, Vol. 7, HSP; John Penn to Benjamin Chew, April 21, 1788, in PHHB, XXII (1898), 245; Edward Shippen to his brother, January 16, 1784, Papers of Shippen Family, Vol. 8, HSP; same to same, February 14, 1785, ibid.; Konkle, Benjamin Chew, p. 203.

contemporary comment about his return, it seems obvious that family connections, Whig acquaintances, and his own legal knowledge aided his recovery. Shippen was back, and judging from his remarks, the turn of events pleased him greatly. 54

Several years later, in 1789, Shippen was mentioned for one of the new federal judgeships and seems to have played an important role in the conception of the Judiciary Act that established the federal court system. In a letter to Robert Morris, Shippen expressed his beliefs concerning the laws to be used and the different courts needed. Many of these suggestions appear to have been transcribed into the Judiciary Act. Though he did not receive the federal judgeship, Shippen became an associate judge on the Pennsylvania Supreme Court in 1791. 55

Chew’s re-emergence took shape along lines similar to Shippen’s. In 1790, the time of the counter-revolution described by Robert L. Brunhouse, the Federalists secured the incorporation of Philadelphia as a city. In the new city government, Chew won a place on the mayor’s council. The return of old colonials like Chew and Shippen at this time certainly supports the idea of a political reaction. 56 Chew once more embarked “in public Business, for the good of . . . [his] Fellow Citizens in their temporal Concerns and in his seventieth year, he was appointed as President of the High Court of Errors and Appeals.” 57

Though Shippen and Chew made the switch to support the new government as Federalists, they lived on merely as aged ornaments among the emerging forces of the new Republic. Their colonial position and friends had made their brief political resurgence possible, but death began to remove their old companions from their side. Tilghman died in 1793, and Shippen wrote: “When I see one friend after another taking his departure, I

55 Edward Shippen to Robert Morris, July 13, 1789, Society Miscellaneous, HSP; Hildeburn, “Francis Hopkinson,” *PMHB*, II (1878), 323; Thomas Levy to George Reade, September 22, 1789, Reade Papers, HSP. Levy believed Shippen should be a federal judge because of his “superior knowledge and capacity.”
seem to be left behind in a strange Country, and think it high time to prepare to follow them.” Two years later, John Penn died, and Thomas McKean, soon to be Governor, was one of the pallbearers. With these two deaths, only two of the original eleven were left on the American side of the Atlantic.

In the remaining years of their lives, Chew and Shippen continued in their judicial positions, with Shippen advancing to be Chief Justice upon the election of McKean as Governor in 1799. The only serious problem to confront both was the Democratic-Republican assault on the judiciary. In February, 1804, a new Pennsylvania Judiciary Act abolished the High Court of Errors and Appeals, and Chew, its president, lost his position in 1806. The members of the Pennsylvania Assembly impeached Shippen because of his handling of the Passmore case, but they failed to gain the two-thirds vote necessary to convict him. Shippen resigned a year later and died in 1806. Chew lived until 1810.

With their deaths, a group of men who had devoted themselves to the advancement of their own interests but also those of the Penn family and Pennsylvania was gone. Several of their sons became prominent. George Logan became a United States Senator; Andrew Allen, Jr., a British consul; Lambert Cadwalader a Congressman; William Tilghman a Chief Justice of the Pennsylvania Supreme Court; and others did well as lawyers, merchants, and doctors.

The daughters of the Councillors married into prominent families. Margaret Allen married the first British minister to the United States; Peggy Chew, a governor of Maryland who later became president pro tem of the United States Senate; Margaret Cadwalader, a Treasurer of the United States; Elizabeth Tilghman, a Senator, and so forth. The children of these men married into the Norris family, the Fishers, the Tilghmans, the Galloways, the

---

Edward Shippen to William Tilghman, September 6, 1793, Autograph Collection of Simon Gratz, HSP.

February 9, 1795, McKean Papers, HSP.

James H. Peeling, “Governor McKean and the Pennsylvania Jacobins, 1799-1809,” PMHB, LIV (1930), 324; Konkle, Benjamin Chew, pp. 279, 283-284; Edward Shippen to Edward Burd, January 8, 1805, Society Collection, HSP. See also William Hamilton, Report of the trial and impeachment of Edward Shippen, esquire, chief justice, and Jasper Yottes and Thomas Smith esquires, assistant justices, of the Supreme Court of Pennsylvania, on an impeachment, before the Senate of the Commonwealth, January, 1805 (Lancaster, 1805).
Carrolls of Maryland, the Bonds, the Dickinsons, the Merediths, the Allens, and the Burds, to name some of the more prominent engagements made. Though most of their fathers had not taken a firm patriotic position, no stigma was attached to their names. The Councillors thus passed to their children family names honored and untarnished."

In conclusion, the impact of Revolution upon the Councillors was eased by the nature of the war and by the moderation of the postwar Philadelphia society. Certainly these men felt the force of the Revolution, but it was basically a Revolution aimed at exchanging one government for another. The social and philosophical changes which the Revolution set off were slow in maturing, as is evidenced by the attack of the Democratic-Republicans upon Chew and Shippen which came late but demonstrated the rise of different political forces. The economic changes were not drastic. Despite the Revolution, all who remained in America maintained some semblance of their former economic position.

Furthermore, the acceptance of Chew and Shippen, both colonial lawyers and judges, after the war illustrates the need of the new governing classes for the skills of the old, and for the air of continuity and legitimacy their services brought. Their membership in the new society personified the connection to the colonial legal and governmental traditions.

Finally, the colonial social and family connections of the Councillors softened the effect of the Revolution upon them, and held open the door of the Republic to them. Old legal students, friends, and memberships in various organizations provided several bridges from the old to the new. And with these bridges, despite their passing with age, the Councillors preserved their family name and entailed it to their posterity without tarnish.