"The English-speaking prothonotary of a county of German population was the most considerable personage in it."1

"The wheels of government are in motion in almost every county of this state," declared Pennsylvania President Thomas Wharton, Jr., in August 1777.2 Wharton's assertion was well founded. Prothonotaries—the principal cogs in Pennsylvania's Revolutionary governments—had taken office and had begun to restore law and order in the state's eleven counties.3 Ironically, colonial governors had also relied upon prothonotaries to move the wheels of the provincial bureaucracy. Although most prothonotaries appointed in the colonial period were replaced in 1777 by zealous revolutionaries, the work of the prothonotary's office remained essentially unchanged from 1707, when the post was created, to about 1790, at which time Pennsylvania's rapid political sub-division transformed the office and made obsolete the special services expected from the earliest incumbents. The prothonotary in eighteenth-century Pennsylvania not only administered the sections of statutes that applied to his office, but he disseminated and interpreted the laws of the land. He also provided the provincial or state executive branch of government with detailed and timely information about persons and events in his county, and he acted as a troubleshooter and personal emissary on a variety of matters for the chief executive and members of his staff. For most of the eighteenth century, then, the prothonotary in each county served as the chief administrator and point man for Pennsylvania's executive branch of government.

Despite the wealth of primary sources4 the role of the prothonotary in the government of eighteenth-century Pennsylvania has received scant attention.5 This may be due to the fact that the nature of this office is not well understood. To start, the title has ancient roots. In Pennsylvania and Delaware, the only sections of the United States where the title has been used, and remains in use, the prothonotary is the chief clerk of the court of common pleas. Thought to have been first applied to the chief of notaries in the Byzantine court (c.600), the appellation corresponded to primicerius notariorum, a term in use in Rome. After 800 the title of protonotary, an orthography that gradually yielded to prothonotary, was introduced in the west. In England, beginning about 1450, the chief clerk or prothonotary was one of the principal administrative officers in the courts at Westminster. Judges consulted prothonotaries on points of practice and pleading, and future leaders of the bar and judges studied under them. Prothonotaries received
income for each item of business transacted; hence, even though the fees amounted only to a few pence or shillings, the office could be immensely profitable for the incumbent.6

The Great Law of Pennsylvania (1682) provided for a clerk in each county court but twenty-five years elapsed before the word prothonotary appeared in print. “An Ordinance for Establishing Courts” (1707), issued by Governor John Evans, instituted a provincial supreme court and county courts of common pleas and required that all writs and processes should be issued by the office of the “clerk or prothonotary.” The principal architect of this ordinance is believed to have been Robert Assheton (1669-1728), William Penn’s cousin.7 The Proprietor himself had invited Assheton to Pennsylvania to take up posts in clerkship for which he was thought to be very well qualified. Over time the Lancastershireman held nearly every post in the province connected with the administration of justice, including Prothonotary of the Supreme Court. There is no evidence that Assheton studied at the Inns of Court in London; however, he was doubtless knowledgeable about the operation of the judicial system in England. As a member of the provincial council (1711-1727), Assheton was positioned to tutor a generation of governors and councillors on Pennsylvania’s statutes as well as on the potential value of the prothonotary, the only county official whose appointment would remain exclusively and continuously vested in Pennsylvania’s chief executive until well into the nineteenth century.8

By 1715 the Assembly had better defined the duties of the prothonotary.9 With few exceptions, the colonial prothonotary served as the clerk of common pleas court, quarter sessions court, and orphan’s court; as well as county recorder and deputy register.10 In addition, he usually held appointments as a justice of the peace and judge of common pleas court. At least two colonial prothonotaries also held commissions as deputy surveyors.11 Multiple-office holding by one person prevailed in Pennsylvania from the earliest days of the province but few combinations of offices had greater potential for power, profit, and mischief than the county prothonotaryship. Unless removed for malfeasance or senility, incumbents remained in office for life which, in the colonial period, often meant terms of twenty to thirty years.12

The prothonotary juggled many tasks. He drew up trial lists; maintained dockets, minutes, processes and related files; recorded the names of plaintiffs and defendants in every writ issued, with the date, debt or damages sued for, and the name of the justice signing the writ; kept track of the amount of judgments rendered, fines and costs paid, and appeals to higher courts. He also retained a list of jurors and executions and a register of persons to whom he had granted marriage, burial, tavern, and peddler’s licenses.13

Of all the services performed by the “clerk,” as the prothonotary was known locally, none was more important in eighteenth-century Pennsylvania than the recording of deeds. Settlers and speculators alike trudged to the office of the
county prothonotary to make certain that the land they owned was properly recorded on the books. Thus, the prothonotary frequently found himself in the middle of an angry triangle of buyers, sellers, and surveyors, especially when the prothonotary himself dabbled in land speculation.¹⁴ (Few among the better sort refrained in Penn's land.) Not surprisingly, every facet of life in the county, no matter how personal or trivial, came to the attention of the prothonotary. So great was the prothonotary's influence that, within days, inhabitants apprised him of political activity that ran contrary to proprietary interests, the identity of late settlers, as well as transients who crossed his territory.¹⁵ The prothonotary, the people knew, represented law and order in their county.

In 1710 the Assembly passed the first of several acts to "prevent extortion and undue exactions of fees of the several officers and practitioners of law" in the province. This statute established fees for the prothonotary that ranged from four shillings and six pence for every arrest, attachment, or summons to one penny for entering the record of every civil action, in rolls of parchment, not less than ten inches wide in a line containing twelve words. Fees were small but each time the prothonotary or one of his clerks put pen or seal to paper to perform one of nearly 100 transactions listed on the fee schedule, money changed hands. Most prothonotaries in Pennsylvania in the colonial period earned a comfortable income, but less than might have been the case had the Assembly not exercised its prerogative to set fees.¹⁶ (The Assembly would also have liked to appoint prothonotaries, but it never succeeded in dislodging this prize from the governor's office.) Between 1710 and 1722 the Assembly, caught up in an interminable battle with the governor, displayed its displeasure with the chief executive by slashing the prothonotary's overall fees by sixty percent: the fee for a summons, for example, fell to three shillings four pence and a twelve-word line to three farthings.¹⁷ These rates remained unchanged until the nineteenth-century, a factor that no doubt contributed to the distress of Northampton County prothonotary Robert Levers in late 1777 when he lamented that "the profits of the office would not procure to my family even the means of purchasing firewood."¹⁸

Guided by members of his council, the provincial governor selected prothonotaries from a small group of insiders from whom undivided loyalty was expected in return for the prized appointment. Except in rare instances, two of which are noted below, this method of expanding the elite band that governed colonial Pennsylvania worked to perfection. The career of William Parsons, for instance, illustrates how the insider network operated in the mid-eighteenth century. Parsons, a shoemaker, arrived in Philadelphia about 1725. He soon developed a close friendship with Benjamin Franklin, a relationship that resulted in Parsons' becoming a charter member of Franklin's Junto as well as the Library Company of Philadelphia, the Union Fire Company, and the Philosophical Society. In addition to time spent with these organizations, Parsons conducted a wholesale general merchandise business and became a practicing surveyor, a skill that led to his
To the Supreme Executive Council of the Commonwealth of Pennsylvania.

The Petition of Robert Levers of Northampton County in the said Commonwealth.

Most Respectfully and Humbly Sincerely,

That your Petitioner is informed that the Postmaster's Office for the said County of Northampton is now vacant, that for many years past your Petitioner has resided in the said county, and from a natural love of Knowledge and a Desire of becoming serviceable to that Part of the Community among whom his Lot is cast as far as an attendance on his large family and farm would permit, has applied himself to the Study of the Laws of the Country in which he lives and by which he is to govern himself, so that he humbly apprehends himself in some Degree qualified for the said Office, and begs leave to offer himself to the Honorable Council as a Candidate for the same.

That at the Time the Committee of Northampton County had in Consideration the Resolve of Congress of the 15th May, 1776, recommending a Declaration of Independence, your Petitioner had the Honor to preside in the Chair, and took a very active Part in Suggering of the said Resolve, was afterwards on the Committee of Conference; and in every Instance has been zealous, attended towards the Glorious Cause in which America is engaged, and is a true Friend to the Constitution of this State.

Your Petitioner humbly prays the Honorable Council to take the Premises into Consideration, and answer the Prayer of the Petitioner by conferring on him the Honor of being the First Postmaster of the said County in the Free and Independent State of America.

And your Petitioner, as in Duty bound will ever

Philadelphia
March 13, 1777

Pray for a
Robert Levers
appointment in 1741 as surveyor general of the province. Because of poor health, Parsons relinquished this post in 1748 and moved to Lancaster where he filled the office of prothonotary.

Despite his physical frailty, Parsons, at the request of the proprietaries, undertook the special task of laying out proprietary land for the new towns of Reading and Easton, the future county seats of Berks (1752) and Northampton (1752). That job accomplished, Richard Peters, Provincial Secretary and Secretary of the Land Office, urged Parsons, his longtime friend, to accept a commission as prothonotary of Northampton County. Parsons, a man for whom service to the proprietaries had become a profession, left the comforts of Lancaster for Easton from which seat he established law and order in Pennsylvania’s newest frontier county.

Thomas Penn was delighted that Parsons, “on whose prudence we shall very much depend in the settlement and good government of the new town,” had accepted the prothonotaryship of Northampton County. Eight years later, however, when Richard Peters recommended to Thomas Penn that it would be helpful to pay a small honorarium to Parsons’ estate, the proprietaries could not remember that Parsons, who died destitute, “had moved to Easton on our account.” So much for loyalty and service to the proprietaries and the king.

Upon the death of William Parsons in 1758, Governor William Denny handed the Northampton prothonotaryship to Charles Swaine. Although the proprietaries and, presumably, some council members objected to this appointment, Denny admired Swaine, a man who had commanded two voyages to Hudson’s Bay and the coast of Labrador in 1753 and 1754 and written a book about his adventures. More importantly, Denny also admired one of Swaine’s female relatives who had accompanied the governor from England to America. Swaine, however, was in over his head. To the relief of the inner circle, especially Richard Peters, who had invested in the captain’s arctic explorations and, therefore, may have helped promote the adventurer’s appointment in the first place, Swaine resigned in 1760 and vanished from the scene.

With the appointment of Lewis Gordon in 1761, the prothonotary’s office in Northampton got back on track. Gordon owed his good fortune not only to talent and hard work but to his clerkship with Richard Peters. Peters helped the young attorney overcome his lack of family connections in the provincial government and make his way as part of the establishment—a rare move in colonial Pennsylvania. In 1749, when leading Scotsmen in Philadelphia formed the St. Andrews Society to aid needy Scotch immigrants, Gordon numbered among the founders and served as secretary, a post that brought him into contact with Dr. Thomas Graeme, society president, and Graeme’s successor, Governor James Hamilton (1748-1754; 1759-1763). It was Graeme who recommended to the Penns that they found a town at the “forks of the Delaware,” the junction of the Lehigh and Delaware Rivers where Easton is now situated. Surely it was not chance that Gordon became the first and, for fifteen years, the only resident attorney in Easton when
Northampton County was erected in 1752. Nor was it simply luck that, seven years earlier, Gordon had acquired a few parcels of land in an uninhabited area that later became part of Northampton County.

In part because of his friendship with Richard Peters, Gordon knew how to find the political pulse and keep his finger on it. In Northampton the fledgling barrister held a virtual monopoly on the legal business. Gordon also began to gain experience as the unofficial backup to William Parsons. A member of the bar in Northampton, Philadelphia, and Chester Counties and admitted to practice before the Supreme Court, Gordon’s uncontested candidacy for the prothonotaryship was suddenly derailed by the arrival of Charles Swaine. On this and other occasions, Gordon experienced callous treatment at the hands of provincial officials and the Penns, a factor that influenced his decision some fifteen years later to side with moderate Whigs.

George Stevenson, prothonotary of York County (1749-1764), not only held the usual basket of appointments but also served the proprietaries as a deputy surveyor. During his term of office Stevenson was involved in a number of serious political controversies and barely survived them. Then, in 1764, he found himself locked in battle with Surveyor General John Lukens. Lukens claimed that the proprietaries had lost up to a thousand pounds because of Stevenson’s mishandling of the manors of Springettsbury and Maske. This contretemps was the final straw: Stevenson had become a political liability to the powers in Philadelphia and he was forced to resign all of his appointments. Undaunted, Stevenson moved to Carlisle, became a leading figure in the iron business, and later chaired the Cumberland County Committee of Correspondence.

Even prothonotaries with an unblemished record were dogged by the ever-present threat of dismissal by the querulous Thomas Penn. For two decades, first as an attorney, then as prothonotary of Northampton County (1761-1776), Lewis Gordon, at the request of the proprietaries, the governor, and members of his council, undertook dangerous missions as a spy, justice of the peace, deputy sheriff, bailiff, and negotiator to confront illegal settlers who, under the aegis of the Susquehanna Company, had squatted on land in the northern part of Northampton County. Governor John Penn and James Tilghman, Secretary of the Land Office (1769-1776), thought highly of Gordon’s work and recommended to Thomas Penn that he reward the prothonotary with a grant of land. The parsimonious Penn responded to Tilghman: “We think [Gordon] should do other business for our service without charging us for every hour’s attendance, this is what those officers used to think themselves obliged to do.” To his nephew Governor John Penn, he wrote: “if you do not find him [Gordon] zealous and careful in serving our interest, we shall certainly give you orders to displace him and appoint another in his room.”

On 15 July 1776 Pennsylvania’s Constitutional Convention held its first session at the State House in Philadelphia. “We are resolved,” wrote one of the delegates to
a friend, "to clear every part of the old rubbish out of the way and begin upon a clear foundation." Not quite. This convention, so bent on transferring power to the people and the Assembly, unaccountably gave to the President and Supreme Executive Council the power to appoint "judges, naval officers, judge of the admiralty, attorney general, and all other officers civil and military, except such as are chosen by the General Assembly and the people," for example, justices of the peace, sheriffs, and coroners in which case two persons were elected for each office and the Council chose one. Despite the radical cry of "government on the authority of the people," real authority in Pennsylvania after July 1776 continued to flow from the top down. As had been the case in the colonial period, the executive branch of Pennsylvania's Revolutionary governments filled the office of prothonotary with patronage appointments and created an inner circle of key officials who were, as a practical matter, unaccountable to the people and the Assembly.

There is no direct reference to the prothonotary in the Constitution of 1776; however, the framers reduced the prothonotary's power by providing for the establishment in each county of a register's office and an office for recording deeds with officers to be appointed by the Assembly. (In fact, the Assembly quickly surrendered this patronage to the Supreme Executive Council.) The convention resisted the temptation to further restructure the prothonotary's office because by the mid-eighteenth century the county prothonotary had become the linchpin in Pennsylvania's government. No substantive statutory changes in the prothonotary's office were enacted by the Assembly until the Constitution of 1838 by which time the number of counties in the state had reached fifty-three, a five-fold increase in fifty years.

Of eleven county prothonotaries serving the proprietaries on the eve of the Revolution, two, James Read (Berks) and William Maclay (Northumberland), accepted commissions as prothonotaries under the Revolutionary government. Arthur St. Clair (Westmoreland) would doubtless have done the same had he not accepted a commission in the Continental Army. Except for his stance as an anti-Constitutionalist, Thomas Smith (Bedford) would probably have continued as that county's prothonotary. Lewis Gordon held two jobs at the same time. From June 1774 to December 1776 when he resigned, Gordon not only served as Northampton prothonotary but he chaired the extra-legal county committee that helped dismantle the proprietary government. The timing of his resignation suggests that Gordon who, at heart, was doubtless an anti-Constitutionalist had, in the dark winter of 1776, believing that all was lost, fell under the spell of General William Howe's offer of amnesty. Gordon remained in Easton where he was arrested and made prisoner in his own house for nine months, the only prothonotary to be so treated by the Revolutionary government.

What is to be made of the fact that five back county prothonotaries who had held office prior to 1776 for periods ranging from three to twenty-three years embraced independence? Their shift in loyalty suggests that support for imperial
and proprietary policies at the highest level of government in Pennsylvania's backcountry had begun to erode well before the Revolution.

Some prothonotaries appointed after 1776 lacked the legal training and experience of their predecessors, but they made up for this deficiency with political cunning. Robert Levers, a bankrupt land speculator and piddling storekeeper, on applying to the President and Supreme Executive Council for the prothonotaryship of Northampton County wrote: "Your petitioner from a natural love of knowledge has applied himself to the study of the laws of the country in which he lives, so he humbly apprehends himself in some degree qualified for the said office [and] has been zealously affected towards the glorious cause in which America is engaged, and is a true friend to the constitution of this state." Levers overcame at least one competitor and got the job, which he held for ten years. Or, Robert Galbraith, Bedford County prothonotary (1777-1778), on his attempt to reconcile anti-Constitutionalists with the state government: "Mr. [George] Woods, Mr. [Thomas] Smith, and Mr. [David] Espy took the oath of allegiance and gave assurance of their sincere intentions of burying all past disputes in oblivion." The court then admitted the three men as attorneys. "By their assistance and advice," Galbraith advised President Thomas Wharton, Jr., "their mouths are stopped from finding fault and the [Supreme Executive] Council be no more troubled with long epistles, etc." The President's point man had co-opted the opposition. Perhaps it was part of the bargain that David Espy succeeded Galbraith as prothonotary of Bedford County, and that Smith and Wood were later appointed to high county and state political offices.

It was one thing for the new government to commission prothonotaries with Revolutionary zeal—so scarce were dependable officials in this period that two prothonotaries also held simultaneous appointments as county lieutenants—but another matter for the new officials to secure vital county records from their predecessors. In seven counties it was necessary to issue search and seizure and/or arrest warrants to compel colonial prothonotaries to turn over records to the Revolutionary government. Former Bedford County prothonotary Thomas Smith announced that he would turn over the papers only if the sentiments of the people were taken for a new constitutional convention or if directed to do so by his township committee. Council responded with a warrant for Smith's arrest whereupon he produced the papers. Lewis Gordon gave up some papers but refused to turn over indictments and bills found by the grand jury because, Gordon protested, the papers had been lodged with him by the king's attorney. In a letter to Gordon, Robert Levers, Gordon's successor, listed the documents that had not been turned over to him, among them, for example, the records of quarter sessions court from 1752-1758 and orphan's court from 1755-1758.

As Levers correctly pointed out to Gordon, withholding or destroying documents entrusted to a prothonotary was a serious matter, for these were papers of record upon which rested the successful administration of law and order in the
county. (Except for quarter sessions dockets, deed, and warrant books, nearly all documents maintained or issued by the prothonotary in Northampton County before 1790 have subsequently been lost.) It was late 1777, more than a year after Pennsylvania's courts had been closed by Revolutionary committees, before prothonotaries recovered vital papers from their predecessors and had begun to restore some vestige of law and order across the state.\(^{37}\)

Lewis Gordon's excuse for retaining certain papers is the only one encountered that explains why prothonotaries felt justified in keeping county records. That this practice may have been endemic among provincial and early commonwealth officials is suggested by a nineteenth-century historian who states that prothonotaries and other public officials viewed records they generated as private property. The Assembly thought this attitude so flagrant an abuse of public trust that in 1804 it passed a law that severely penalized incumbents who refused to turn over the papers of their office to elected successors.\(^{38}\)

Prothonotaries rarely appear on historians' lists of eighteenth-century Pennsylvania leaders, or on any lists of officeholders at all, for that matter.\(^{39}\) These county officials lie so deep in the shadows of history that, for the most part, they are passed over even in local histories. However, when historians burrow beneath the crust of Pennsylvania history and investigate the workings of government in the eighteenth-century, they will come across the names of colonial prothonotaries such as Jeremiah Langhorne, Lawrence Growden, Joseph Parker, Henry Hale Graham, William Hicks, Samuel Blunston, William Parsons, Edward Shippen (the "Lancaster" Shippen), George Stevenson, Samuel Johnson, James Read, Lewis Gordon, and Harmanus Alricks along with Jonathan Bayard Smith, Robert Levers, John Hubley, Archibald McLean, William Lyon, David Espy, and Archibald Lochry from the Revolutionary period.\(^{40}\)

One hundred and fifty years after the prothonotary became an elected officeholder with a term of three years (1838), this official continues to play an important role in Pennsylvania's government. After many legislative changes, the prothonotary's major responsibility is found in the keeping of records, primarily those of the court of common pleas. By 1940 the prothonotary had been assigned responsibility for recording and preserving twenty-six categories of information, most of them with numerous sub-headings. These records include papers relative to tax liens, divorce, insolvents, naturalization, fictitious names, workmen's compensation, and licenses and registration for attorneys, dentists, doctors, and the like.

In a whimsical contrast to the awesome volume of records maintained by contemporary governments, most of the public papers and library books of the State of Pennsylvania in December 1777 could be found at the house of Robert Levers in Easton whence they had been dispatched by the Supreme Executive Council when the British forced the Revolutionary government to flee Philadel-
phia. Levers stored the boxes and trunks in his second-floor bedroom for safekeeping.41

Exploration of the role of prothonotaries—and county lieutenants—in the provincial and Revolutionary governments of eighteenth-century Pennsylvania merits closer attention. It promises better insight into the operation of county government and how the Revolution was managed in the backcountry.

Notes
I thank Richard Dunn, Peter Hoffer, Philip S. Klein, Owen Ireland, William Pencak, Jonathan Stayer, Peter Thompson, Marianne Wokeck, and Michael Zuckerman for their advice and suggestions.


3. All prothonotaries appointed by the Revolutionary government were either delegates to the Provincial Convention 18-25 June 1776, the Constitutional Convention 15 July-28 September 1776, or assemblymen elected 5 November 1776.


6. In the Roman Catholic Church a prothonotary is a “member of the college of twelve prelates, called Prothonotaries Apostolic(al), whose func-


8. George Staughton, Benjamin M. Nead, and Tomas McCamant, eds. and comps., Charter to William Penn and Laws of the Province of Pennsylvania 1682-1700 Preceded by Duke of York’s Laws in Force from the Year 1676 to the Year 1782, With An Appendix Containing Laws Relating to the Organization of the Provincial Courts and Historical Matter (Harrisburg, 1879), 148-9, 319-23; Charles P. Keith, The Provincial Councillors of Pennsylvania Who Held Office Between 1733-1776 and Those Earlier Councillors Who Were Some Time Chief Magistrates of the Province and their Descendants (Philadelphia, 1883), 281-7. Frank M. Eastman, Courts and Lawyers of Pennsylvania, 3 vols. (New York, 1922), I:53, 186-7; Stevens and Kent, County Government, 184. The Charter of Priviledges of 1701 provides that the justices of each county nominate three persons from whom the governor is to select one as “clerk of the peace.” In theory this procedure also applied to the selection of prothonotaries but I have found no example of it. In fact, the nominating system seems to have worked the other way around. In at least one instance the prothonotary was requested to recommend to the governor a short list of names of potential justices of the peace. See Joseph Shippen, Jr., to Lewis Gordon, 1 March 1774, Julian Boyd and Robert J. Taylor, eds., The Susquehanna Company Papers, 11 vols. (Ithaca, N.Y., 1962-71), 5:315.


10. In the colonial period the prothonotary’s appointment as deputy register was automatic; by law, however, he served in this capacity at the pleasure of the register general of the province.

11. George Stevenson, York; William Parsons, Lancaster and Northampton.


14. Roland M. Bauman, George Stevenson, 14-15. Lewis Gordon speculated on land in Northampton County long before he became prothonotary. A. D. Chidsey, Jr., A Frontier Village: Pre-Revolutionary Easton vol. 3 (Easton, 1940), 144.

15. Lewis Gordon to Joseph Shippen, Jr., 19 May 1764, Pa. Arch., 1st Series, 4:175. Gordon informed the provincial secretary that “Henry Geiger, one of our magistrates, exerts himself with uncommon diligence and has procured many hands to it [petition for a royal government] which I believe to be true, having had it from good authority.” Emphasis added. This sort of intelligence was taken seriously in Philadelphia: Geiger’s appointment as magistrate was not renewed the following year.

16. Even though Lewis Gordon served as prothonotary in a frontier county his estate, in 1778, was valued at more than £2,000. From 1761 onward Gordon also held a lease on the ferry at Easton. This operation doubtless improved Gordon’s annual cash flow and contributed £153 to his estate when the lease was sold. Will No. 853, microfilm, Northampton County Courthouse, Easton, PA.

18. Robert Levers to Timothy Matlack, 1 November 1777, Records of Pennsylvania's Revolutionary Governments 1775-1790, (Record Group 27), microfilm, 54 rolls (Harrisburg: PMHC, 1978), roll 12, frame 1343 (hereafter cited as RG27, 12:1343). A few months later Levers wrote that he "wished that when the Assembly were raising their wages, the fee act in general had been considered." Robert Levers to Timothy Matlack, 23 February 1778, RG27, 13:850. Inflation also had a negative effect on Levers' income as did the loss of fees from the office of register and recorder which, early in 1777, were placed under the authority of a separate official. (See note 24.)


21. Howard N. Eavenson, Map Maker and Indian Traders: An account of John Patten trader, arctic explorer, and map maker; Charles Swaine author, trader, public official, and arctic explorer; Theodorus Swaine Drage clerk, trader, and Anglican priest (Pittsburgh, 1949), 46-51, 71-84.


23. Roland M. Baumann, George Stevenson, 14-15.


26. The Constitution of Pennsylvania - 1776, Sections 20, 30, 31. Historians either minimize or overlook the real influence and authority of the President and the Supreme Executive Council. This oversight, to which attention is directed in the Guide to the Microfilm of the Records of Pennsylvania's Revolutionary Governments 1775-1790, 5, (see n. 4), has, thus far, been confirmed by the author's research.

27. Constitution of the Commonwealth of Pennsylvania - 1776, Sect. 34. After a brief interlude in which men appointed as register and recorder resigned—probably because they lacked the capability to perform the job—the prothonotaries of Lancaster, York, and Cumberland Counties once again assumed the duties of register and recorder until the mid-1780's. In Bedford County all offices were retained by the prothonotary until sometime after 1780.


29. The Revolutionary government replaced seven county prothonotaries in 1777.

30. General William Howe's offer of amnesty was proclaimed 30 November 1776.


32. Robert Galbraith to President Wharton, 16 May 1778, Pa. Arch., 1st Series, 6:511-2. Wharton died 23 May 1778 and probably did not learn about this important political victory.

33. In March 1777 the Pennsylvania Assembly passed the Militia Act that created the office of county lieutenant. (Statutes, 4:75-94.) This office also has ancient roots. At the start of the seventeenth century, English counties were headed by the sheriff and the lord-lieutenant, a position like that of the Anglo-Saxon Earl. The lord-lieutenant's principle duty was to supervise the local militia which was called into service to suppress riots and maintain public order. According to this model the Virginia Colony was divided into eight counties in 1634 to be governed with lieutenants and sheriffs appointed by the governor. The lieutenant commanded the militia of the county, presided at court-martials, and had considerable dictatorial
power in time of war. On the eve of the Revolution, the office of county lieutenant still prevailed in Virginia but it appears that no other colony or state employed county lieutenants until 1777, when the Pennsylvania Assembly created the position to enforce the provisions of the Militia Act. (John A. Fairlie and Charles M. Kneier, *County Government and Administration* (New York, 1930), 8-18; Edward Channing, "Town and Country Government in the English Colonies of North America" in Herbert B. Adams, ed., *Johns Hopkins University Studies in Historical and Political Science*, vol. 2 (Baltimore, 1884), 42-53. General John Cadwalader wrote to the Council of Safety and complained bitterly about the lack of support from Pennsylvania's militia and threatened that if civil authority could not improve the situation the military would intervene "to save this country." General John Cadwalader and other officers to Council of Safety, Morristown, N.J., 15 January 1777, Pa. Arch., 1st Series, 5:186-8.) Among the primary responsibilities assigned to the county lieutenant were the following: to draw up a list of all male inhabitants between the ages of eighteen and fifty-three; to supervise the organization, election of officers, and training of battalions; to hire substitutes for persons who refused to serve and to charge reasonable expenses for procuring same; to summon a general court martial. Like the prothonotary, the county lieutenant also served the President and Council by performing tasks not covered by the letter of his commission. He enforced the collection of blankets and supplies, disarmed those who would not take the oath of allegiance, reported trouble-makers to the Council, and helped enforce the laws enacted by the Revolutionary governments. (Helen E. Royer, "The Role of the Continental Congress in the Prosecution of the American Revolution in Pennsylvania" (Ph.D. diss., The Pennsylvania State University, 1960, 169-71.) The power and influence of the county lieutenant was greatest from 1777 to 1783 when the actions of the lieutenant in handling military affairs touched the lives—for worse, many would have reckoned—of nearly every citizen in the commonwealth. With the conclusion of the War of the Revolution in 1783 the role of the county lieutenant steadily diminished in importance until 1793, when the legislature re-organized the militia along federal lines and eliminated the office. (*Statutes*, 14:451-481.) Recruitment of men with proper qualifications for this important job so bedeviled the President that Archibald Lochry and Robert Levers, prothonotaries of Westmoreland and Northampton, respectively, held concurrent appointments as county lieutenant. Like prothonotaries, county lieutenants have been relegated to the shadows of history. Nonetheless, Richard McAllister, Bartram Galbraith, John Carothers, John Piper, and Samuel Hunter provide luminous details not found elsewhere of the fitfull course of the Revolution in Pennsylvania's backcountry. Official correspondence and family papers of these county lieutenants may be found in the sources cited in note 4.


35. The letter from which Thomas Smith's verbal ultimatum to Robert Galbraith is quoted has, presumably, been lost. *History of Bedford and Somerset Counties* (Chicago, 1884), 87.


37. Archibald Lochry, prothonotary of Westmoreland County, did not recover the county records until March 1778.

38. George Dallas Albert, ed., *History of the County of Westmoreland* (Philadelphia, 1882), 55-6. The contributor of this section is not identified. Until 1838, the prothonotary was appointed by the governor.

39. The list of provincial and state officials in Pa. Arch., 2nd Series, 3:621-794, which includes some prothonotaries, is unreliable.

40. A search for documents connected with Lewis Gordon, Northampton County prothonotary (1761-1776) and Robert Levers, Northampton prothonotary (1777-1788) and county lieutenant (1781-1783) has turned up more than 170 letters and miscellaneous papers. These documents provide the nexus for the author's ongoing study of the Revolution in Northampton County.