Philadelphia's Municipal Corporation, 1701-1776

During the colonial period two American cities, New York and Philadelphia, were nominally governed by municipal corporations closely resembling their English models, and displaying many of the same deficiencies but little of the vitality that still characterized some of their English counterparts. The Philadelphia Corporation was a close one, entirely self-perpetuating. During its seventy-five-year existence (1701-1776), it became ever more closely bound to its own interests as a legal entity and thus more estranged from the interests of the inhabitants of Philadelphia. Under its charter, the Corporation received powers that were static and somewhat antiquated. As a consequence, the increasing size of the city and the complexity of urban life left the Corporation isolated, further and further out of touch with public opinion, while the actual government of Philadelphia went piecemeal into the hands of boards of commissioners, wardens, overseers, and the like. These derived their authority from the Pennsylvania Assembly rather than from the municipal charter.¹

The Philadelphia Corporation played second fiddle to the provincial government on every count. It suffered from the Assembly's presence in Philadelphia and from its tendency to interest itself in the details of the city government. E. S. Griffith, a historian of city government, has stated that this situation was common in the colonies: "In many instances, notably in the capital cities, the assembly appeared to regard itself as the actual government of the town, solemnly considering details which might more properly have been delegated—and which in fact in some instances had actually

¹ The actual government of Philadelphia by these boards is a related study, one that has not as yet been done except in the general terms of Carl Bridenbaugh's two books, Cities in the Wilderness and Cities in Revolt. There are also the detailed chronicles of early Philadelphia, such as Scharf and Westcott's History of Philadelphia, but these scarcely meet the need for a thorough history and analysis of the city government.
been so delegated—to borough courts." He also pointed out: "Even in colonial times a distinction is unconsciously drawn between that kind of 'home rule' which allowed a city to do anything not specifically forbidden and the doctrine of 'specifically delegated powers' which required and was to require such an infinite amount of special legislation by the legislature." This distinction was at the root of the difficulties the Corporation faced in governing Philadelphia.

However, some of the Corporation's malfunctions, as they seem to the twentieth-century eye, may have stemmed from its members and from the view they took of its duties and the purposes they wished it to serve. Despite the fact that the Corporation functioned for seventy-five years against the tide, so to speak, of American political development, important citizens continued to join it, and, no matter how moribund it became, no member ever moved its dissolution. The drama of Pennsylvania politics, it is true, was set in the provincial government, but often the same men served in both city and provincial affairs. The correspondence of the times indicates that, although much detailed information was penned about private or provincial business, the writers were generally silent on the Corporation. For instance, the letterbooks of the Shippen family, which had interests in almost every phase of Philadelphia and Pennsylvania life for more than four generations, are full of the activities of the writers—their business affairs, family life, military happenings, about Indians, the law courts, shipping, fur trade, provincial politics, and more—but they spare hardly a word for the Corporation, although the Shippens themselves were prominent members and many of their correspondents were also members. Why should they be so silent on municipal affairs?

If the Corporation was perhaps dull business and not worth writing about, the question remains, why was it so inept. If it managed dull and tedious affairs, why did it manage so poorly? Men of talent and energy served the Corporation as well as the Assembly; in some cases, especially early in the eighteenth century, they were the identical men. Yet the business practices of the Corporation seem lamentably inefficient, even laughably so.

3 Ibid., 117-118.
Furthermore, in a province where political life was stormy and factionalism strong, the Corporation, as reflected in the minutes of the common council, did its business in an almost unreal calm, with no record of discord and only the hint of debate. What a contrast to the Assembly! How is it to be explained?

The detailed study of the Corporation which is required to answer these questions faces certain difficulties. The minutes of the common council, the only record the Corporation left of its activities, are maddeningly terse or noncommittal; barely a hint is recorded of something interesting going on before the subject is dropped. Who said what, proposed or opposed, voted yea or nay—these facts are all concealed. The ordinances, which were never systematically kept or published, have nearly all disappeared. With only a few exceptions, all the news the Corporation made in a year was the notice in the newspapers of the mayor's election.

Conclusions about the Corporation must remain speculative. The evidence, even when fully examined, hardly lends itself to clear-cut conclusions. However, a study of the Corporation adds to the detailed knowledge of colonial Philadelphia and helps explain why the municipal corporation, a powerful institution in England for centuries, was so ineffectively transplanted to America.

Philadelphia's municipal Corporation, officially titled "the mayor and commonalty of Philadelphia in the province of Pennsylvania," was chartered by William Penn in October, 1701, when he was about to leave Pennsylvania after his second and final visit. It existed under that charter until 1776, when an Assembly elected under the

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4 Minutes of the Common Council of the City of Philadelphia. 1704 to 1776 (Philadelphia, 1847), hereinafter MCC. The manuscript minutes are in the Rare Book Room of the Free Library of Philadelphia. The minutes for 1701 to 1704 are lost.

5 Ordinances were "published" when they became effective, but I think this meant merely that public notice was given, perhaps by a public crier. When newspapers were well established, the ordinance might be printed as a public notice. MCC, 86, 696.

6 This title, according to the charter, included the mayor, recorder, aldermen, and common councilmen. The freemen may have been considered members of the Corporation, but they took no perceivable part in its activities; indeed, the role of the freemen is one of the most intriguing in the study of the Corporation. For the purposes of this paper, however, I have used the term "Corporation" as equivalent to "mayor and commonalty." The Charter of 1701 is printed in several places, including Ordinances of the Corporation of, and Acts of Assembly Relating to, the City of Philadelphia (Philadelphia, 1851). Unidentified quotations are from this source.
new state constitution declared the charter void because it lacked the sanction of popular consent.

The Corporation was not the first attempt at town government in Philadelphia. In 1691 a charter had been issued over the signature of Deputy Governor Thomas Lloyd, erecting "the said Town & Borough of Philadelphia into a City." It is difficult to determine whether any actual government operated under this document, and it is likely that the charter was nullified in 1692, when Pennsylvania was administered as a royal colony.\(^7\) The government of Philadelphia in 1691 can hardly have amounted to much. No doubt, the local administration provided by the officers of Philadelphia County met most needs. The men named in the charter of 1691 as original Corporation officers were apparently Lloyd's political supporters, and they began the long tradition of Quaker dominance in its affairs.\(^9\)

An interesting difference between the charters of 1691 and 1701 is that under the former the mayor, recorder, and aldermen were to be chosen from among the inhabitants of the city; under the later charter, officeholders were selected from among the freemen of the city. In both cases, the Corporation erected was similar to those of many English boroughs. The first officials were to serve until others were chosen as the charter provided, thus giving Penn an opportunity to put his friends in office.

The purpose of the charter of 1701 was the encouragement of early settlers, and "for the more immediate and entire government of the said town, and better regulation of trade therein." Thus, the Corporation was both a commercial body and a political or administrative one. As a commercial body, it supervised the markets and fairs, the wharves of the port, and the commons of the city. The Corporation's commercial powers and duties were delimited rather precisely in contrast with its administrative functions. It received in the charter a general grant of governmental power that seems ample


\(^8\) *Ibid.*, xlvi; Griffith, 37. The origins of Philadelphia's city government have been appraised by a mayor's committee in *Report of the Committee Appointed to Determine the Date of the Organization of the Government of the City of Philadelphia* (1908).

enough to persons familiar with the ideas of loose construction and implied powers:

And to make (and they may make, ordain, constitute and establish) such and so many good and reasonable laws, ordinances and constitutions (not repugnant to the laws of England and this government) as to the greater part of them at such common council assembled (where the mayor and recorder for the time being are to be always present) shall seem necessary and convenient for the government of the said city.

In fact, however, the Corporation was handicapped by this provision, which granted it no specific powers, and its authority over the city was vitiating by Penn's charter to the province in 1701, which granted the Assembly the power to regulate cities.

In addition to a mayor and a recorder, eight aldermen and twelve common councilmen were designated and the council had the right to enlarge itself at its own discretion. The mayor was chosen annually from among the aldermen; the aldermen were chosen as needed from among the common councilmen; and the councilmen were chosen, in theory at least, from among the freemen. In practice, however, men were occasionally selected on condition that they subsequently qualify as freemen. After the election of a new batch of common councilmen in 1732, the Corporation specifically "Ordered that all persons hereafter to be Admitted Comon Council Men shall be made freemen of this City before such Admission." Five of the eight new members duly took out their freedom.  

In early years, the meetings of the common council, called by the mayor, recorder, and one alderman "so often as they shall find occasion" (usually three or four times a year), frequently attracted little more than the legal quorum. The annual election meeting in October always drew the largest turnout—perhaps twenty to thirty members in the 1730's and 40's, thirty-five to forty in later years when the membership was at its largest. The Corporation seems never to have numbered more than fifty members.

Although for the purpose of establishing a night watch the city was early divided into wards, each with its own constable, there was no attempt to distribute corporation membership by ward. Members were not associated with any particular part of the city.

10 MCC, 321-322.
11 Ibid., 8, 11, 14-16.
Aldermen and councilmen held office for life, and the minutes of the common council record only one formal resignation, that of Alderman Daniel Benezet in 1766. He gave as his reasons “Indisposition, and his necessary Attendance on his private Affairs,” but he appears to have remained a common councilman.  

As a rule, rather than resigning, infirm or disinterested members simply ceased attending, despite occasional attempts to levy fines on nonattenders.

Members who refused to accept office were also fined; the maximum penalties ranged from £40, for refusal to be mayor, down to £35 for alderman, and to £20 for common councilman. The amounts indicate the economic status of corporation members, for £40 was a large sum. Still, there were twelve refusals of the mayoralty in seventy-five years, and usually these refusals drew fines. An exception was the case of Richard Hill, who refused re-election as mayor in 1717, after having served three consecutive terms.

A common way to avoid both service and fine was simply not to take the qualification prescribed by the charter. There was apparently some laxity in subscribing for in 1735 the common council ruled that new members must qualify within a year, or else re-election would be necessary.

The mayor was required to qualify similarly before the governor within a three-day time limit. In 1747, Anthony Morris was chosen mayor and fled to Bucks County to avoid notification. His family refused to accept the notice of his election, and messengers failed to locate him until after the three days had elapsed, making a new election necessary.

Although Corporation membership was an honor, it was also an expense and a nuisance, especially for the mayor. He was merely first man among equals and had no real executive power, although required to perform such tedious chores as touring the bakers’ shops monthly to inspect the bread for proper weight. As early as 1718, Jonathan Dickinson, mayor in 1712, 1717, and 1718, describing himself as “ye Serv* of this Citty,” was complaining of “al y*
Drudgery in a publick Station.”

In 1760, the mayor was granted a salary of £100 per year, “as it is not reasonable the Person who executes so troublesome an Office, should be a Loser by it.”

At the end of his term, the mayor was expected to feast the entire Corporation, although James Hamilton, outgoing mayor in 1746 and later deputy governor, gave the Corporation £150 instead of the banquet to begin a fund for a public building. Other mayors followed this example.

In his study of wealthy Philadelphia Quaker merchants, Frederick B. Tolles points out that many mayors were drawn from that group—“none but the wealthy could afford to be mayor.”

The office of recorder can only be briefly alluded to here. He had to be a lawyer, he was salaried (though often not paid), and his presence was necessary at all common council meetings and at all sessions of the mayor’s court. Selected by the common council, he held office until he died or resigned. Although the recorder’s activities remain shadowy, evidence suggests that he and the town clerk were the nearest to full-time officials that the Corporation had. Between them they kept most of its records and papers. A recorder of forceful personality with an eye for profit might easily run things his way, as William Allen, recorder from 1741 to 1750, appears to have done.

Robert Assheton, a kinsman of William Penn and town clerk from 1701 to 1716, was recorder from 1708 until his death in 1727. Thus, for eight years he held both positions. In 1716, the common council ruled against this practice and suggested that if Assheton would resign the clerkship they would appoint his son Ralph as soon as he came of age. This was done, the father making his resignation effective on his son’s birthday. The younger Assheton, who was also a councilman after 1724, was clerk from 1716 until his death in 1745 or 1746. Even a long visit to England did not interrupt his holding the office. He had one of the most successful records for obtaining...

18 MCC, 666.
20 Frederick B. Tolles, Meeting House and Counting House (Chapel Hill, N. C., 1948), 119.
22 Ibid., 111.
23 Ibid., 212–213, 248.
salary from the Corporation; in fact, he may have been paid too much.  

The record of the Assheton family suggests some of the Corporation’s weak spots.

During most of the first half of the eighteenth century, the finances of the Corporation were in poor shape. It lacked tax revenue. In its early years, an income derived from fees and rents did not go far. A new market house was financed by personal contributions from members of the common council; pressing charges were often paid by members out of their own pockets, to be repaid “out of the first money raised”; streets and wharves were repaired with advances from private individuals. In 1704, the Corporation tried to set up an inferior court “for the determining of small debts under forty shillings,” thus increasing its fees, but the inhabitants petitioned the governor against “that pernicious devouring and Extravagant Court” and obtained relief, leaving the Corporation still without funds.

In 1724 it was in debt, having borrowed £600 from the Assembly in 1723 to pay off loans from private citizens and for building and repairing wharves and bridges. Money was handled by a treasurer, who was one of the aldermen and held his appointment for life (or good behavior), receiving a percentage of moneys received as payment for his trouble. Audits were irregular and often took years to complete. Only in 1744 did the Corporation order that “a proper Instrument be Drawn” to empower the treasurer to receive and pay out Corporation money “Under the Seal of the said Corporation.”

Not until 1767, after sixty-six years of existence, did the common council approve regular annual audits of its funds. No rules were considered for the clerk of the market (and market business was a large part of the Corporation’s responsibility) until 1776 at, as it turned out, the final meeting of the common council.  

25 Ibid., 17, 37–38, 64.
26 Ibid., 13, 19; Allinson and Penrose, 49–50.
27 MCC, 240.
28 Ibid., 238; Votes of Assembly, Pennsylvania Archives, Eighth Series, II, 1553, 1555.
29 See, for example, MCC, 378–379, 381, 383, 390, 423, 428, 469–478.
30 Ibid., 436.
31 Ibid., 722.
32 Ibid., 811.
The Corporation had difficulty collecting its moneys held in private hands, and it had trouble collecting rents and fines. For example, the mayor's court, a quarterly court of record in which mayor, recorder, and some of the aldermen were justices, represented not only the important judicial function of the Corporation but also a substantial source of its income from fees and fines. But the minutes of the common council show that much of that income was uncollectable; reduction of a fine upon petition was common, and many people fined either could not or would not pay. On at least one occasion, persons jailed for not paying "Fines due from them to this Corporation" ended as an expense for the city and county, which had to pay for their keep in jail. After consideration, the common council voted to discharge them; apparently the fines were never recovered.\textsuperscript{33}

By the 1750's the Corporation was beginning to weary of collecting the uncollectable, and it began to remit fines with the proviso that "the Petitioner will immediately depart the Province."\textsuperscript{34} During the French and Indian War, some able-bodied male petitioners had their fines remitted "upon Condition that he do inlist himself as a Soldier in the Kings Service, but not otherwise."\textsuperscript{35}

The business practices of this group of "considerable merchants" are difficult to reconcile with their standing in the commercial community. Men who never forgot a shilling in private business lost track for years of leases and deeds of property belonging to the Corporation.\textsuperscript{36} Ordinances were published and then forgotten; occasional committees delegated to gather them together were unable to find many.\textsuperscript{37} Officials were engaged without a word about salary, and years might elapse before anyone, including the official, gave any thought to it.\textsuperscript{38} The picture that emerges matches that of a similar English corporation:

To the conscientious the mayoralty involved the fulfillment of expensive and burdensome obligations. . . . The office of chamberlain, like that of mayor, could on occasion be filled only by compulsion. . . . An arduous

\textsuperscript{33} \textit{ibid.}, 358.
\textsuperscript{34} \textit{ibid.}, 562.
\textsuperscript{35} \textit{ibid.}, 594.
\textsuperscript{36} \textit{ibid.}, 422, 429, 465.
\textsuperscript{37} \textit{ibid.}, 265, 267, 271-272, 623.
\textsuperscript{38} \textit{ibid.}, 381-382.
office, rewarded by no perquisites, it had its own special difficulties. . . . It cannot be said that the accounts of the corporation were kept scientifically, and to judge from the extant accounts, the annual audit was often perfunctory. Further, since the corporation often found difficulty in balancing its budget, and in the hands of a chamberlain the public and private purses could easily be confused, there were occasions of inconvenience, if not of dishonesty, and very likely of financial loss. . . . The finances of an ancient, dignified, and propertied corporation were conducted on lines not substantially different from those of some fugitive college literary club.

The vast quantity of work resting on the shoulders of honorary and unprofessional officers who, though they were commonly not conscientious, were often muddled and inevitably incompetent, had one disastrous consequence. The unprofessional dignitaries fell too much under the sway of the corporation's professional officers. . . . 39

The charter of the Corporation was inadequate for the effective government of Philadelphia, and this must have been readily apparent to the common council as it struggled with such problems as the repair of streets and the organization of a night watch. In 1706, its members were drafting a new charter to contain "such privileges as the present charter are deficient in." 40 Nothing seems to have come of this approach to the proprietor, but in the same year "sundry Freemen and Inhabitants" petitioned the Assembly for a bill "for strengthening and confirming the City Charter, and enabling the Mayor and Commonalty to make By-Laws." 41 Although the Assembly granted the petition, it resolved later that it did not "intend the Magistrates of the said City any more Power in civil Causes than their Charter allows them." 42 In 1709, 1710, and 1711, the Corporation took the charter question to the Assembly, but always without success. 43

Finally, in 1712, the Assembly passed "An Act for raising Money on the Inhabitants of the City of Philadelphia, for the publick Use and Benefit thereof." 44 Under this law, the Corporation shared the taxing power with six popularly elected assessors. This was the

40 MCC, 36, 40-41. Unfortunately, this draft is not to be found.
41 Votes of Assembly, I, 598; cf MCC, 43.
42 Votes of Assembly, I, 602, 616.
43 MCC, 65, 72, 73-74; Votes of Assembly, II, 888, 890-891, 950-951, 960-961, 966, 972.
44 A Collection of All the Laws of the Province of Pennsylvania Now in Force (Philadelphia, 1742), 118-122.
beginning of the process by which the Corporation was gradually relieved of nearly all responsibility for the actual government of Philadelphia. Each service that it attempted and failed to provide was eventually supplied either by private enterprise or by the establishment of a separate board or commission. The renown of Philadelphia’s fire companies, for example, has obscured the fact that the Corporation, to the extent it could afford it, purchased firefighting equipment early and late in its history, but it always had difficulty keeping it in good repair and in getting its members to act as effective custodians.

Although the Corporation lost its responsibility as a governing body, it continued to function and to recruit members. William Black, a young Virginian visiting Philadelphia in 1744, has left a rare picture of the Corporation on a solemn public occasion:

I pass’d away the Forenoon, and from the Ship went to Mr. Strettell’s and Din’d with the Commissioners: at 4 in the Afternoon, they with their Levee waited on his Honour the Governor, in order to attend to the Declaration of Warr; a few Minutes after we got to the Governor’s came the Mayor Council, and the Corporation, and then began the Procession, First the Constables with their Staffs, and the Sheriffs and the Coroner with their White Wands ushered the way, then his Honour the Governor, with the Mayor on his Right, and the Recorder of the City on his left hand, following them were Colonels Lee and Beverly, and the Gentlemen of their Levee, next was the Council, and after them the City Corporation, and then the Rear Composed of Towns Gentlemen, &c., in this Order two and two, we went with Solemn Pace to the Market Place, where Secretary Peters proclaim’d War against the French King and all his Subjects. . . .

The Corporation, pacing on between staffs and wands, was a body already out of date in the New World, one that did very well at treating incoming and outgoing governors but poorly at paving streets, one that thought of itself as a public agency in the same sense in which Eton is a public school. In the third quarter of the eighteenth century it was almost totally divorced from the populace at large, and almost completely insulated from the political agitation that rocked the American colonies in the 1760’s and 70’s.

Who were the men who made up this rather lackluster institution? In large measure, they were the grandees of colonial Philadelphia.

45 "Journal of William Black, 1744," PMHB, II (1878), 43-44.
Evidence suggests that the Corporation, however it may have begun, ended as a social matrix of business, marriage, religious, and educational bonds. Given the political and social views of the eighteenth century, it was only too easy for the Corporation to enlarge itself with members' relatives, business partners, and fellow vestrymen. The urge was strong to keep Corporation patronage in the family, so to speak; its tendency was to operate for the members' benefit.

Edward Shippen, first mayor under the 1701 charter, was "a wealthy merchant and owner of real estate" even before he moved from Boston to Philadelphia, where he soon owned the biggest house and coach in town. William Hudson, mayor in 1725–1726, owned extensive lands both in Pennsylvania and in England, established several tanneries in Philadelphia, lived in a large mansion at Third and Chestnut Streets, rode about in a fine coach (except on First Days), and dressed "as fashionably as a consistent Quaker could" (black velvet suits, silver buttons and shoe buckles, gilt-headed cane).

One can find among these grandees of the Corporation an undertone of speculation or commercial extension. Jonathan Dickinson, three times mayor, died in 1722 and left household goods worth more than £1,000 and contents of a store worth nearly that much in addition to large amounts of real estate in Pennsylvania, New Jersey, and Jamaica. Yet his debts, mostly for land purchases, were so extensive that his executors had a good deal of trouble keeping his estate solvent. William Fishbourn, mayor from 1719 to 1722 and long-time Corporation treasurer, was caught embezzling from the provincial general loan office, of which he was a trustee, and was subsequently prohibited by act of Assembly from holding public office. Robert Ellis, common councilman from 1722 to 1746, was a well-established merchant and slavetrader, and at one point owned all or part of nine ships and part of an iron works. Yet he was often in debt, hopelessly so after 1744. When he died in 1750, his property was seized by creditors and sold at auction.

49 *Pennsylvania Archives, First Series* (hereinafter *Council Minutes*), I, 272–279.
These men may be exceptions to the general irreproachable commercial standing of the Corporation membership; yet Fishbourn continued as treasurer for more than a year after his public censure, which suggests that his colleagues were not too scandalized. There is scattered evidence that some Corporation members were a little arrogant before the law—high-toned scofflaws. A constable’s list of delinquents that may date from 1705 names eleven men who refused to serve when called for the night watch; two of the delinquents were aldermen, and this was at the very time the council was considering how to make the watch effective. Another of these delinquents was subsequently elected common councilman. In 1744, the grand jury presented Alderman Samuel Hasell, not only for failing to act on a complaint of public swearing, but for himself swearing at the complainant; it must have been a mighty oath to have reached the grand jury. William Till, mayor in 1742–1743, later used his post as collector of the port of Newcastle to help Philadelphia merchants evade the Navigation Acts.

These acts and attitudes do not appear, however, to have been general among the Corporation members, who certainly represented a commercial elite. When William Black came to Philadelphia in 1744 as part of an official commission from Virginia, he was entertained by the social pillars of Philadelphia—Robert Strettell, Thomas Lawrence, William Allen, Joseph Turner, John Sober, Abraham Taylor, William Logan, and either William or Clement Plumsted, all Corporation members. The phrase recurs in Black’s journal with the insistence of a Homeric epithet—“a very Considerable Merchant of the City,” “one of the Honourable Council, Alderman, and a Considerable Merchant in the City.”

The family feeling of these “considerable merchants” could be demonstrated inexhaustibly. The Allen family, for example, William and his sons, supplied the Corporation with two recorders, an alderman, and at least one common councilman. They were involved with the Corporation in business transactions, and they held among themselves several important provincial offices. Two generations of

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52 Ibid., 53.
Morrises, Norrises, Shippens, Lawrences, Plumsteds, and Willingses served as mayor. To cite another example, Benjamin Chew, recorder of the Corporation and later chief justice of the provincial supreme court, studied law under Andrew Hamilton, himself recorder for a time. Andrew Hamilton had two sons in the Corporation, James and Andrew; the former served a term as mayor, and the latter held the town clerkship. The Hamilton family was related by marriage to that of William Allen, who was recorder after Andrew Hamilton and before Benjamin Chew. Allen also preceded Chew as chief justice.  

Many Corporation members were important and influential politically. Of the members of the appointive provincial council between 1704 and 1714, the first ten years for which there are Corporation records, all but two belonged to the Corporation. Thomas Story and Robert Assheton, both members of the council, served as Corporation recorder; Edward Shippen, George Roch, Richard Hill, Isaac Norris, Samuel Preston, and Jonathan Dickinson were in both council and Corporation, and each served at least one term as mayor. Richard Hill was, in addition, speaker of the Assembly for two terms (1710 and 1711). From 1704 to 1714, the two representatives of the city of Philadelphia were always Corporation members; in addition, of the eight Assembly members from Philadelphia County, three were Corporation members in 1704, three in 1705, five in 1706–1709, three in 1710 and 1711, and five in 1712.

The tie between Corporation and council is equally striking in later years; between 1730 and 1735 all council members but two were in the Corporation, and those two rarely attended the council. In 1750, only one of the council’s seven members was not also in the Corporation, and Deputy Governor James Hamilton was a former mayor. With the exception of members of the Penn family, every appointee but one to the council from 1750 to 1776 was a Corporation member.  

In the Assembly, however, the reverse is found. The number of Corporation members representing Philadelphia County declined after 1750 to only an occasional one—one in 1750, then none until 1764, one member in that year, then none until 1770, when Samuel

Rhoads was elected and served five years. In 1775, no Corporation member was elected for Philadelphia County. Throughout this period, however, William Allen, a Corporation member, was in the Assembly, representing Northampton County in 1756 and Cumberland County after that. William Plumsted, another former mayor, was also elected to a term from Northampton County.

The Corporation had somewhat better Assembly representation for the city of Philadelphia. Benjamin Franklin, who represented the city from 1751 to 1764, and again in 1773 and 1775, was a Corporation member, but he took no part in its affairs after the mid-1750's. Samuel Rhoads was elected in 1761, 1762, and 1763. In 1764 and 1765, Thomas Willing served, unseating Franklin in 1764. In 1771 and 1772, Samuel Shoemaker, later a Tory, represented the city. In seven of twenty-six years, neither city representative belonged to the Corporation. In only three of those years were both representatives members. The identification of the member who served longest in the Assembly, Benjamin Franklin, with Corporation interests was both slight and brief.

The hypothesis that suggests itself is that a correlation exists between the Corporation and appointive offices, and a negative correlation between the Corporation and Assembly membership. A recent study that supports this hypothesis argues for the existence of a "proprietary group" which acted as the Penns' main support in the province. Except for the period 1764-1776, this group was poorly represented in the Assembly but was entrenched in the appointive executive branch. The Corporation was thus a stronghold of the proprietary group. 58

The membership of the Corporation in the early eighteenth century was heavily Quaker. By mid-century, the proportion of Quakers had declined, although many non-Quaker members had come from Quaker origins. During the crisis of the 1750's, that resulted in the partial Quaker withdrawal from public life, no wholesale withdrawal of Quaker members from the Corporation is apparent. Evidence of deliberate withdrawal is unclear, although William Logan, characterized as "a strict Quaker and a leader of the conscientious objectors to war," disappeared from common council

58 Ibid.
meetings after October, 1754. He continued, however, to attend the provincial council, a body far more concerned with questions of defense than the Corporation, throughout the 1750’s and 60’s. In 1756, Logan signed an address sent from the Philadelphia Monthly Meeting to the proprietors, urging one of them to settle in Pennsylvania, stressing the need for harmony, and lamenting the commotion of provincial politics, and in the late 1760’s he resumed attending the common council. Another signer of this address was Joshua Emlen, a Corporation member possibly related to Logan by marriage. Joshua Emlen dropped out of the common council after 1756, as did George Emlen. The long list of signers of the 1756 address includes Corporation members who stopped attending and others who continued to attend, all of whom can be considered Quakers in good standing. Israel Pemberton, prominent in the Quaker withdrawal, did not attend the common council after February, 1753, a date in advance of his withdrawal from the Assembly.

The Corporation itself was so far from disapproving of military activities during the 1750’s that it urged the Assembly in 1755: “to give that legal protection to your Bleeding Country which ought to be the Chief object of all Government at such a perilous Juncture as this, and let it be no longer said that while we are daily hearing so much about priviledge and right we are in the meantime deprived of that most essential Right and great first priviledge (which God and nature gave us) of defending our Lives and protecting our Families.”

It is typical of the Corporation that in a later paragraph of this remonstrance, it feared that a flood of back-country refugees “must necessarily be prejudicial to the general course of Business & enhance the value of all necessaries by encreasing the number of mouths, & at the same time diminish the number of hands that should supply our Market, all of which will prove a Burthen on us too heavy to bear.”

About the same time, the mayor, recorder, and aldermen were called in by the governor and advised on “the dangerous and naked State of the city” if the French should attack. Describing them as

59 “George Logan,” DAB, XI, 359–360; “Address to Thomas and Richard Penn, 1st of 1st mo, 1756,” Penn Manuscripts, Autograph Petitions, XII, 52, HSP.
60 Council Minutes, VI, 734–735.
“the most considerable Inhabitants of the Province, and the best affected to his Majesties Government,” the governor asked the Corporation to do what it could for the city’s defense. Its members assured him they would do so “with the utmost Zeal and Diligence.” Early in 1756, the common council set up a committee to meet with the governor and his commissioners to plan the defense of the city. In October of the same year, the common council voted to spend £150 on “Pieces of Plate, Swords, or other Things suitable for Presents” as gifts for Colonel John Armstrong and his officers, who had made a successful foray against the Indians at Kittanning.

However, in spite of its obvious desire to see the city defended, the Corporation was neither zealous or resourceful. In August, 1755, the mayor and several aldermen wrote the governor:

We received your order of the 1st Instant in Council requiring us to provide Quarters in this City for two Regiments of his Majesty’s Forces now marching hither, and an Hospital for the Sick. To which we beg leave to Answer that we know of no law that Authorizes us to make such provisions, and, therefore, have it not in our powers to obey your order.

The Corporation, as previously mentioned, generally supported the proprietors. In 1764, when the Assembly petitioned the King for royal government, the Corporation sent a counterpetition to the Penns, “expressing their Disapprobation of such a Change,” and Corporation members were active in circulating similar petitions among the citizens, describing the Penns as “easy & kind landlords, for upwards of eighty years.”

By the middle of the eighteenth century the Corporation was well divorced from the interests of the citizenry. In 1753, after several years of sporadic maneuvering, it tried to rent out the Blue Anchor Landing. This landing place on the Delaware was reserved in the municipal charter for free use, but the Corporation had a deed to the land and was all for making it profitable. The public protest against this action was led by the “Wardens, Commissioners, Assessors, and

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61 Ibid., 663-664.
62 MCC, 592, 594.
63 Ibid., 600, 604-605.
64 Council Minutes, VI, 532-533.
65 Warden, 378.
66 MCC, 704-705; Penn Manuscripts, Autograph Petitions, XII, 58, 66, 74, 76, HSP.
Overseers of the Poor," that is, the popularly chosen city officials. People objected to the "attempt of the Mayor & Commonalty to deprive the Citizens of that Valuable Landing Place by setting up a separate right. . . ." It was pointed out to the Corporation that an earlier (1691) attempt to take over the landing had been resisted by the mayor and common council of that day, "who like true Guardians of the Peoples Rights and Liberties honestly Endeavoured to support the just rights of the citizens." Samuel Powell, an elderly Quaker, spoke up at that time to affirm that the early Corporation had been the guardian of the public interest, "the distinction of city Rights from Corporation Rights being then unknown or unheard of as he Believes." Faced with vigorous protest, the Corporation gave way, but it was always ready to excuse itself from obligations that it thought should be the "city's charge" and it was ungenerous to the end.67

In 1759, the wardens of the watch appeared at a common council to ask the Corporation to build a vault under the new market stalls then being constructed, since a "place is much wanted for storing Oyl for the Use of the City Lamps." Typically, the Corporation ordered the vault built but referred for later consideration the question "whether the said Vault shall be made use of by the Wardens for the purpose they desire, or let out by this Board for some other public use."68

By 1770, the Corporation had become rather comic in its anxiety not to pay any "city charges." A petition was sent in to the common council praying for the repair of the Water Street drawbridge. For a month the Corporation and the city assessors haggled over whether the bridge belonged to the city or the Corporation; the assessors were sure it was a Corporation bridge and were willing to repair it with tax money only if inspection of the Corporation books convinced them that it couldn't afford the repair. The Corporation indignantly refused to show its books but finally arranged to have a fence put up "to prevent any personal danger to people passing that way." Three months after the petition, the common council voted to

"repair, build up and put in good Order, the Stone Walls at the place where the wooden Bridge lately stood," but it voted down the question of actually laying the bridge. 69

These incidents make plain that however prominent and aggressive Corporation members may have been in the Philadelphia of their times, the Corporation itself was not a vigorous or publicly useful body. The capable individuals who composed it were not interested or not able to make it reflect their capabilities. With the coming of popular Revolutionary agitation, in which the questions of representative government and self-rule were widely discussed, it was inevitable that such an institution should be found on the unsuccessful side of the argument. Actually, the agitation barely penetrated into the common council. While the political ferment was at its pitch, the municipal Corporation of Philadelphia lived a twilight life, fussing over the standard half-bushel measure and debating the building of a city hall. The genuine identification with the public interest shown in its early years had been replaced by indifference and an increasingly narrow view of its duties. By the 1770's, an upper-class timidity prevailed, with the Corporation taking fright at any threat of popular action but petulantly defending its own privileges. At the time of its formal dissolution, it seems to have been held together by nothing more than its own inertia.

Columbus, Ohio

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69 Ibid., 746, 747-748, 749.