Pennsylvania changed its form of government in 1776, as did most of the other colonies when they became States. The Constitution of 1776 provided for its government until 1790, and under it, the General Assembly, consisting of only one house, was the legislative body, with all the safeguards of liberty that the framers could think of. Included was the publicity of the processes of legislation. The doors of the Assembly were always to be open; the votes were to be printed weekly, with the ayes and nays when two members requested it; all bills of a public nature were to be printed before final action with their reasons clearly expressed in the preamble; the printing presses were to be free to every person who undertook to examine the proceedings of the legislature, or any part of the government.

The Assembly faithfully carried out the provisions of the Constitution, not only without question but with great eagerness, as they fitted in with the democratic ideas which prevailed in the legislature during most of that period. The printing press was used to keep the public (albeit a limited public) informed of the progress of legislation. Of the bills there are but few to be found anywhere, of the statutes there are complete collections. It is of the remaining class, the printed minutes, that I wish to speak especially.

From 1776 to 1781 the Assembly authorized the printing of the minutes at the close of each session. In the fifth Assembly, April 2, 1781, it was resolved that
the minutes should be collected and published in one volume, and that Michael Hillegas, who is remembered as the first treasurer of the United States, should do the work. Hillegas proceeded to the task, and in 1782 published "Journals of the Assembly," Vol. I, covering the years 1776–1781, that is, the first five assemblies, but including also the minutes of the three bodies concerned in the formation of the Constitution,—the Provincial Convention of 1775, the Conference of Committees 1776, and the Constitutional Convention 1776. Also included were the Declaration of Independence, the Pennsylvania Constitution, and the Articles of Confederation; so that, perhaps with a realization of the importance of the events they had been participants in, the Pennsylvania political leaders had provided an adequate record. Hillegas did the work well, and the volume has proved a mine of information for the constitutional, political, and social history of the period. The exact number of copies is not known, for the Assembly agreed to buy 200 copies, but Hillegas had the right to print more and to sell them. On account of its size (folio) and importance, a good many have been preserved and are in the principal libraries of the country. Occasionally one appears at auction, or in a dealer's hands. As it happened, two copies were offered last fall, one at $40, the other at $135. It may be of interest to note that at the same time Thomas McKean was authorized to issue an edition of the laws, of which the Assembly agreed to buy 500 copies.

Hillegas's volume was marked Vol. I, as though it was his expectation and that of the legislators that the work would continue. The Library of Congress, after its usual careful search, decided there were no more published, and so marked on its catalog card. Miss Hasse in her Index, the Harvard College, and University of Chicago catalog cards, all so indicate. But Sabin (60261) notes the minutes for the first session of the
sixth Assembly (1781) and says "continued to 1790." He does not state that he found a copy in any library. Evans notes the Minutes of the 7th, 8th, 9th and 10th Assemblies (1782-6) but does not record them in any library. Bowker in his *State Publications*, Part II (1902), gives more definite and accurate information: "Minutes of the 6th-14th General Assembly 1781/2-1789/90. 10v. Fo. Note, 9th General Assembly in 2v."

It is true that there were no more collected volumes, but Sabin, Bowker, and Evans are correct in intimating that the publication of the minutes did not cease. Whether either editor saw copies or not I do not know, but in an effort to find them I have investigated twenty of the most likely American libraries to no avail. I knew a long time ago that the material in the minutes was interesting and extremely valuable, for I found in several of the Philadelphia newspapers, e.g. Carey's *Herald* and Hall and Sellers's *Gazette*, the minutes published week by week, but as the Assembly made history faster than the newspapers could publish it, they gradually fell behind in their reports, and gave it up. Evidently the newspapers reported from the minute book the clerk kept, the same book as was supposed to be published weekly, and as to the latter of which complaint was openly made in Assembly, Nov. 20, 1789.

The question arises as to why these published minutes have disappeared, but like every other point of history during the nine years, 1781-90, practically the only information is to be found in the minutes themselves. It is fortunate, therefore, that this information has been preserved in one collected set of the minutes and that it is available to investigators. That set is in the Historical Society of Pennsylvania, and it seemed so natural that it should be there as a complement to Vol. I, that the fact of its extreme rarity and probably unique character has not been realized. In addition, the fact that most use has been made of it by historical
investigators in and around Philadelphia, has also tended to keep its rarity from being known. Among these are Prof. W. Roy Smith of Bryn Mawr; B. E. Konkle, for his "Life of Thomas Smith;" and Prof. C. H. Van Tyne of Michigan when a student at the University of Pennsylvania. The set consists of the separate issues bound together in three handsome folio volumes. It is marked with the name of Francis Hopkinson, followed by that of John Hopkinson. It has been in the Library since 1870 when it was presented by John Jordan, Jr., vice-president of the society. His nephew, John Woolf Jordan, the present librarian, remembers nothing further as to whether his uncle collected the separate issues and had them bound, or whether he secured them in the form they are now.

The curious thing about the numbering of the pages is that the sixth Assembly, November, 1781, starts with page 497. This would seem to indicate that it was meant to be a continuation of Hillegas's work, but as Hillegas's Vol. I did not appear until after the first session of the sixth Assembly was over in December, 1781, and as Vol. I contains 698 pages, it is evident that the numbering went on continuously from the separate publications of the first five assemblies. This pagination continued until the end of the seventh Assembly, page 968, when the numbering started over again, and after that commenced anew with each Assembly. The set is not quite complete, there being a gap of twenty pages in one place.

From the minutes it is possible to find what was the plan of procedure of the Assembly. It seems that at the beginning of each Assembly, about November of each year, various printers petitioned to be appointed printers to the Assembly. The petitions were usually referred to a committee, and after two or three weeks their report was heard and the House proceeded to an election. During the years 1781–90, J. Dunlap (1781–
3), Francis Bailey (1784–5) and Hall and Sellers (1783–4, 1786–90) received the contract award for the minutes. In the same time various other printers received contracts for the laws, for the bills, and for the German printing. The awards sometimes went according to the politics of the printer, in which event Hall and Sellers, the printers of the Gazette, and Franklin’s successors, were generally least partisan and most likely to be in favor with both parties which in those years were beginning to become organized political entities with gradually increasing realization of the extent to which partisan politics could go.

Sometimes the number of copies of the laws to be printed was mentioned (500 or 600), but never the number of copies of minutes. It is almost impossible also to make any relative calculation from the amounts paid to the different printers for the different kinds of work, as to how many copies the printer issued. A better record, at least for the minimum number, can probably be obtained by considering those who were likely to receive copies. There were 72 members of Assembly, and 12 to 20 members of the Executive Council. There were a half dozen, at least, delegates in Congress, a score of Trustees of the University of Pennsylvania, which was the creation of the Constitutionalists and favored by them when they were in power, three or four judges of the Supreme Court, a dozen more state officials, possibly the judges and prothonotaries of the County Courts, the registers, recorders, sheriffs, and coroners, possibly the dozen newspapers, possibly the forty or fifty members of Congress when it sat in Philadelphia, a dozen Congressional Committeemen or officials. All of these are noted as worthy of the Assembly’s attention at one time or another, so that certainly not less than 200 copies would be needed. As the minutes were not as much needed as the laws, probably less than the five or six hundred copies of the laws would be printed.
If then out of the 200, to give the least number of copies printed, there is to be found but one full set (itself imperfect) and no copies of parts, there is evidence of destruction of valuable papers here seen, such as every one who follows the subject knows of in a general way, but which a specific example like this tends to make more vivid. The knowledge of the extreme rarity of the Historical Society of Pennsylvania's set will cause that to be preserved more carefully.